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Land Reform in Afghanistan (LARA) Mid-Term Evaluation



March 2013

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LAND REFORM IN AFGHANISTAN (LARA) MID-TERM EVALUATION

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Cover Photo:

Community leaders display their self-help achievements, aspirations, and action plans for supporting LARA upgrading initiatives; courtesy of the LARA Evaluation Team.

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ACRONYMS

ADS	Automated Directives System
AGCHO	Afghan Geodesy and Cartographic Head Office
AIMS	Afghanistan Information Management Services
ALRMIS	Afghan Land Records Management System ALCO Afghan Land Consulting Organization
AMLAK	Land Management General Directorate of MAIL
ANDS	Afghanistan National Development Strategy 1387 – 1391 (2008 – 2013)
AO	Assistance Objective
APPF	Afghanistan Public Protection Force
ARAZI	MAIL Afghanistan Land Authority
BizCLIR	Business Climate Legal and Institutional Reform
CBDR	Community-Based Dispute Resolution
CDC	Community Development Councils
CDMS	Cadastral Data Management System
CLIR	Commercial Law and Institutional Reform
COP	Chief of Party
CRA	Cooperation for Reconstruction of Afghanistan
DEC	Development Experience Clearinghouse
DFID/DfiD	United Kingdom Department for International Development
DRACS	Deeds Registry Archive Conversion System
DUDA	Directorate of Urban Development Affairs
FGD	Focus Group Discussion
FY	Fiscal Year
GDMA	General Directorate of Municipal Affairs
GIRoA	Government of the Islamic Republic of Afghanistan
GIS	Geographic Information System
GRM	Government Revenue Management (from Thomson Reuters)
IDLG	Independent Directorate of Local Governance
ILS	International Land Systems
INGO	International Non-governmental Organization
KURP	Kabul Urban Reconstruction Project
LARA	Land Reform in Afghanistan
LIS	Land Information System
LML	Land Management Law
LTERA	Land Tenure and Economic Restructuring in Afghanistan
MAIL	Ministry of Agriculture, Irrigation and Livestock
MoCIT	Ministry of Communication and Information Technology
MoF	Ministry of Finance
MoJ	Ministry of Justice
MoIA	Ministry of Interior Affairs
MUDA	Ministry of Urban Development Affairs
NGA	National Geospatial Agency
NGO	Non-governmental Organization
OEGI	Office of Economic Growth and Infrastructure

PIA	Public Information Awareness
SOW	Statement of Work
SUPPORT	Services Under Program and Project Offices for Results Tracking
<i>Tasfia</i>	Land Rights Identification Process
TLO	The Liaison Office
USAID	United States Agency for International Development
USG	United States Government
WLRTF	Women Land Rights Task Force

EXECUTIVE SUMMARY

This report provides a Mid-Term Performance Evaluation of the Land Reform in Afghanistan Program (LARA). The findings from this mid-term evaluation are intended to focus the activities and objectives during the remaining year in the current contract and to inform future United States Agency for International Development/Afghanistan (USAID/Afghanistan) land reform and land tenure programming.

1. PROJECT BACKGROUND

LARA intends to support the Government of the Islamic Republic of Afghanistan (GIROA) in the implementation of the National Land Policy by developing a robust, enduring, Afghan-owned and managed land market framework. LARA's overriding objectives are to encourage investment, foster productivity growth, mitigate land-based conflict, and build confidence in the government's legitimacy, thereby enhancing stability in Afghan society.

There are three project components:

- **Component 1** – Strengthen land tenure security through formalization and upgrading of informal settlements.
- **Component 2** – Identify legal amendments related to land reform, and provide legal support to Afghan Land Authority (MAIL/Arazi), Ministry of Urban Development Affairs (MUDA), and Afghan Geodesy and Cartographic Head Office (AGCHO).
- **Component 3** – Build the capacity of public and private sectors to provide efficient land-related services and urban planning & management skills.

2. EVALUATION QUESTIONS, DESIGN, METHODS AND LIMITATIONS

The main purpose of this mid-term evaluation is to provide the Mission's senior management and the USAID/Afghanistan Office of Economic Growth and Infrastructure (OEGI)/Land Reform Team with an objective, external assessment of the effectiveness and efficiency of the implementation of LARA to date. The evaluation focuses on four questions:

1. (a) How are all stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?
(b) Are all stakeholders as involved as they feel they should be in the LARA formalization process?
2. How do the proposed legal amendments address the fundamental issues of land reform?
3. How have LARA trainings increased counterparts' capacity?
4. (a) Has the LARA project been implemented effectively and efficiently to date?
(b) What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?

Methodology: The evaluation team used mixed methods to assess whether and how the activities under each component are contributing toward the achievement of LARA's goals and objectives. An Appreciative Inquiry (AI) approach was used for much of the data collection in the field, particularly during focus group discussions.

Additional methods included:

1. Review of key documents, and visits to informal settlement sites in Kabul and Jalalabad;
2. Key Interviews with personnel from LARA, government officials, donors, non-governmental organizations (NGOs), Provincial and Supreme Court Judges, property dealers plus community members and elders. The team visited nine sites in three urban settlements to meet with a total of 26 organizations in Kabul and Jalalabad. In total, the team met approximately 200 individuals;
3. Focus Group Discussions with approximately 100 community members representing 18 Community Development Councils (CDCs) and three women's groups;
4. Site Observations during which the team observed the status of services, quality of life, self-help activities, and problems faced by residents; and,
5. A mini-survey of 11 beneficiaries in target communities weighing perceptions regarding policy and upgrading priorities.

3. FINDINGS AND CONCLUSIONS

Overall, the evaluation team found that LARA has made progress in moving forward the dialogue surrounding national policies for formalization of informal settlements. Likewise, there has been marked progress in gaining national and municipal governmental acceptance of the rights of those occupying informal settlements. These accomplishments have been won in spite of significant start-up problems related to adjustments to the Scope of Work by the donor, major budget reductions, and turnover among senior staff.

Question 1a: How are all stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?

Key Findings and Conclusions:

- Institutional stakeholders, including MUDA, Directorate of Urban Development Affairs (DUDA), Independent Directorate of Local Governance (IDLG), Arazi, AGCHO, and Courts have been actively involved in policy dialogue to gain acceptance of formalizing procedures that will recognize the rights of those in informal settlements and provide a model for upgrading infrastructure in two settlements.¹
- Through involvement of government stakeholders—under the leadership of MUDA--a policy on upgrading of informal settlements is in the process of being finalized with specific roles being clarified for each stakeholder.
- LARA has provided technical assistance on software development and training in the use of software for land management, regularization, and document management. However,

¹These agencies have actively participated in considering formalization procedures and how to foster their acceptance by stakeholders. To see more about how these agencies are involved see the minutes of the Technical Working Group meetings chaired by MUDA, and referenced in Annex VII. It is important that the different agencies consider the TWG deliberations to be sufficiently important to continue participating.

the focus on software tends to direct attention away from institutional re-engineering needed by agencies, such as the integration of parts of Arazi and Cadastral Survey into a Land Administration General Directorate.

- LARA has been successful in engaging stakeholders at the top of the pyramid; by design, much less attention has been paid to those at the bottom.
- Considerable untapped scope exists for community engagement and contributions in cash and in kind to the upgrading of title and infrastructure.

Question 1b: Are all stakeholders as involved as they feel they should be in the LARA formalization process?

Key Findings and Conclusions:

- Government stakeholders in the LARA project are as involved as they feel they should be in the formalization process and feel positively toward LARA contributions to their agencies; however, AGCHO and the Jalalabad Municipality heads expressed some dissatisfaction with visible results and pace of implementation that is to follow from formalization.
- Institutional partners reported feeling actively involved with evident links to LARA; each partner has made practical suggestions for improving LARA.
- The Municipality of Jalalabad is less involved in community meetings but is active in the planning process for settlements' formalization.
- All major stakeholders, including communities, report minimal involvement in actual upgrading activities. At the time of this evaluation, no actual upgrading of infrastructure has yet occurred, causing some dissatisfaction with the project among all stakeholders and particularly among settlement communities.²
- Although communities and local CDCs value their opportunity to contribute, many feel that their involvement in formalization has been minimal and urge that the detailed planning, design and execution of the projects should be augmented to provide for their greater involvement in LARA's future work in both formalizing and upgrading their settlements.
- Female settlement residents reported feeling particularly marginalized without active roles in LARA; however, women are keen to be involved and expressed a strong need for literacy and savings programs to help increase their capacity for involvement.
- Considerable scope is present for developing a bottom-up strategy that engages all stakeholders and local communities in upgrading--and for involving women by facilitating empowerment through literacy and savings initiatives.

Question 2: How do proposed legal amendments address the fundamental issues of land reform?

Key Findings and Conclusions:

² MUDA is responsible for finalizing this policy.

- LARA has contributed to important policy dialogue surrounding legal issues for upgrading of informal settlements.
- An evolution of governmental approaches is evident in regularization of informal settlements.
- LARA, with Arazi, has contributed to an improved Land Management Law (LML), but the law is weak on recognizing community legitimization of existing ownership and use rights. The law has made progress on meeting the criteria outlined by the Commercial Law and Institutional Reform/Business Climate Legal and Institutional Reform (CLIR/BizCLIR) report and to some extent, has corrected the initial weaknesses of the draft amendments regarding the National Land Policy's emphasis on community involvement in the administration of land rights.

Question 3: How have LARA trainings increased counterparts' capacity?

Key Findings and Conclusions:

- LARA has sponsored training in GIS, Cartography and Mapping, Basic Management Skills, Basic IT Skills, and has contributed to clearer agricultural land leasing procedures in Kabul and selected provinces with the help of Arazi.
- Training has been well received by Arazi, MUDA, IDLG, the Supreme Court, and the Municipality of Jalalabad, and less so by AGCHO.
- Training and institutional capacity development is constrained by LARA's inability to deliver needed computers, equipment and support for trainees to practice what they learn.

Question 4a: Has LARA been efficiently and effectively implemented to date?

Key Findings and Conclusions:

- LARA created nearly all of its important intended outputs, frequently in excess of targets, within its planned resource expenditures.
- LARA has focused substantial resources and attention on the policy environment and has made significant progress toward the effective achievement of its major objectives with more accomplishment expected through formalization and upgrading programs and policies to address informality.
- Public consultations on amendments to the LML have been extensive and the package is moving toward approval.

Question 4b: What recommendations does the evaluation team have for future USAID programming in land reform, land tenure, land titling and cadastral mapping areas?

4. RECOMMENDATIONS

Recommendations to USAID for future land programs:

1. Future programs should emphasize actual upgrading of physical and social infrastructure while maintaining the accompanying policy and legal reform.
2. USAID should consider pursuing a "bottom-up" strategy.

3. Future land programs should integrate gender considerations at the project design phase.
4. USAID should require that implementers conduct baseline surveys derived from a development causal model specific to the proposed projects.

Recommendations for continued LARA activities:

General Recommendations:

1. LARA should pursue small-scale community initiatives to undertake upgrading activities and should encourage MUDA and GDMA to incorporate these types of local initiatives into the city planning process.³
2. Women should be more actively engaged in LARA activities. LARA should consider empowering women's groups through literacy and savings programs (i.e. savings box) to present greater opportunity for women to engage in decision-making.
3. USAID should consider implementation of a co-management model with the Jalalabad Mayor for planning upgrading and capacity building similar to the successful process used by the UNDP/ASGP project in Jalalabad. This process relies on co-signatures for expenditures. Such models—when appropriate accountability procedures are included—can increase buy-in and promote community ownership of activities (See Annex VII).

Recommendations for stakeholder involvement:

1. The introduction of proposed land administration and management software must be accompanied by extensive and continued on-the-job training beyond the limited initial first phase of training currently planned.
2. In collaboration with Arazi, LARA should prepare a business plan for Arazi's Data Center.
3. LARA should continue implementation of the Deeds Registry Archive Conversion System (DRACS) in order to digitize archived records.
4. LARA should replicate its support for public discussions during revision of the LML for other legal initiatives, such as the drafting of the law for the Registration of Customary Deeds or the Supreme Court order to Provincial Judges to facilitate conversion of customary deeds into court title deeds.
5. LARA should continue its efforts to finalize governmental approval of the Policy for Informal Settlement Upgrading.
6. LARA should deepen its work with MUDA to clarify LARA's project objectives and the emphasis placed on policy change and should respond to MUDA's request for more tangible and visible outcomes for upgrading and urban service delivery focused on informal settlements.⁴

³ The community-based approach to upgrading has been tested by CRA in Kabul. It would be instructive for USAID to do a site visit to see how the "start small" approach works. That approach has also been well tested by the Asian Coalition for Housing Reform (ACHR) and the Asian Coalition for Community Action (ACCA) <http://www.iied.org/locally-led-urban-development-experiment-change>.

⁴ Project objectives are agreed upon in the PIL. However, LARA does not reference the PILs in its work plans. The evaluation team experimented in using the PIL as part of the evaluation in interviews with the heads of signatory agencies, demonstrating the value of the PIL as a monitoring tool. However, since it has not been used in project planning, the team chose not to reference it directly other than to recommend the use of the PIL in future projects.

Recommendations for legal amendments:

1. Offer assistance to the Supreme Court in implementing its Order for Provincial Judges to simplify procedures for converting customary deeds to title deeds.

Recommendations for Capacity Building:

1. LARA curriculum designers should conduct needs assessments among training participants to ensure that training topics fully address capacity gaps.
2. LARA-sponsored trainings should make use of adult learning principles⁵ and best practices.

⁵ The theory, principles, and practice of adult learning are described by numerous authors including Lewin (1951), Freire (1972, 1987), Knowles (1980, 1989), and Vella (1994, 1995). Also see material on the Motivation Framework for Culturally Responsive Teaching.

INTRODUCTION

1. PROJECT BACKGROUND

The Land Reform in Afghanistan Project (LARA) was signed with Tetra Tech/ARD and its partners on January 30, 2011 and was scheduled to take place in two phases, each approximately 18 months in duration. The base period ended on July 31, 2012, and the option period was approved by the United States Agency for International Development (USAID) on June 12, 2012 and will last from August 1, 2012 until January 31, 2014 with a total contract amount of \$41.8 million. During the first year of the project a number of substantial amendments were made to the original contract including major reductions in budget accompanied by a revolving door of LARA Chiefs of Party (COPs).

LARA is intended to support the Government of the Islamic Republic of Afghanistan (GIROA) in the implementation of the National Land Policy by developing a robust, enduring, Afghan-owned and managed land market framework that encourages investment and productivity growth, mitigates land-based conflict, and builds confidence in GIROA's legitimacy, thereby enhancing stability in Afghan society.

LARA is designed to contribute to the Assistance Objective (AO) 4 and the Afghanistan National Development Strategy. There are three major components that shape LARA's support:

1. The former USAID Land Tenure and Economic Restructuring in Afghanistan (LTERA) project that supplies a foundation to build on;
2. USAID/Afghanistan management objectives for Afghanization and conflict mitigation regarding land dispute to promote peace and stability; and
3. The following major LARA objectives, as stated in the LARA Work Plan:
 - Improve property rights delivery (land administration and formalization);
 - Enable all citizens (women, minorities, and vulnerable populations) to exercise their rights through public information awareness (PIA);
 - Strengthen land dispute resolution processes to reduce conflict and promote peace and stability;
 - Promote economic development through clear and enforceable property rights, PIA, land rights delivery, and land dispute resolution;
 - Strengthen institutional, policy, and legal reform to secure property rights for Afghan citizens;
 - Provide assistance in the crosscutting areas of gender, training, PIA, and private sector development.

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

1. Strengthen Land Tenure Security through Formalization and Upgrading of Informal Settlements.
2. Legal Framework: Provide limited assistance to Arazi to identify, manage, lease, and obtain revenue from Afghan government lands and provide targeted technical assistance.

3. Capacity Building: Build capacity of public (Afghan Geodesy and Cartographic Head Office [AGCHO], Arazi, Independent Directorate of Local Governance [IDLG], Ministry of Urban Development Affairs [MUDA], Supreme Court) and private sector service providers to improve and streamline land tenure processes to Afghan private and public sectors.

2. EVALUATION PURPOSE

The purpose of this midterm evaluation is to provide USAID/Afghanistan senior management and the OEGI/Land Reform Team with an objective, external assessment of the efficiency and effectiveness of the implementation of LARA to date⁶. The evaluation explores how the activities under each component contribute toward the achievement of LARA goals and objectives.

The evaluation will help the Mission Senior Management: (a) understand whether the project is meeting its objectives – actual versus planned achievements; (b) evaluate the efficiency of LARA’s implementation in working with its five GIRoA counterparts;⁷ (c) identify deficiencies in the project’s current activities and recommend remedial actions to be carried out during the remaining period; and (d) use lessons learned to inform the decision for future USAID programming in the land reform, land titling, institution strengthening and cadastral mapping areas.

3. EVALUATION QUESTIONS

The evaluation focused on 4 priority questions that guided the team’s investigations:

1. (a) How are all stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?
(b) Are all stakeholders as involved as they feel they should be in the LARA formalization process?
2. How [do] the proposed legal amendments address the fundamental issues of land reform?
3. How have LARA trainings increased counterparts’ capacity?
4. (a) Has the LARA project been implemented effectively and efficiently to date?
(b) What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?⁸

4. METHODS AND LIMITATIONS

4.1 Methods

⁶In consultation with USAID the team adhered to the understanding that “effectiveness” is a measure of progress toward stated objectives during project performance, and “efficiency” is a measure of the ratio of invested resources to the value of project outcomes.

⁷LARA has five GIRoA Counterparts: MAIL/Arazi, AGCHO, Supreme Court, MUDA, and IDLG.

⁸The evaluation team’s responses to question 4b will appear as the “Recommendations” section of this report.

The evaluation team utilized mixed methods to explore likely relationships regarding how the activities under each component contribute to the achievement of LARA's goals and objectives. This methodology included an Appreciative Inquiry (AI) approach for field data collection, particularly in the context of the focus group discussions. AI helped to structure discussions around (a) participants' experiences with LARA interventions; (b) what was successful about these interventions; and (c) what might have gone better with these interventions. AI is a well-grounded evaluation methodology that has proved effective in conflict areas, readily yielding information for improvement in an organization or program.

Additional methods included:

1. Document Review: The team reviewed over 132 key LARA project documents including the technical proposal, work plans, USAID's approved Performance Management Plan (PMP), monthly and quarterly reports, the LARA annual report, training curricula, trip and meeting reports, gender assessments, and other documents from local and international sources, plus an extensive collection of general and detailed maps of project sites in Jalalabad.
2. Key Interviews: The team visited nine sites in three urban settlements to meet with key stakeholders in 12 Kabul-based and 14 Jalalabad-based organizations and counterpart agencies. The team met with almost 200 individuals, including 40 individuals from LARA, government offices, donors, international non-government organizations (INGOs), and property dealers.
3. Consultations with Key Stakeholders: The team held consultations with governmental and non-government organizations (NGOs) and a variety of land, legal, and upgrading specialists. These consultations informed the team's examination of models for informal settlement upgrading, legal and policy options, and capacity building methods for comparison with the models and methods used in the three LARA project components.
4. Focus Group Discussions (FGDs): The team facilitated ten focus groups with approximately 100 community members including a sample of trainees who attended LARA courses. These community members represented 18 Community Development Councils (CDCs) including two community women's groups from four Jalalabad informal settlements. The team also met three groups from informal settlements in Kabul that had completed a range of self-help upgrading initiatives.
5. Site Observations: Team members observed the status of services, quality of life, self-help activities, and problems faced by residents through observation and informal conversations with local people in each of the four settlement areas visited.
6. Mini-Survey: The team conducted a mini-survey of 11 beneficiaries in target communities to weigh perceptions regarding policy and upgrading priorities.

4.2 Methodological Limitations

Given the recognized limitations of the qualitative methods used in the majority of the team's explorations, this study cannot reliably attribute causal relationships between LARA interventions and observed conditions in the field. The methods used also are subject to potential bias, minimized by triangulating as many findings as possible and collecting data from multiple sources, including reports, interviews, focus groups, meeting summaries, discussions with recognized local and international experts, and field observations. Since LARA's baseline and socio-economic surveys focused mainly on existing conditions in targeted settlements and the status and views of potential beneficiaries, these studies could not be used to make any quantitative assessments of

either policy changes or measurable improvements in quality of life in the settlements since upgrading initiatives have not yet begun.

Additionally, because LARA required introductions to key beneficiaries and communities due to their strong working relationships with all stakeholders, the evaluation team conducted four meetings with a LARA staff member present, introducing another potential bias. To mitigate this bias, follow-up interviews with those present in the meetings were conducted in person, by phone, or by email to ensure that all stakeholders had ample opportunity to share their assessments of LARA and their own agencies—and any perceived shortcomings—without the presence of LARA staff.

FINDINGS AND CONCLUSIONS

QUESTION 1

(a) How are all stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process? (b) Are all stakeholders as involved as they feel they should be in the LARA formalization process?

For detailed notes on discussions with LARA stakeholders and partners, see Annex VI: Detailed Meeting Notes, Meeting Summary Matrices

Findings related to stakeholders' involvement in completing defined formalization procedures:

- The Ministry of Urban Development Affairs (MUDA), Independent Directorate of Local Governance (IDLG), and the Municipality of Jalalabad participated in meetings and work sessions to develop and gain acceptance of formalizing procedures leading to the preparation of a draft policy for informal settlement upgrading. Criteria for formalization and regularization were developed through frequent meetings of the Technical Working Group (MUDA and IDLG) for upgrading informal settlements on government land and private land. The evaluation team witnessed evidence of this activity and progress and confirmed it during a meeting of key officials for urban upgrading on 12 Feb 2013. During this meeting it was stated that,

“The main achievement at policy level has been accepting illegal urban expansion as a reality, an issue we have to find a solution for. These are not criminals; these are a main body of people (70%). On working together, we believe that the LARA staff has done a very good job of implementing the project.”

- Dealers in property offices throughout urban areas, including informal settlements, visited by the team were undertaking land and property transfers. Currently, however, given the uncertain security situation (as attested to by both interviewed property dealers and owners), such transactions are few in number and are not linked to the Municipality, and thus, they increase informality.

Findings related to stakeholders' concerns about involvement in the formalization process:

- In accordance with LARA’s scope of work, the project has conducted participatory assessments, developed phased action plans, and created a community outreach strategy.
- Institutional partners are actively involved with LARA, participating in coordination meetings, technical assistance, information sharing, and capacity building.
- Nine focus groups with a total of approximately 100 leaders and members of 18 CDCs revealed that there are low levels of active community involvement in designing and implementing physical infrastructure upgrading even though communities are consulted by LARA concerning their interests and needs. These focus groups, including three women’s groups representing six CDCs also reported particularly low levels of women’s involvement. The consensus among the women’s focus groups was captured by the representatives from four Campoona CDCs (Table 2, Annex VI):

“This was the first time anyone ever came to us to ask about our achievements, expectation, and action plans for what we can do; we hope LARA and USAID are listening and can find help for us to realize our action plans. Overall, we feel LARA has been too slow in showing any results, real upgrading.”
- Women reported feeling marginalized and do not play active roles in LARA even though they are eager to be involved. There are currently no programs in LARA’s community upgrading work clearly related to women. Women interviewed in focus groups expressed a need for literacy and savings programs that could help generate more active women’s involvement. Women’s councils voiced their enthusiasm to be more involved and suggest potential for greater involvement than currently planned for by LARA (Table 2, Annex VI). During a consultation in Campoona, one participant summarized the consensus of the group:

“...we need programs for women; we’re ready but have no support; LARA’s focus is too narrow only on roads and drainage; we need literacy; savings clubs; we need clean water, electricity....”
- Represented by the Deputy Mayor, the Municipality of Jalalabad has been active in urban planning and coordination meetings with LARA stakeholders but reports it is not heavily involved in implementation activities for targeted settlements. As articulated by the Mayor:

“LARA got off to a good start, good people, good team leader... but I’m not in the picture as I have been with other projects. UNDP, UN Habitat, RAMP-UP came with good consultation in these and other projects, the authority is in my hands, but not with LARA... I don’t want all the responsibility but we should have a team with my people actively involved....”

The Mayor of Jalalabad urged USAID funded projects to speed up the “Afghanization” process in his city and to involve the Municipality much more in the management of projects and their budgets than has been the case in the past. He suggested the adoption of the core administrative features of the UNDP/ASGP that are based on co-management procedures (see Annex VII).
- Other counterparts (MUDA, the Supreme Court, AGHO and MAIL/Arazi) expressed few concerns regarding their level of involvement in the project⁹.

Findings related to upgrading and formalization:

⁹ Feedback from all counterparts/stakeholders is provided in detail in Annex VI.

- Professional, physical upgrading designs and plans have been prepared by LARA but have yet to be implemented. Responses from community members and focus groups, confirm that stakeholders and communities are uniformly frustrated by the slow pace of physical upgrading. Community stakeholders express satisfaction with their general involvement with LARA; however, they also are overwhelmingly of the view that formalization has taken precedence over the actual upgrading to which they give the greatest importance. The results from both the mini-survey and focus groups indicate that the majority of settlement area beneficiaries feel upgrading has been neglected and is considered detrimental to the quality of life in their CDCs.
- Understanding that LARA's approved work plan, project budgets, and other limitations prevent the project from addressing all of the needs of the informal settlements, findings reveal that stakeholders and community members place a premium on visible benefits.¹⁰
- Communities are generally interested in and ready to participate in upgrading activities, but the formalization of land administration as a whole is a lower priority. Community members generally are willing to pay Safaie tax¹¹ in return for services, but their reports indicate services are seldom forthcoming from Municipalities. Regarding upgrading, LARA appears to have very low expectations concerning community contribution to planned upgrading, preferring to rely on contractors rather than self-help community engagement. However, the concrete experience of successful community-based upgrading programs in Kabul settlements indicates that the approximately 100 local people in the nine communities visited and 18 CDCs interviewed have already undertaken over 50 upgrading initiatives¹² on their own (see Table 1), and they report being able and willing to take active implementation roles in future upgrading (see Table 2).

¹⁰The structure of the project provides for the substantial majority of its \$42.8 million budget to be devoted to policy, management, information technology, and training. Only \$1.8 million (4%) is dedicated to actual informal settlement upgrading activities; the resultant lack of visible benefits for informal settlements was raised repeatedly among the participating institutions and communities and presents a potential threat to USAID and GIRA's public images.

¹¹ Property Tax in Afghanistan.

¹² As indicated in Table 1, the 18 CDCs represented in the nine focus groups have constructed at least 16 bridges and culverts, over 6 km of graveled roads and 20 km of drainage channels, and built or rebuilt at least 8 mosques. They have also constructed 2 schools and a Madrassa while also straightening roads and alleys and constructing hundreds of homes and a large number of small enterprises.

Table 1. Self-Help Achievements – Nine Focus Groups with 18 CDCs

	Araban 1 1 CDC	Araban 2 4 CDCs	Araban Women-1 CDC	Campoona 1 2 CDCs	Campoona 2 3 CDCs	Campoona Women-4 CDCs	Kabul 1 CRA 1 CDC	Kabul 2 CRA 1 CDC	Kabul Women 1 CDC
Self-Help Achievement	New schools, mosques, graveyard wall.	Graveyard wall; collected money; donated land for roads, Mosque rebuilt	Planted trees, flowers; cleaning streets; teaching; making soap, hats, burkhas, bonnets for women and children	8 bridges; graveled 11 streets (1.7 Km); 7 Km ditch for water pipe; build 2 mosques; rebuild 3 mosques, rebuild 13 Km drainage channels	4 mosques, Madrassa; 4 km gravel road; Madrassa; 7 bridges;	‘Savings Box’ very poor woman takes loan for Rs.9,000 for 1 year for tailoring business; repays loan in 7 mos.; organize literacy, tailoring courses teaching children to read; medical clinic; tea for men cleaning drains, ditches streets; water for neighboring women	Conflict resolution, security—resolve land, property, injury disputes; bridge; roads, lanes straightened, move walls; straighten ‘snakes,’ roads graveled, school organized; teachers up to MA level teaching for free	Residents bought land from private owner; sales documented, recorded with Municipality; pay 200-250 Afs/yr/house. Safaie tax, per house; improvement of 4 alleys; 75% of costs by community; \$9,000	Af. 75,000 savings by women; 50Afs each/mo.; interest charged if woman fails to pay on time
Total	2 Schools 1 Mosque 1 Graveyard wall	1 graveyard wall (w other CDC) 1 Mosque rebuilt		8 bridges 11 streets (1.7 km) 7 km ditch 2 Mosques 3 Mosques rebuilt	4 Mosques 4 km road 7 bridges	1 ‘Savings Box’	Bridges Roads Move walls 10 teachers	200-250 Af/HH/yr \$9,000 contributions	2 “Savings Box” with Af. 75,000

A total of over 60 local people attended these meetings. See Annex VI for complete meeting notes and summary matrices.

Table 2. Advice and CDCs Recommendations for LARA/USAID

	Araban 1 1 CDC	Araban 2 4 CDCs	Araban Women-1 CDC	Campoona 1 2 CDCs	Campoona 2 3 CDCs	Campoona Women-4 CDCs	Kabul 1 CRA 1 CDC	Kabul 2 CRA 1 CDC	Kabul Women 1 CDC
Advice for LARA/USAID	<p>Build govt. related organizations to improve governance around land management [Araban people not generally paying municipal service fee/taxes.] Provide courses for women literacy, carpet waving, tailoring, handwork, sewing; jobs for disabled; jobs for youths with educational, cultural courses, sports clubs to keep them away from narcotics Establish Tribes Consultation and Disputes Resolution Committees.</p>	<p>Improve governance around land; policies are important but upgrading should get higher priority We are not generally paying Safaie Tax; but we would be willing to pay if we had services</p>	<p>We are very excited and motivated by sharing our success stories like we did in this meeting; mostly we think about problems and get discouraged, LARA has nothing special for us as women; we need program for women; we're ready but have no support; LARA's focus is too narrow only on roads and drainage; need literacy; savings clubs; need clean water, electricity</p>		<p>Channel implementation and funding through CDC/Wakil-e-Gozar, not through contractors or Municipality; "The Mayor is a thief"</p>	<p>Programs for women are lacking; nothing from LARA for us here in Campoona; The women say that they are very happy—This was the first time anyone ever came to them to ask about their achievements, expectation, and action plans; they hope LARA and USAID are listening and can find help for them to realize their action plans. Overall, they feel LARA has been too slow in showing any results, real upgrading</p>	<p>The government has not responded to their problems, leaving the community people feeling marginalized, frustrated and having to deal with problems themselves.</p>		

Conclusions:

LARA has done a good job making progress in formalization procedures and it has been successful with engaging the important stakeholders at the “top of the pyramid.”

Although physical community improvements are a small part of LARA’s purpose, stakeholders share the perception that the attention paid to formalization procedures has taken potential resources and commitment away from those improvements, which are considered of greater importance by virtually all CDC focus group participants interviewed. Limited resources for upgrading allow for only modest attention to immediately visible physical improvements and control of the upgrading activities.

There is ample interest among community level stakeholders for further involvement, as well as considerable opportunity to engage women in project implementation. Strategies such as literacy and savings programs would empower women and contribute to more widespread involvement in social and economic development; however, these strategies are currently beyond LARA’s scope.

The evaluation also reveals that community beneficiaries tend to place greater value on activities where results are visible (community upgrading activities, see Figure 1) rather than policy-level activities, which leads to frustration with the level of visible progress made by the project. Reported potential reasons for this frustration include (a) suspicion regarding how money is being spent; (b) lack of understanding regarding LARA’s objectives and the need for greater socialization; and (c) tangible community needs go unaddressed, despite feedback from community members that this is a priority. Greater investigation into these sentiments is required to determine the source of frustration and ways it can be effectively addressed.

QUESTION 2

How do proposed legal amendments address the fundamental issues of land reform?¹³

Findings

- Document review and interviews with key informants indicate that LARA has contributed to developing amendments to the Land Management Law in participatory ways , and that these amendments address the fundamental issues of land reform.
- LARA has contributed particularly to clarification of title to rural land and helped develop procedures for recording claims to housing and land in informal settlements so as to move such claims along the continuum of tenure security toward more secure access.
- Current plans and draft legislation for the regularization of informal settlements reveal that governmental policy is evolving to address the fundamental issues of land reform that LARA seeks to resolve. One example is the development of a new AGCHO law to include cadastral

¹³ As indicated in the Scope of Work in Annex I, fundamental issues of land reform include, but are not limited to, clear definitions of types of land tenure (public, private, state and others), specification of deeds, registration offices, procedures for transfer and establishing title, and the identities, authorities and jurisdictions of the governmental bodies which regulate land.

mapping.

- LARA’s work plan through December 31, 2013 proposes improvements in other laws and regulations, many of which are ready for approval or will be enacted by December 2013. The work plan also states that:

“Based on the results of ... seminars and workshops, LARA’s Legal Team will work with the necessary government agencies to support legislative/procedural reform in order to test simplified procedures for land transfer and registration that can easily be monitored with modern technology at a regional level (e.g., Jalalabad makhzan office).”

- The team found evidence that LARA has collaborated with Arazi to develop an improved Land Management Law (LML)¹⁴ through a process of public consultations around the country. LARA’s support to the public consultations is well-received, as evidenced by the Nangahar Arazi head’s comment: “The most important contribution of LARA to Arazi was the facilitation of the regional consultations on the amendments to the LML.”

In contrast to traditional systems recognized locally for centuries, rights under the LML are nationally supported. Communities are involved in decision-making for clarifying claims to land ownership through locally gathered declarations, the Cadastral Survey records and Community-based Dispute Resolution (CBDR). Since these processes are still largely under the control of governmental agencies with extremely limited budgets and lacking trained staff, it remains to be seen whether local, customary claims to land will be recognized and protected in negotiations between the Government and outside investors.

- Software proposed by LARA offers Arazi, AGCHO, Municipalities, and the Courts offer the potential to have a future virtual “one stop shop” for land administration (recording of legal rights and boundaries) and management (leasing State land where appropriate in consultations with local communities). An assessment seems warranted of the wisdom of combining both land administration and land management functions in a single agency (present day Arazi plus the intended transfer of Cadastral Survey to Arazi).

¹⁴ Proposed changes to the LML include: (1) **Land:** Land applies to all agricultural, nonagricultural, private, State, public and **special land of village or villages** including all its natural and unnatural belongings and its material and spiritual values. (2) **Land Right Identification:** It is a process of specification, segregation and verification of private, State, public and special lands of village or villages by assigned delegation in the area, as a result the land in terms of quantitative and qualitative particulars, alteration, transfers, quality of ownership and types of documents is defined. (3) **Special Mar'aa Land:** Lands with specific boundaries located and linked with a respective village or villages as per the need of its residents and only the residents of the concerning village or villages have the right to use it according to the provisions of the law, and such lands are verified and registered under the name of "special lands of village or villages" after the verification action of Land Authority of Ministry of Agriculture, Irrigation & Livestock, (J. Tahiri, personal communication, 3/18/13).



Figure 2. Arazi archives where documents on land are stored.

Conclusions

LARA has contributed to policy dialogue and draft legislation intended to address fundamental issues of land reform across a wide range of issues, but especially those regarding regularization of informal settlements and ownership. The improved Land Management Law remains relatively weak regarding how communities will be involved in legitimizing existing ownership taking into consideration traditional use rights.

In reference to improving the Courts' legal documentation of a significant number of land market transactions, LARA has relied on efforts to improve the efficiency of document administration through legal deed digital storage and indexing. The expectation is that the general public will be more inclined to register their transactions through Court legal deeds if the process of registration requires less time and less cost than is presently the case. Given the extremely low proportion of

transactions that pass through the Courts, more ambitious options should also be explored, including the support of simplified procedures for converting customary deeds to formal ones, and support for a decentralized administrative system for recording customary deeds, as has been envisioned in the draft Law on the Registration of Customary Deeds.

In reference to improving the usefulness of cadastral surveying for improving investments in urban land parcels, the drafting of a new AGCHO law with such provisions is welcome. Such map-based descriptions of parcel boundaries can improve the security of access and use of such parcels, thereby contributing to more private investments in improving housing and commerce. Such map based parcel descriptions also assist with the planning and installation of public infrastructure, such as roads and utilities that also encourage greater investments in improved housing and commerce. However public acceptance of cadastral surveying appears to be limited if done in isolated efforts. Integrating cadastral surveying into physical upgrading efforts will likely have more success in getting public support.

QUESTION 3

How have LARA trainings increased counterparts' capacity?

Findings

- LARA reports reveal that over 590 people have been trained in GIS, Cartography and Mapping, Basic Management skills, Basic IT skills, land administration software, and land leasing training¹⁵ for stakeholders in Kabul and selected provinces. These trainings have been generally well received among trainees and management according to post-training evaluations.
- Some participants reported that they are limited in fully applying their newly acquired knowledge and skills. World Bank trainings in urban planning were delivered online and in English, thereby rendering them virtually ineffective and unsustainable. The evaluation team discovered during an interview with a representative of IDLG that LARA did not conduct needs assessments and failed to consult with their internal training staff.
- The trainings held for DUDA/Jalalabad in IT and GIS mapping were conducted in the local language, utilized projected computer screens, and provided opportunity for “hands-on” experimentation with the software. Focus groups revealed that the trainers solicited questions from participants and facilitated discussions.
- Though the training was deemed successful (according to post-training evaluation surveys), at the time of this evaluation, it had not yet been followed by delivery of the promised hardware, software, and solar panels needed to implement the skills that participants had learned in the training.
- The evaluation team did not find evidence that LARA’s capacity building efforts contributed to overcoming existing hindrances (administrative, technical, and operational) that impede

¹⁵ GPS basic training and Leica Total Station Training was provided to AGCHO and Jalalabad municipality by ISAF, and the World Bank Institute provided the on-line course in urban land use planning in English to MUDA.

implementation of integrated systems that are mutually compatible and readily share improvements for formalization and taxation procedures.

Conclusions

LARA trainings were well received among training participants according to post-training evaluations. It does not appear, however, that trainings make sufficient use of best practices¹⁶ for sustained change and applied learning. Trainings, for the most part, do not facilitate “learning by doing,” and in some cases participants have not been able to apply learned skills soon after trainings are delivered due to unavailability of the appropriate equipment. Delays in receiving equipment also are linked to limitations on training-of-trainers as well as follow-up capacity building and mentorship activities.

The absence of a needs assessment for at least one training suggests that trainings may not respond to participant or organizational priorities and capacity gaps. The mode of training delivery, in several cases, does not seem to adequately consider the audience for the training. Many trainings are delivered in English and are computer-based, rather than delivered in the native language with a live facilitator to engage participants in discussion. According to follow-up phone calls with training participants by LARA staff, such trainings were observed to be poorly understood and to result in short-lived skill development.

QUESTION 4

Has LARA been efficiently and effectively¹⁷ implemented to-date?

Findings related to performance monitoring:

LARA’s Performance Management Plan (PMP) is based around 48 indicators spanning outputs to high-level impacts. Given that the evaluation is intended to assess effectiveness in terms of stated objectives achieved during project performance, the evaluation team observed progress relative to targets for a subset of 21 indicators measuring performance at the output and intermediate result (IR) levels. The team also excluded 6 targets measuring public perception because measurement of achievement depends on a citizen survey to be implemented in mid-2013. Remaining targets were excluded because measurable change is not expected until later in the project.

Targets were set on both an annual and cumulative basis. Table 4 displays the observed indicators and their achievement as of December 2012 (the end of target year 2012). As of December 2012,

¹⁶ The evaluation team considers best practices to include three main principles: (1) trainings should be based on adult learning principles, namely that the training must be highly relevant, timely and engaging to meet participants’ on-the-job learning needs; (2) training is bundled with coaching and consulting during the training to apply newly acquired knowledge, skills, and tools to relevant projects and cases; (3) training is designed to engage the entire organizational system and provides participants with concrete next steps so that they can return to the workplace, seek support, and apply new knowledge and skills.

¹⁷ Per the evaluation SOW, “effectiveness” is a measure of stated objectives achieved during project performance, and “efficiency” is a measure of whether or not project activities are implemented as per initially approved plan and lead toward the achievement of stated outputs. The evaluation team later agreed with USAID that “efficiency” would be measured as the relationship between inputs (costs) and outputs, and performance of efficiency would be judged according to the PMP, initially approved plan, and perceptions/opinions of the heads of counterpart agencies.

LARA had met 67% of its targets (14 out of 21 indicators). Of the 14 targets met, LARA exceeded performance targets on 6 indicators (29% of the 21 overall indicators). This leaves seven indicators (65%) for which LARA did not meet targets through December 2012, including three indicators (14% of the overall 21 indicators) that had 0% achievement.

Table 3. Summary of Indicator Achievement through December 2012.

N = 21	Through December 2012	
	# Indicators	% of Indicators
Met or Exceeded Target	14	67%
- Exceeded Target	6	29%
Did not Meet Target	7	33%
- Less than 50% of Target	3	14%

The indicator data reveal some key achievements and areas for improvement, including:

- Training and capacity building activities, for the most part, are on track with intended performance targets. All but two related indicators (of eight) have met or exceeded the target, one of these related indicators being at 95% achievement (indicator 2.3.7). The remaining indicator (1.2.2) reveals that no training courses have been provided to the government or private sector on the use of the land dispute mechanism.
- LARA has also achieved targets for indicators related to policy reform (except for 3.2.1 – the latest quarterly report states that the initial analysis of the current state of land valuation has been completed, but the law has yet to be enacted).

Table 4. Achievement for 20 Indicators through Sep/Dec 2012

Indicator Number	Indicator	Indicator type	Target for 2012	Cumulative Target (2011-2012)	Cumulative Achievement through December 2012
1.0.2	Number of policy and procedural reforms improving tenure security for informal settlers and enhancing revenue collection capabilities	Annual	3	3	2 (67%)
1.2.1	Government/private land dispute mechanism developed and refined	Y/N	Yes	Yes – CBDR guidelines were developed by LARA and approved by USAID.	Yes (100%)
1.2.2	Number of training courses provided to government and private sector on use of land dispute mechanism	Cumulative	3	3	0 (0%)

Indicator Number	Indicator	Indicator type	Target for 2012	Cumulative Target (2011-2012)	Cumulative Achievement through December 2012
2.1.1	Number of persons trained observed to be using skills gained through training	Cumulative	412	412	453 (110%)
2.1.2	Number of persons trained in key technical land management skills	Cumulative	250	250	250 (100%) (235 M and 15F)
2.1.3	Number of urban development guidelines approved	Cumulative	1	1	0 (0%)
2.2.1	Number of community upgrade development plans approved	Cumulative	2	2	2 (100%)
2.2.3	Urban Steering Committee re-established and functioning	Y/N	Yes	Yes	Yes (100%)
2.3.1	Number of private sector firms and public institutions receiving institutional capacity building training (related to business functions)	Annual	12	26	29 (112%)
2.3.2	Number of private sector firms/public institutions receiving capacity training in land reform-related programs (technical)	Cumulative	6	6	13 (217%)
2.3.3	Number of private sector/public sector employees trained in GIS and Land Records for formalization support activities	Cumulative	40	40	45 (113%)
2.3.4	Number of private sector firms bidding on donor-funded requests for application	Cumulative	2	2	2 (100%)
2.3.5	Number of people employed by private sector partners as a result of project activities	Cumulative	56	56	53 (94%)
2.3.6	Number of people trained in organizational development, disaggregated by gender	Cumulative	330	330	388 (118%) (356M and 32F)
2.3.7	Number of land governance actors receiving USG-funded training or upgraded facilities/equipment	Annual	600	780	742 (95%) (696M and 46F)
2.4.1	Land Management Law (LML) improvements agreed and drafted by government (BizCLIR)	Annual	6 key changes	Yes and 6 key changes	Achieved (100%)
3.1.2	Reduction in number of land transaction steps from the LRMD implemented to streamline operations	Annual	9	9	9 (100%)
3.2.1	Number of proposed improvements in laws and	Annual	1	1	In progress

Indicator Number	Indicator	Indicator type	Target for 2012	Cumulative Target (2011-2012)	Cumulative Achievement through December 2012
	regulations affecting property rights of the urban and rural poor enacted with USG assistance				
3.3.1	Number of public information campaigns/messages promoting women's right to land	Annual	1	1	5 (500%)
3.3.2	Number of public information campaigns targeting Afghan property rights and procedures	Cumulative	1	1	1 (100%)
3.3.4	Number of student clubs established	Cumulative	1	1	0 (0%) - to be reported in next quarter

Findings

- LARA has been remarkably effective in addressing its objectives concerning the formalization process. As reported in the *Key Officials Meeting* in Jalalabad¹⁸ a national policy on informal settlements formalization and upgrading could be approved by Cabinet within the next six months. Given that around the globe, national policies concerning informal settlements have been inadequate at best while governments too often remain in serious denial, Afghanistan—and its LARA partner—must be commended for enlightened, bold action at the national policy level.
- LARA has also achieved its objective by enhancing land tenure security through the incorporation of informal settlements into the Jalalabad city plan—a process that appears to have full support from MUDA and GDMA. LARA will also succeed in delivering a model of formalization and upgrading as a complete package to address informality issues of tenure security in Afghanistan
- These effective achievements have been made in spite of major obstacles, including, for example, serious start-up problems related to changes in SOW, major budget reductions, and turnover among senior staff. Formal cost-benefit analysis is beyond the scope of this evaluation; therefore, efficiency in terms of value for money can only be judged in notional terms. With this caveat, LARA created nearly all of its important intended outputs, frequently in excess of targets, within its planned resource expenditures. In this sense the evaluation team can report it was efficient. Stakeholders, community members and others, however, generally viewed LARA's efficiency to be low because it did not provide the extent of physical upgrading activity they expected. As previously stated, only 4% of project funds were allocated specifically for upgrading, but this activity is considered valuable among the majority of stakeholders. Interviews with representatives from MUDA reveal that MUDA wants more tangible and visible outcomes in the areas of upgrading and urban service delivery with a focus on informal settlements, which MUDA is barely able to deliver. Most stakeholders place a

¹⁸ Annex VIII: Detailed meeting notes, *Key Officials Meeting Notes, Nangahar*, pp. 163-167.

similar priority on upgrading activities. Stakeholder meetings and community focus groups reported frustration and even anger among many urban people and civil servants who see virtually no progress being made in terms of visible results.

Conclusions

LARA has focused substantial resources and attention on the policy environment and has made significant progress toward the effective achievement of its major objectives with more accomplishment expected through formalization and upgrading programs and policies to address informality.

This focus on the policy environment, however, does not produce readily tangible results and there is widespread sentiment among beneficiaries that project resources are not addressing their most pressing needs. While consultation with the communities has taken place concerning communal upgrades and physical improvements, and a model for wider application is being developed, it is thus understandable that there are frustrations among stakeholders; these frustrations, however—given the substantial funds involved—cannot be ignored in the light of the delicate state of government, community, and U.S. perceptions and relationships.

RECOMMENDATIONS

QUESTION 4B: What recommendations does the evaluation team have for future USAID programming in land reform, land tenure, land titling and cadastral mapping areas?

The general recommendations below address future programming for land reform, land tenure, land titling, and cadastral mapping areas. Recommendations specific to continued LARA activities through the option year follow this section on recommendations for future land reform programming.

As part of the focus group agenda, community members in informal settlements were asked what their own recommendations might be for USAID and LARA for any potential future programming around informal settlement upgrading issues. Overwhelmingly, while improving governmental capacities for upgrading and for the administration of land records has been clearly valuable and should continue, the communities were virtually unanimous in urging that the main focus of future efforts should be on mobilizing communities and providing supplementary resources to carry out infrastructure upgrading.

A priority for land administration improvement is for USAID's institution building to support efforts to decentralize land administration, such as the recent authorization for Provincial Judges to simplify the conversion of customary deeds to formal, title deeds, and the draft law on the Registration of Customary Deeds. The latter uses administrative procedures instead of judicial ones to record customary deeds which are already used in most transactions, but do not have the protections of the formal title deeds. The former helps people with customary deeds who desire the full legal protection of formal title deeds to do the necessary conversion with simplified judicial procedures.

The linkage between these two efforts in informal settlements is the stimulus that community based infrastructure-upgrading allows people to protect their housing and business assets through title upgrading. Decentralization of title related document registration could encourage a move to formalization of property claims.

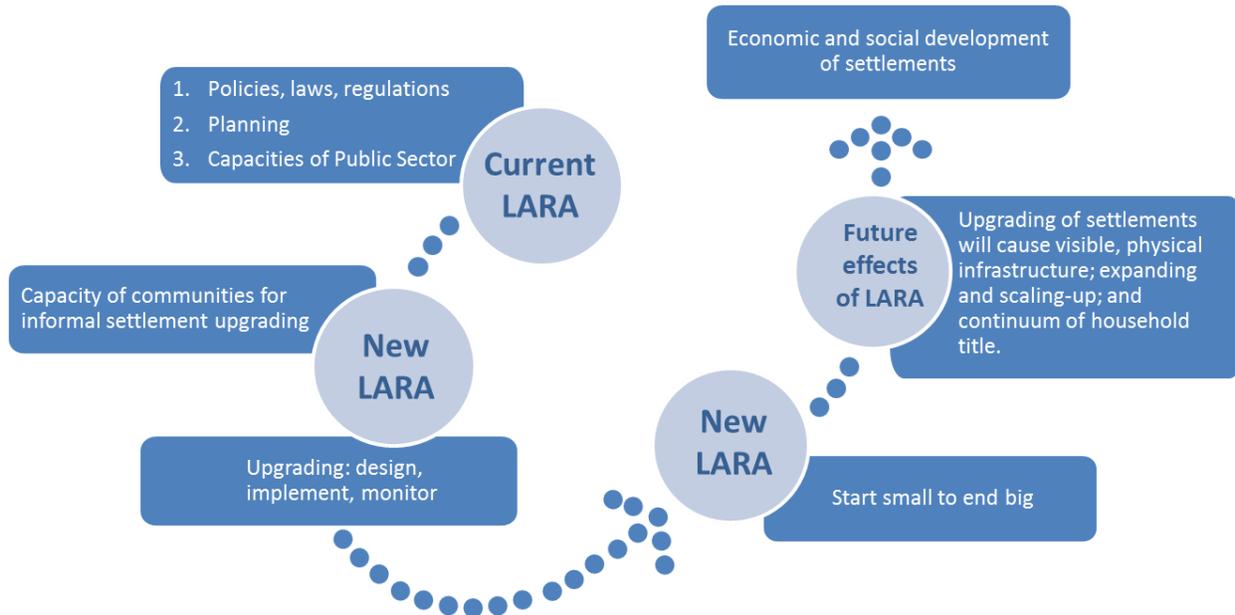
Recommendations to USAID for future land programs:

1. Beneficiaries expressed particular frustration with the lack of “visible” results from LARA. Future programs should place a greater emphasis on and commit greater resources to the actual upgrading of physical and social infrastructure while maintaining the accompanying policy and legal reform. Program implementers should mitigate potential frustration with a more comprehensive public information program about LARA objectives so that beneficiaries understand the full scope of the project and can fit expected results within the context of overall project goals. A program focused on upgrading should:
 - a. Increase the capacity of informal settlement neighborhood councils to plan, implement, and participate in the financing of local upgrading efforts;
 - b. Encourage the association of such councils throughout the network of municipal informal settlements;
 - c. Facilitate the creation and administration of community “savings boxes” to help fund upgrading and income generation activities, especially for women;

- d. Provide evolutionary funding to match local council contributions to local upgrading;
 - e. Provide funding to municipalities for upgrading connecting road, water, and electrical networks with those upgraded by community councils; and
 - f. Continue policy efforts such as simplifying procedures for acquiring legal title under conditions of document inadequacy and cadastral surveys.
2. USAID should consider pursuing a “bottom-up” strategy to more fully engage citizen capacity and solicit greater buy-in from community beneficiaries.
 - a. One method to accomplish this is to begin with small-scale efforts toward community initiatives facilitated by strong community mobilization teams. These teams should be trained by experienced Afghan trainers engaged in small, successful upgrading initiatives.
 - b. Another strategy is to establish partnerships with community-based organizations with capabilities in building bridges, grading roads, digging ditches, and other forms of infrastructure development.
 - c. USAID could also move toward a co-management model for future informal settlement formalization efforts, using the UNDP/ASGP experiences and procedures as a starting point. See Annex VII.ii, Community-Based Upgrading for a brief description of that project.
 3. In order to more closely align with the 2012 Gender Equality and Female Empowerment policy, future land programs should integrate gender considerations at the project design phase.
 - a. Gender integration should go beyond sex-disaggregation to address constraints women and men face for the betterment of their families and to uncover positive and negative unintended consequences of legal and policy changes for men and women.
 - b. Greater attention should be paid to women’s empowerment programs (such as literacy and savings programs) to facilitate greater engagement of women in community activities—an opportunity that might productively be explored with USAID planned *Women in Transition* initiative.
 4. USAID should explore bottom-up land titling processes in informal settlements that begin at the Gozar level by:
 - a. Encouraging judges and the general public to use the legally approved procedures for converting this evidence into court-issued deeds of ownership is a major challenge for future initiatives in land reform.
 - b. Taking full advantage of the current Supreme Court Order that mandates that courts can recognize evidence of rights to land other than title deeds including customary deeds, tax receipts, ownership declarations validated by neighbors, community elders, and leaders.
 - c. Aligning bottom-up documentation of legitimate rights to homes and businesses with judicial review and map-based boundary descriptions which can lead to more secure tenures as the legal system gains in popular acceptance and use.
 - d. Placing greater emphasis on strengthening neighborhood councils, starting savings box programs, building networks for coordinating upgrading efforts and for the exchange of experiences, and providing evolutionary funding, institution building for sustainability within Municipalities.

- e. Moving toward administrative deed registration linked with map-based descriptions of property boundaries (see the 2007 draft *Law on the Registration of Customary Deeds* and the currently uncompleted draft of the Cadastral Survey parts of the AGCHO law).
5. To facilitate the design and evaluation of projects, USAID should require that implementers conduct baseline surveys derived from a development causal model specific to the proposed projects, and this should be completed after the sites for fieldwork have been identified.
6. Scopes of work from USAID to provide assistance to legal drafting commissions should be based on recognition of existing national policies, laws and customs, and an analysis of the functional effects of such existing policies, laws, and customs on the lives of the general population.
7. USAID should secure the services of a recognized specialist in informal settlement upgrading from a respected institution to form a group of qualified Afghan land specialists with experience in informal settlement upgrading. With the support of USAID, MUDA, IDLG, and the Municipality of Jalalabad, this group should conduct a comparison of the various models and assumptions of informal settlement upgrading that have been tried or envisioned in Afghanistan. See Figure 3.
8. In support of formalization efforts, USAID should issue an order to all contractors and grantees that they must not acquire rights to houses or offices from people or companies controlled by people who are land grabbers as determined by the Afghan government.
9. Future programs should include a component dedicated to the development of real estate professionals to build skills in appraisal, brokerage, and market-based land use planning. Additional activities could include development of associations, codes of ethical conduct, and a system of licensing for professional practitioners.

Figure 3. Theory of Informal Settlement Upgrading to aid in upgrading in Afghanistan



Recommendations for continued LARA activities:

The recommendations below pertain to LARA activities as the program moves forward into its next year of implementation. LARA’s period of performance was extended to January 31, 2014 when the option year was enacted (June 12, 2012). Several of these recommendations should also be taken into consideration for future land programming efforts more generally.

General Recommendations

1. In response to beneficiary frustration with the lack of visible benefits, LARA should pursue small-scale community initiatives to complete upgrading activities. See Figure 3 for a demonstration of the recommended shift of focus toward community-based upgrading.
2. In order to respond to the needs of all intended beneficiaries and to more fully align with the USAID Gender Equality and Female Empowerment Policy (2012), women should be more actively engaged in LARA activities. In the remaining ten months of the project, LARA should consider a small pilot effort at empowering women’s groups through literacy and savings programs (i.e. savings box) to present greater opportunity for women to engage in decision-making.
3. USAID should consider implementation of a co-management model with the Jalalabad Mayor for planning upgrading and capacity building similar to that used by the UNDP/ASGP project in Jalalabad that relies on co-signatures for expenditures. Such models increase buy-in and promote community ownership of activities.

Recommendations for stakeholder involvement:

Arazi:

1. Over the next year, LARA should continue efforts to re-engineer Arazi in response to low capacity to carry out its mandates and absorb the provisions of the updated LML. Part of

this re-engineering should involve a realistic training program that builds upon skills necessary to fulfill Arazi's mandates such as land valuation for leasing. An initial step should involve a small GRM registry and GRM Cadastre demonstration/training effort to take place after Arazi has absorbed the amended LML and various institutional assessments.

2. The introduction of proposed land administration and management software must be accompanied by extensive on-the-job training. Understanding budgetary constraints, the equipping of a dedicated training unit should be prioritized in remaining LARA activities to ensure the success and sustainability of this software investment.
3. In collaboration with Arazi, LARA should prepare a business plan for Arazi's Data Center with special emphasis on measures to assure sustainability of LARA-proposed investments in software, including knowledge management support for licensing, maintenance and upgrading requirements, technical support, users' manuals, and training manuals.

Courts:

1. LARA should continue implementation of the Deeds Registry Archive Conversion System (DRACS) in order to digitize archived records. In order to increase Supreme and Provincial Court buy-in, LARA should collaborate with key stakeholders to solicit feedback and improve socialization efforts for the system. LARA needs to more effectively promote the positive aspects of the system among Supreme and Provincial Court members.
2. USAID and LARA should consider the feasibility of planned outputs in terms of target laws and regulations adopted given the amount of time this process takes.
3. LARA should replicate its support for public discussions during revision of the LML for other legal initiatives, such as the drafting of the law for the Registration of Customary Deeds or the Supreme Court order to Provincial Judges to facilitate conversion of customary deeds into court title deeds.

MUDA/IDLG:

1. LARA should continue its efforts to finalize governmental approval of the Policy for Informal Settlement Upgrading.
2. LARA should work with MUDA to either clarify LARA's project objectives and the emphasis placed on policy change or respond to MUDA's request for more tangible and visible outcomes for upgrading and urban service delivery focused on informal settlements.
3. LARA should collaborate with MUDA to pursue small-scale, cumulative informal settlement upgrading that can be a model for future upgrading programs, as well as find examples of good practice to replicate in planned upgrading activities.

Recommendations for legal amendments:

Cadastral Survey:

1. In collaboration with AGCHO and the legal drafting commission, LARA should informally develop and pilot test updated cadastral survey methodologies for urban informal settlements with assistance from local retired Cadastral Surveyors and graduates of the Cadastral Institute.
2. LARA should incorporate into its technical assistance team at least one experienced Afghan Cadastral Surveyor who can guide the LARA support to the Cadastral Survey.

3. Restart the cadastral data management program upon the approval of the new AGCHO Law (which contains new urban cadastral surveying provisions) and after the institutional redesign is considered for the creating a Land Administration General Directorate, which may result in the transfer of the Cadastral Survey Department to that General Directorate or to Arazi without creating that Directorate. It is important to do this before the institutional memory resident in current cadastral surveyors is lost.

Legal Framework:

1. Offer assistance to the Supreme Court in implementing its Order for Provincial Judges to simplify procedures for converting customary deeds to title deeds. Also offer assistance to the Supreme Court in refining and promoting the passage and implementation of the draft Law for the Registration of Customary Deeds, which is pending in the Ministry of Justice, as appended to the new Civil Procedures Law.
2. Assist in maintaining and strengthening of the Community Land amendments to the Land Management Law.

Recommendations for Capacity Building:

1. Whenever possible, LARA should opt to engage LARA staff in curriculum design and training, rather than rely on independent consultants. At least, owners of various handbooks and manuals written by LARA staff should be closely involved with development of the associated training. Partner organizations should also be engaged at the curriculum design phase to ensure that training objectives align with organizational needs.
2. LARA should work toward building local training institutional capacity within GoIRA counterparts and their regional organizations.
3. LARA curriculum designers should conduct needs assessments among training participants to ensure that training topics fully address capacity gaps.
4. LARA-sponsored trainings should make use of adult learning principles¹⁹ and best practices. Curriculum designers should be well versed in these principles and practices, and training-of-trainer courses should present a module on adult learning to encourage interactive learning and “real-life” application of skills.
5. Training facilitators should consider conducting follow-up assessments six to nine months after trainings are conducted to measure success and knowledge gained. This kind of assessment would also be useful for identifying persisting capacity gaps and new needs. Though LARA may not continue beyond January 2014, these assessments would assist counterpart ministries in designing and conducting their own trainings.

¹⁹ The theory, principles, and practice of adult learning are described by numerous authors including Lewin (1951), Freire (1972, 1987), Knowles (1980, 1989), and Vella (1994, 1995). Also see material on the Motivation Framework for Culturally Responsive Teaching.

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ANNEX I: SCOPE OF WORK

**Office of Economic Growth and Infrastructure (OEGI)
Scope of Work (SoW):
Mid-Term Performance Evaluation**

I. BACKGROUND

1. Project name:	Land Reform in Afghanistan (LARA)
2. Award Number:	306 C-00-11-00514-00
3. Award Dates:	January 30, 2011 – January 31, 2014
4. Funding Level:	US \$41,800,000
5. Implementing Partner:	Tetra Tech/ARD

I. SUMMARY

USAID/Afghanistan seeks to carry out a Mid-term Performance Evaluation of the implementation of the Land Reform in Afghanistan Project (LARA) – Contract Number: 306C-00-11-00514-00. The LARA contract was signed with Tetra Tech ARD and its partners on January 30, 2011 and was scheduled to take place in two phases, each approximately 18 months in duration. The Base Period ended on July 31, 2012. The Option Period was approved by USAID on June 12 and comprises the period from August 1, 2012 until January 31, 2014.

LARA is intended to support GIROA in the implementation of the National Land Policy by developing a robust, enduring, Afghan-owned and managed land market framework that encourages investment and productivity growth, mitigates land-based conflict, and builds confidence in government’s legitimacy, thereby enhancing stability in Afghan society.

The findings from the mid-term evaluation will help focus the activities and objectives during the option period and inform future USAID/Afghanistan land reform and land tenure programming.

II. BACKGROUND

LARA is designed to contribute to USAID’s Assistance Objective (AO) 4 and the Afghanistan National Development Strategy, specifically two National Priority Programs, Agriculture and Rural Development, and Urban Management Support Program. LARA has the following objectives²⁰:

- Improve property rights delivery (land administration and formalization)
- Enable all citizens (women, minorities, and vulnerable populations) to exercise their rights through public information awareness
- Strengthen land dispute resolution processes to reduce conflict and promote peace and stability

²⁰ Attachment 1 - LARA’s Performance Management Plan has greater detail on objectives and performance measures.

- Strengthen institutional, policy, and legal reform to secure property rights for Afghan citizens
- Provide assistance in the cross-cutting areas of gender, training, public information awareness, and private sector development

During implementation of the 36-month project, these objectives are to be supported by three components that provide the over-arching structure for programming activities:

- **Component 1** – Strengthen Land Tenure Security through Formalization and Upgrading of Informal Settlements. This includes the technical support to Ministry for Urban Development Affairs (MUDA), Afghan Geodesy and Cartography Head Office (AGCHO), Independent Directorate of Local Governance (IDLG), Supreme Court, Municipality of Jalalabad, and local Communities
- **Component 2** – Legal Framework: Identify legal amendments related to land reform, and provide legal support to Ministry of Agriculture Irrigation and Livestock – Afghan Land Authority (MAIL/Arazi), MUDA, and AGCHO
- **Component 3** – Capacity Building: Build the capacity of public and private sectors to provide efficient land-related services and urban planning & management skills

During the base period – (January 30, 2011 – July 31, 2012) LARA made progress in all three objectives. More concretely, the project documented the following achievements:

- Completed technical maps that included: Land Use Map, Environmental Hazards Map, “Who is Doing What Where” Map
- Conducted three Urban Planning Clinics in Jalalabad with participants from MUDA, MAIL/Arazi, USAID, Regional Afghan Municipalities Program for Urban Populations (RAMP-UP), and AGCHO
- Hosted a three-day Informal Settlements Upgrading and Formalization workshop with 140 leading stakeholders in land issues
- Established the Women’s Land Rights Task Force (WLRTF) with leading Afghan men and women representing national and local government and civil society Conducted and completed a Gender and Dispute Resolution Assessment in two informal settlements of Araban and Campoona in Jalalabad
- Mapped 100 percent of land parcels within the official Jalalabad city boundaries in an effort to establish the number of plots in formal and informal areas of Jalalabad
- Obtained consensus and approval by General Directorate of Municipal Affairs (GDMA) and municipal authorities for the implementation of the OpenTitle²¹ system in the Jalalabad Municipal Revenue and Properties Departments
- Agreed with the Supreme Court to provide assistance to undertake the Deeds Registry Archive Conversion System (DRACS) to convert paper deeds into electronic format within a dedicated database
- Initiated weekly Jalalabad Urban Coordination Meetings to be chaired by the Mayor. Identified detailed information technology (IT) and equipment requirements for Kabul

²¹ Open Title is a low cost, easy to use and customizable land administration technology.

University, Kabul Polytechnic, AGCHO Training Institute and for AGCHO Cadastral Department offices in Kabul and Jalalabad

- Conducted and completed a Socio-Economic and Housing Baseline Survey in Jalalabad involving over 400 household surveys
- Conducted a National Land Seminar for 163 MAIL/Arazi staff from 31 provinces. Participants received training on MAIL/Arazi land settlement, leasing, and clearance procedures as well as gender and community-based dispute resolution (CBDR)
- Partnered with MAIL/Arazi to draft comprehensive revisions to the Land Management Law and conduct a series of public consultation workshops
- Partnered with AGCHO to start drafting an AGCHO law for cadastral department activities
- Completed the institutional assessments of MAIL/Arazi and AGCHO, MUDA, IDLG/GDMA, and the Supreme Court insofar as how their respective activities touch land administration
- Completed a Business Climate Legal and Institutional Reform (BizCLIR) Assessment of Real Estate
- Developed a Land Legislative Booklet that provides an overview of land-related legislation. This booklet will help to raise the awareness of Afghans about the key articles of the Land Management Law
- Supported and contributed to MAIL/Arazi's national training seminar on land leasing and other land policy-related issues. Over 160 MAIL/staff attended this training from various provinces.

During the option period, which runs from August 1, 2012 until January 31, 2014, three influences will continue to shape LARA's contributions to USAID's AO4: (1) the foundation provided by the former USAID Land Titling and Economic Restructuring in Afghanistan (LTERA) Project; (2) USAID/Afghanistan management objectives including Afghanization and conflict mitigation; and (3) the following major LARA implementation objectives:

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

III. PURPOSE AND USE OF THE EVALUATION

The main purpose of this midterm evaluation is to provide Mission Senior Management and the USAID/Afghanistan OEGI/Land Reform Team with an objective external assessment of the effectiveness and efficiency of the implementation of the LARA Project to date. For this

evaluation, “effectiveness” is a measure of stated objectives being achieved during project performance, and “efficiency” is a measure of whether or not project activities helped lead towards the achievement of stated objectives. Understanding that we cannot use rigorous impact evaluation methods to draw a direct cause-and-effect relationship between project activities and the achievement of the objectives, the evaluation team will work to find a more loose correlation. The evaluation will explore how the activities under each component contributed towards the achievement of its goals, and objectives.

The evaluation will moreover help the Mission Senior Management: (a) understand whether the project is meeting its objectives – actual versus planned achievements; (b) evaluate the efficiency of LARA’s implementation in working with its five GIRoA’s Counterparts²² (c) identify deficiencies in the project’s current activities and recommend remedial actions to be carried out during the remaining period;²³ and (d) use lessons learned to inform the decision for future USAID programming in the land reform, land titling, partner institution strengthening and cadastral mapping areas.

IV. STATEMENT OF WORK

USAID intends to evaluate the performance of the LARA project to ensure the project is on track. The Contractor will provide a five-person team, including three international consultants, to conduct LARA’s Mid-term Performance Evaluation. Further details on the team’s composition are outlined in section VII. The Evaluation Team will develop and adopt an approach that elicits and analyzes information and provides key findings, conclusions, recommendations and lessons learned which, based on identified deficiencies in the program’s current target areas can be remedied in the remaining life of the program. They are listed in priority order:

Priority Questions

1. How are all stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process? Are all stakeholders²⁴ as involved as they feel they should be in the LARA formalization process?

Explanation: the project hosted a three-day Informal Settlements Upgrading and Formalization workshop²⁵ with 140 leading stakeholders in land issues. The workshop was coordinated jointly with MUDA and the Kabul Urban Reconstruction Program (KURP). The formalization process has various steps that include:

²² LARA has five GIRoA Counterparts: MAIL/Arazi, AGCHO, Supreme Court, MUDA, and IDLG.

²³ The evaluators should be careful to first understand what the manageable interest of USAID covers as they develop these recommendations.

²⁴ In addition to its five GIRoA counterparts, LARA project is working with Jalalabad Municipality and community members.

²⁵ USAID has a report of this workshop with recommendations about Informal Settlement Upgrading and Formalization.

- Assist stakeholders to develop a criteria for informal settlements upgrading
- Select informal settlements
- Develop a handbook to guide upgrading work
- Conduct participatory assessments of planning and physical upgrading issues in selected informal settlements
- Develop phased community action plans of priority upgrading projects and formalization/regularization activities
- Develop community outreach strategy to ensure the smooth implementation of the upgrading works
- Design, plan, and implement physical upgrading works
- Contribute to the medium- to long-term sustainability of upgrading investments²⁶
- Create relationships between targeted communities and GIRoA
- Services received by selected communities and in return taxes paid to Municipalities
- Issuance of property ownership, and/or registration of properties with local GIRoA institutions

2. How the proposed legal amendments address the fundamental issues of land reform?

Explanation: The CLIR/BizCLIR²⁷ Property Assessment identified what a good land law should say. In civil law countries such as Afghanistan, with limited accessible or binding judicial precedent, a good land law should contain the following: land ownership and other land holding, land acquisition and disposition, title, registration, registration offices and mapping, leasing, mortgaging, land use and zoning, landholding by foreigners, land dispute resolution. The CLIR/BizCLIR assessment suggested that, at a minimum, a good land law should include:

- The most basic definitions and concepts of the law such as types of land tenure (public, private, state and others), deeds, registration offices, and others
- The procedures for transfer and establishing title
- Selected other general subjects which are now in the Land Management Law Decree 83, the Civil Code and other laws
- The identities, authorities and jurisdictions of the governmental bodies which regulate land

3. How have LARA trainings increased counterparts' capacity?

²⁶ At the end of LARA project, targeted communities and Jalalabad municipality will have a plan for the sustainability of basic infrastructures upgraded by LARA.

²⁷ **CLIR and BizCLIR:** The acronyms stand for Commercial Legal and Institutional Reform and Business Climate Legal and Institutional Reform. This assessment examines a country's legal and institutional frameworks and the social dynamics for reform, and then makes specific recommendations for reform. BizCLIR assessments are related to the World Bank *Doing Business* surveys which rank countries annually on their business climates. In September 2011, USAID/ LARA conducted CLIR / BizCLIR assessment and produced a report with findings and recommendations.

Explanation: During the 18-month base period, LARA sponsored various trainings, including GIS, Cartography and Mapping, Basic Management Skills, Basic IT Skills, training in MAIL/Arazi land leasing processes to Arazi provincial staff, etc. LARA also completed the design of IT systems²⁸ for land records management for MAIL/Arazi, Cadastral Office of AGCHO, and the Supreme Court. In FY 2012, LARA project was targeting to train 400 GIROA officials, land governance actors²⁹. The project went beyond the target and trained 590 land governance actors. This question will enable USAID to know the effectiveness of the LARA trainings. It will help to know how the project is helping land governance actors gain the technical skills they need. This will also inform LARA and the relevant land agencies about the existing hindrances (administrative, technical and operational), which hinder land actors from fully applying their newly acquired knowledge and skills.

Increased capacity, for this question, means demonstrated improved understanding of training materials and demonstrated application of new skills and concepts. Evidence for this will first be drawn from LARA project documents, but evaluators should plan to investigate this further.

4. Has the LARA project been implemented effectively and efficiently of to date? What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?

Explanation: USAID/ Afghanistan is preparing a vision for key sectors through the Transformation Decade, 2015-2024 and a follow-on to LARA is envisioned either as a standalone project or as a component to economic growth, agriculture or governance projects. Land Reform is among the key areas, and USAID vision for land reform in Afghanistan includes:

- Ability to buy, sell, rent and mortgage government-owned land through stable, predictable and legally enforceable mechanisms
- 100% completion of country-wide cadastral survey; available records of land tenure publicly accessible through digital databases and delivery of property rights' documents; transparent and even-handed, judicial/non-judicial mechanisms for adjudication and land dispute resolution in place; women's land and inheritance rights better secured
- Clear and enforceable land titles allow enhanced municipal and national revenue generation, and increased access to finance through land-secured lending
- Model of formalization and upgrading informal settlements replicated in 50% of informal settlements across the country; national policy on informal settlements formalization and upgrading approved.

For this evaluation, “effectiveness” is a measure of stated objectives being achieved during project performance, and “efficiency” is a measure of whether or not project activities are implemented as per initially approved plan and lead towards the achievement of stated outputs. Understanding

²⁸ Planned IT systems to be provided to LARA counterparts are: 1 Supreme Court Deeds Registry Archive Conversion System for Kabul and 11 provinces; 2 Supreme Court Computerized Deeds Registry Transaction System (CDRTS); 3 Arazi Land Records Management Information System (ALRMIS); 4 AGCHO Cadastral Data Management System (CDMS), and Multi-Cadastre System to Jalalabad Municipality.

²⁹ Project performance reports are available, and USAID will share them with the evaluation team.

that we cannot use rigorous impact evaluation methods to draw a direct cause-and-effect relationship between project activities and the achievement of the objectives, the evaluation team will work to find a more loose correlation.

V. EVALUATION METHODOLOGY

The contractor should propose the most relevant methods and tools for data collection and analysis for each of the required research questions to generate descriptive answers and include them in the evaluation design. The contractor should collect information from LARA's five counterparts - MAIL/Arazi, AGCHO, IDLG, Supreme Courts, and MUDA. This evaluation will also involve collecting data from key informants, direct beneficiaries of assistance provided under LARA, relevant USAID/Afghanistan staff and other relevant stakeholders. It will use different yet complementary forms of gathering information:

- (1) Review of key LARA project documents: Program Description, Technical Proposal, Work plan and Performance Management Plan (PMP)³⁰ approved by USAID, monthly reports, quarterly reports, annual report and other project reports;
- (2) Individual and group interviews;
- (3) Focus group discussions with LARA counterparts and beneficiaries;
- (4) Visits to Jalalabad informal settlements, and visit LARA provincial counterparts;
- (5) Visits to LARA project beneficiaries³¹ in Kabul³².

The contractor, in collaboration with USAID/Afghanistan will finalize the overall evaluation methodology as well as the initial work plan. The draft work plan will be submitted to USAID/Afghanistan at least one week prior to the team's arrival in Kabul.

VI. CONTRACTOR TASKS AND DELIVERABLES

A. Task One: Literature Review and Evaluation Methodology Preparation

Prior to beginning the interview process, the Contractor shall prepare for the evaluation by reviewing key documents and background material on the state of land reform, Presidential decrees, cadastral mapping and surveys, land titling, land grabbing, land registration, the legislative system, the growth of informal settlements and the interconnected role the LARA project's five GIRoA counterparts institutions play in land management in Afghanistan.

B. Task Two: Submission of Initial Work Plan

³⁰ The baseline data is available.

³¹ Findings about beneficiaries should be broken out by gender where applicable.

³² Findings should be disaggregated geographically where applicable.

One week prior to arrival in country, the Evaluation Team shall provide an initial work plan to OPPD's M&E Unit and OEGI, and a revised work plan three days after the in-briefing (Team Planning Meeting). Within three workdays after USAID approval of the proposed evaluation team, the team will submit to USAID a list of documents and other information that will be needed to critically inform development of the initial work plan. The initial work plan will include the overall design strategy for the evaluation; the proposed methodology and data collection plan³³; the list of team members indicating their primary contact details while in country, including the e-mail and phone contact for the Team Leader; the Evaluation Team's proposed schedule for the evaluation; and samples of any data collection tools. The revised work plan shall include the lists of potential interviewees and sites to visit.

C. Task Three: Team Planning Meeting with USAID/Afghanistan

Upon arrival in Afghanistan, the evaluation team shall hold an in-brief team planning meeting with the USAID Monitoring and Evaluation (M&E) Team and the USAID/Afghanistan Office of Economic Growth and Infrastructure (OEGI) for: presentation of the Evaluation Team's understanding of the assignment, initial assumptions, evaluation questions, and locations to be visited, etc.; review objectives; discussion of the initial work plan which will have been submitted to USAID/Afghanistan prior to the arrival of the consultants in country; and/or adjustments to the SOW if necessary. This in-brief will also serve as an opportunity for USAID/Afghanistan to provide insight and advice regarding the SOW, intended uses of the evaluation, ongoing relationships with LARA implementers and stakeholders, and logistical matters.

D. Task Four: Conduct Fieldwork

The Contractor shall collect data from a broad range of stakeholders familiar with the LARA project following the approved evaluation design. These stakeholders may include: LARA's five counterparts - MAIL/Arazi, AGCHO, IDLG, Supreme Courts, and MUDA; DFID, Herakat (LARA partner and DFID beneficiary), The WB, Jalalabad city officials, local leaders and settlers of informal settlements. The team will be expected to travel to Jalalabad and throughout Kabul. If there are travel constraints due to weather or security concerns, the Contractor shall work with USAID Afghanistan to adjust the schedule accordingly

E. Task Five: Report Preparation and Briefing

The Contractor shall provide a mid-term briefing with USAID/Afghanistan's M&E Unit on the status of the evaluation including potential challenges and emerging opportunities. The Contractor will also provide the M&E Unit and OEGI Land Team COR with periodic briefings and feedback on the team's findings. Additionally, a weekly 30-minute phone call between the Team Leader, the M&E Unit, and the OEGI Land Team COR will provide updates on field progress and any problems encountered. The Contractor shall provide a final oral briefing with USAID/Afghanistan senior management, the M&E team and OEGI office prior to departure to

³³ The evaluation team members should identify any strengths and weakness they see in their tools.

discuss the report’s draft findings, conclusions, and recommendations. The final report will be due within 10 business days (two calendar weeks) following receipt of comments from USAID/Afghanistan. See deliverables below for more detail.

F. Deliverables

1. **Work and Evaluation Design** – A Work Plan and Evaluation Design for the evaluation shall be completed by the evaluation team and presented to the M&E Specialist/OEGI Land Team COR at least one week prior to arrival in Afghanistan. The evaluation design will include a detailed evaluation design matrix (including key questions, methods and data sources used to address each question and the data analysis plan for each question), draft questionnaires and other data collection instruments, known limitations to the evaluation design and dissemination plan. The final design requires USAID M&E Unit approval. Unless exempted from doing so by the M&E Unit, the design will be shared with country-level stakeholders as well as with the implementing partners for comment before being finalized. The work plan will include the anticipated schedule and logistical arrangements and delineate the roles and responsibilities of members of the evaluation team.
2. **Oral Briefings** - The Evaluation Team will meet with USAID/Afghanistan upon arrival in country. The Evaluation Team will also provide an oral briefing and a written summary of its findings to the USAID/Afghanistan senior management, the M&E Specialist and OEGI prior to departure.
3. **Draft Report** – Shall be consistent with the guidance provided in Sections A and B below. Length of the report: not to exceed 30 pages, exclusive of Annexes, in English, in Times New Roman 12 point, single space, consistent with USAID’s branding policy.³⁴ The report will address each of the issues identified in the SOW. The draft evaluation report per the below format will be submitted by the Team Leader on the day of the exit briefing for review and comments by USAID/Afghanistan. The USAD M&E Unit will have ten calendar days in which to review the draft, gather comments from OEGI and GIRoA counterparts, and submit all comments to the Team Leader.
4. **Final Evaluation Report** - The Final Report will incorporate final comments collected by the USAID M&E Unit. USAID/Afghanistan comments are due within 10 days after the receipt of the initial final draft. The final report shall be submitted to the Program Office (OPPD) within six workdays of receipt of comments by the Team Leader. All project data must be submitted in full and in electronic form. Final evaluation report shall be prepared in accordance to the given structure below:

G. REPORT STRUCTURE

- Title page

³⁴ The evaluation team will provide a USAID/Washington-approved evaluation report template (including a generic text outline) with the draft Work Plan. This structure will conform to the outline described in this SOW.

- Table of Contents
- List of any acronyms, tables, or charts (if needed)
- Acknowledgements or preface (optional)
- Executive summary (not to exceed 3-5 pages)
- Introductory chapter (not to exceed 3 pages)
 - a) Description of the activities evaluated, including goals and objectives.
 - b) Brief statement of why the project was evaluated, including a list of the main evaluation questions.
 - c) Brief statement on the methods used in the evaluation such as desk/document review, interviews, site visits, surveys, etc.
- Findings – Describe the findings, based upon evidence collected during the evaluation, focusing on each of the questions the evaluation was intended to answer. Organize the findings to answer the evaluation questions.
- Conclusions – This section will include value statements that interpret the facts and evidence and describe what those facts and evidence mean.
- Recommendations – This section will include actionable statements of what remains to be done, consistent with the evaluation’s purpose, and based on the evaluation’s findings and conclusions. This section will provide judgments on what changes need to be made for future USAID/Afghanistan land reform programming. This section should also recommend ways to improve the performance of future USAID/Afghanistan programming and project implementation; ways to solve problems that LARA project has faced; identify adjustments/corrections that need to be made; and recommend actions and/or decisions to be taken by management.
- Annex
 - a) Statement of Work
 - b) List of documents consulted
 - c) List of individuals with titles and agencies contacted
 - d) Methodology description
 - e) Copies of all survey instruments, questionnaires, and data
 - f) Statement of Differences (if applicable)
 - g) Evaluation Team CVs

H. REPORTING GUIDELINES

An acceptable report will meet the following requirements as per USAID rules and procedures:

- The evaluation report should represent a thoughtful, well-researched and well-organized effort to objectively evaluate what worked in the LARA project, what did not and why.
- Evaluation reports shall address all evaluation questions included in the scope of work.
- The evaluation report should include the scope of work as an Annex. All modifications to the scope of work, whether in technical requirements, evaluation questions, evaluation team composition, methodology, or timeline need to be agreed upon in writing by the COR or his/her alternate. Evaluation methodology shall be explained in detail and all tools used in conducting the evaluation such as

questionnaires, checklists and discussion guides will be included in an Annex in the final report.

- Evaluation findings will assess outcomes on males and females.
- Limitations to the evaluation shall be 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 the compilation of people's opinions. Findings should be specific, concise and supported by strong quantitative or qualitative evidence.
- Sources of information need to be properly identified and listed in a separate Annex.
- Recommendations need to be supported by a specific set of findings.
- Recommendations should be action-oriented, practical, and specific, with defined responsibility for the action.
- The report shall follow USAID branding procedures.

VII. EVALUATION TEAM

All Team members will be required to provide a signed statement attesting to a lack of conflict of interest, or describing an existing conflict of interest.

Evaluation Team Leader (Senior Evaluation Specialist): The Team Leader should be external to USAID. He/she shall be a senior evaluation specialist with 7-10 years of extensive experience in conducting quantitative, and qualitative evaluations/assessments, and strong familiarity with the public sector. Excellent oral and written communication skills in English are required. The Team Leader should also have experience in leading evaluation teams and preparing high quality documents. The Team Leader will take specific responsibility for assessing and analyzing the evaluation process.

The Team Leader will also suggest ways to improve the team performance, finalize the evaluation design, arrange periodic meetings, consolidate individual input from team members, and coordinate the process of assembling the final findings and recommendations into a high quality document. It will be the responsibility of the Team Leader to write the final report and will also lead the preparation and presentation of the key evaluation findings and recommendations to the USAID Afghanistan team and other major partners.

Technical Consultants (2): The Technical Consultants shall be mid-to-senior level land administration or legal experts with at least 5-7 years of relevant experience in assessing and designing land programs, with some experience and expertise in assessing, designing, and/or implementing land reform programs. Between the two of them, the Technical Consultants should have extensive experience in conducting quantitative and qualitative evaluations/assessments around the public sector, and have demonstrated knowledge of capacity development programming. An advanced degree in conflict management, law, public administration, sociology or similar degree is required of each of them. Regional or country experience is desirable. Excellent oral and written communication skills in English are required. Local language skills are also desirable, but not required.

Translators / Local Nationals (2): The Afghan translators will support the Evaluation Team as translators (for written materials and in meetings), and assist with scheduling, gathering materials and organization while providing Afghan background and current political information relevant to the performance of this midterm evaluation. Excellent oral and written communication skills in English are required. A university degree, and 3 years of experience in translation work in Dari and Pashto are required.

VIII. MANAGEMENT

Cecchi will identify and hire the evaluation team, provide key documents, assist in facilitating the work plan, and arrange meetings with key stakeholders identified prior to the initiation of field work. The evaluation team will organize other meetings as identified during the course in consultation of Cecchi SUPPORT II and USAID Afghanistan.

Cecchi SUPPORT II is also responsible for arranging accommodation, security, office space, computers, internet access, printing, communication, and transportation to the project sites. If USAID Afghanistan staff accompanies Cecchi to any project sites, separate transportation needs to be arranged.

A six-day work-week is authorized when the team works in-country. Below is an estimated Level of Effort (LOE) for the evaluation:

Task/Deliverable	Estimated Duration/LOE (Days)			
	Team Leader	Technical Consultant I	Technical Consultant II	Translators I & II
Review background documents/literature review and draft work plan (outside of country)	5	3	3	1 each for document review (1x2)
Travel to the country	2	2	2	0
Team Planning Meeting and meeting with USAID Afghanistan and finalizing work plan	2	2	2	1
Information and data collection including interviews with the concerned members of Tetra Tech/ARD, LARA project counterparts, private sector members, project beneficiaries as well as the land team in USAID.	15	15	15	30 (2x15)
Discussion, analysis, and draft evaluation report in country	5	5	5	1
Final briefing to USAID and GIROA counterparts.	1	1	1	1
Travel from the country	2	2	2	0

USAID and other stakeholders comment on the draft (out of country)	0	0	0	0
Team revises draft report and submits final to USAID (out of country)	6	4	4	0
Total Estimated LOE	38	34	34	35

IX. LOGISTICS

Period of Performance and Duty Station

The Midterm Evaluation will cover the LARA Project Base Period from January 30, 2011 through July 31, 2012. With a team of three international evaluators and land management experts and two Afghans, the process should be concluded in five to six weeks starting o/a January 5th, 2012 with a total estimated LOE of 33 days per team member. USAID/Afghanistan and other stakeholders are required to provide comments and feedback within 10 working days after the submission of the draft report.

Administrative and Logistical Support

The related USAID/Afghanistan project team will provide administrative and scheduling assistance.

The Contractor will be responsible to provide transport and translation services. USAID/Afghanistan can assist in identifying potential service providers.

USAID/Afghanistan project team will provide administrative assistance in scheduling initial interviews with stakeholders, beginning shortly after approval of the proposed evaluation team.

X. OTHER REQUIREMENTS

All records from the evaluation (e.g., interview transcripts or summaries) must be provided to the USAID M&E Unit. All quantitative data collected by the evaluation team must be provided in an electronic file to be agreed upon during the first week of the evaluation in easily readable format agreed upon with the M&E Unit. The data should be organized and fully documented for use by those not fully familiar with the project or the evaluation. USAID/Afghanistan will retain ownership of the survey and all datasets developed.

ANNEX II: LIST OF DOCUMENTS CONSULTED

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ANNEX III: LIST OF PERSONS AND ORGANIZATIONS CONSULTED

Note: This list does not include names of the approximately 100 community CDC members, women’s group members and others who participated in the nine community-level focus groups. Leaders are included where names were available, but full listing of all participants was not feasible, particularly since some were reluctant to have visible connections with USAID or American evaluators. The evaluation team consulted over 160 individuals in all.

No.	Organization	Name	Title
1	Arazi MAIL - Kabul	Jawad Paikar	Director General
2	Arazi MAIL - Kabul	Masoud	Secretary to the DG
3	Arazi MAIL - Kabul	Jahid Zeerak	HR Manager
4	Arazi MAIL - Kabul	Wahidullah Attahi	Operations Director
5	AGCHO - Kabul	Eng. Raouf Yari	DG
6	AGCHO - Kabul	Eng. Yasin Safar	
7	AGCHO - Kabul	Eng. Hassibullah Samadi	Adviser
8	Independent Directorate of Local Governance (IDLG)- Kabul	Abdul Baqi Popal	GDMA DG
9	IDGA - Kabul	Nader yama	Planning Director
10	IDGA - Kabul	Mr. Azizi	Adviser
11	MUDA - Kabul	Eng. Rahim Ziarmal	Plan & Policy Director
12	MUDA - Kabul	Mohammad Aryan Shams	Grant management & External Affairs Manager
13	MUDA - Kabul	Hamid Jalil	DM of Admin& Finance
14	Supreme Court -Kabul	Abdul Malik Kamawai	General Chief Administration
15	Supreme Court -Kabul	Nyazi Mohammad	Assistant to Mr. Kamawi
16	Supreme Court -Kabul	Bahaudin Baha	
17	Supreme Court -Kabul	Ashraf	
18	AghaKhan Foundation - Kabul	Ajmal Maiwandi	Chief Executive Officer
19	Afghanistan Land Consulting Organization ALCO- Kabul	Zia Astana	
20	AREU - Kabul	Jolyon Leslie	Chairman of Board
21	AREU - Kabul	Ms. Chona	Deputy Director
22	AREU - Kabul	Ms. Shukria	
23	Cooperation for the Reconstruction of Afghanistan CRA- Kabul	Eng. Akram Salam	Head
24	KURP	G.Rasul Nawabi	Acting Team Leader
25	UN	Shafi Safi	
26	Afghanistan Peace Project	Jacob	

No.	Organization	Name	Title
27	World Bank - Kabul	Mr. Wali Ibrahimi	
28	World Bank - Kabul	Deepali Tewari	Upgrading Adviser
29	DFID - Kabul	Mark Mallali	
30	NRC - Kabul	Prasant Nouk	
31	UN Habitat - Kabul	Eng. Habib	
32	UN Habitat - Kabul	Salim Qaderi	COP
33	UN Habitat - Kabul	Jan Turkstra	Urban Development Adviser
34	UN Habitat - Kabul	Sanjaya Adhikary	Rural Development Adviser
35	UN Habitat - Kabul	M. Najib Amiri	
36	LARA Kabul	Justin Holl	COP
37	LARA Kabul	Stephen Terravecchia	Former COP
38	LARA Kabul	Nigel A. Thomson	Senior Associate
39	LARA Kabul	Tommaso Giovacchini	Urban Governance Specialist
40	LARA Kabul	Mohammad Rafi Ahadi	Senior Urban Planner
41	LARA Kabul	Danka Ropic	Gender Adviser
42	LARA Kabul	Dr. Ali Wardak	Dispute Resolution Consultant
43	LARA Kabul	Lida Nadery	Gender Advisor, Deputy COP Technical
44	LARA Kabul	Saida Ahmadi	Gender Program Coordinator
45	LARA Kabul	Shafiqullah Ziai	Dispute Resolution Specialist
46	IARA - Nangarhar	Eng. Nasir	Field Office Project Manager
47	U.S. Agency for International Development (USAID)- Kabul	Jawid Tahiri	Project Management Specialist
48	Municipality of Jalalabad	Eng. Lal Agha Kakar	The Mayor
49	Municipality of Jalalabad	Eng. Hakimudin Omar Khil	Deputy Mayor
50	ARAZI MAIL - Nangarhar	Shazada Khan	DG
51	ARAZI MAIL - Nangarhar	Imamuddin	Executive Manager
52	DUDA - Nangarhar	Eng. Mohammad Zakhil	DG
53	DUDA - Nangarhar	Eng. Aminullah	Head of Engineering Unit
54	AGCHO - Nangarhar	Eng. Nazar Mohammad	DG
55	Appeals Court - Nangarhar	Judge Mohammad Rahim	Head of Deeds Registration Dept.
56	Water Supply Department - Nangarhar	Eng. Mahtab Gul	Head of Engineering Unit
57	UN Habitat - Nangarhar	Niamatullah Rahimi	Senior Provincial Manager
58	UN Habitat - Nangarhar	Eng. Mohammad Taher Wafa	Senior District Engineer
59	RAMP UP - Nangarhar	Eng. Sayed Snaullah Tahiry	Municipal Team Leader
60	UNDP/ASGP	Nujayed Ahmad	UNDP/ASGP Team Leader

No.	Organization	Name	Title
61	Real Estate Agent	Mr. Abdul Malik	Head
62	Real Estate Agent	Qari Yosuf	Head
63	CDC - Nangarhar	Haji Mullah Jan	Head of CDC - Campoona
64	CDC - Nangarhar	Haji Hazar Gul	Head of CDC - Campoona
65	CDC - Nangarhar	Sher Agha	Head of CDC - Campoona

ANNEX IV: METHODOLOGY DESCRIPTION

Methodology:

- (1) Reviewed over 50 key LARA project documents including program description, technical proposal, work plans, USAID's approved performance management plan (PMP), baseline and socio-economic study, monthly reports, quarterly reports, annual report, training, trip and meeting reports, gender assessments, and other project documents, plus an extensive collection of general and detailed maps of project sites in Jalalabad;
- (2) Explored communities through site visits in three urban settlements and dialogues with over 100 individuals, including 40 from LARA program staff, government, donors, INGOs, and property dealers, plus approximately 100 through community and participant focus groups. The team visited 12 organizations and counterpart agencies in Kabul and 14 in Jalalabad. Investigations included inquiries into how well initiatives outlined in Project Implementation Letters (PILs) have been implemented and what improvements would be desirable in LARA as well as in the counterpart implementation measures in the present PILs and in a future program in land reform in Afghanistan.
- (3) Consulted with governmental and non-governmental organizations and a variety of land, legal, and upgrading specialists. The evaluation team also examined models for informal settlement upgrading, legal and policy options, and capacity building methods for comparison with the models and methods used in the three LARA project components.
- (4) Ten focus group discussions (FGDs) were conducted with LARA beneficiaries and partner organizations including a sample of trainees who attended LARA courses. These FGDs also included conversations with community members representing 18 CDCs, two community women's groups based in four Jalalabad informal settlements; plus three groups in an informal settlement in Kabul that had completed a range of self-help upgrading initiatives.

The evaluation team used the following methods and processes:

- Mixed methods → Qualitative framework with quantitative data as appropriate/available
- Document review—by priority question
 - Bibliography
 - Organized around the priority questions
 - Checchi Knowledge Management database and archives
 - UN research/resource center/library
- Data assessment/examination
 - Examine/draw on baseline and other M&E data sources/mapping
 - Lists of beneficiaries, stakeholders, partners, trainees, residents of informal settlements
 - Sources for drawing informal samples for interviews, field visits, focus groups, etc.
- Key informant interviews
 - Focus Groups
 - FGDs with training participants → Question 3
 - Informal meetings

- (SOAR analysis)
- Mini-survey(s) if/where feasible
- Observations/Site visits
 - Observation guide and checklist
 - Informal settlements, organized photo evidence
 - Informal meetings where feasible
- Assessment framework for addressing each of the priority questions
 - Appreciative inquiry approach including SOAR analysis around three key questions:
 - What's working? What's the best? → Questions 1 & 2
 - What's 'even better' look like? → Questions 1 & 2
 - How do we get there? → Question 4: recommendations

ANNEX V: DATA COLLECTION SURVEY INSTRUMENTS

Focus group Meeting Questionnaire

**LARA COMMUNITY
MEETING PROTOCOL**
With Extra Questions

Date: **Project Site/Location:**

Neighborhood:

Interviewer/Recorder:

Attendees:
Women: **Men:** **Vulnerable group members:**
Key Informants/Leaders present:

Meeting Purpose:

- Introduce our purpose to evaluate LARA’s upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Inquire about lessons for LARA and USAID for any future initiatives

Background:

- *Describe background of area and region*

Topics/Issues/Resolutions:
Community/Neighborhood Self-help Achievements since coming to this place

- Tell us about what you have done together here in this community/neighborhood that you are especially proud of? Activities you did on your own, without outside assistance? Activities you would like your children, grandchildren to remember?
- What strengths, skills, knowledge, and experience do these achievements represent?
- What positive results have you seen from LARA and Municipality activities in this community during past year?
- What progress have you seen in documenting your rights to your homes?

3 CDCs: *Physical description*

CDC A:
-
-
-

CDC B:
-
-
-

CDC C:
-
-

Expectations, Dreams for your children, grandchildren for this community

- What upgrading efforts would you like to see for your community's people and families?
- What obstacles or negative impacts might come from such activities?
- How might the community overcome such obstacles?
- **What can LARA do 'even better' than they are doing now?**

Plans for achieving your community/neighborhood goals?

- What will you do during the coming year to achieve your dreams?
- Special activities for women, women's groups
- Special activities for disabled, vulnerable groups
- Special activities for youth
- How would you organize yourselves to gather the needed information and to realize, achieve your plans?
- **What should LARA do to support your plans?**

DELIVERY – Immediate actions

- What will you do during the coming weeks/month to get started?
- Who will do what? When?
 - Each person make a personal commitment.

“DO IT NOW”

- What can we do right now.... In the next 10 or 15 minutes... to get started?
- One small task to begin the journey toward achieving our dream?

Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would it be?

Formalization /__/ Upgrading /__/

What is your advice for any future USAID programs like LARA for formalizing and upgrading?

**LARA COMMUNITY
MEETING PROTOCOL**
With Extra Questions

تاریخ:
موقعیت پروژه:
محل همجوار:
مصاحبه کننده/ ثبت کننده:

اشتراک کنندگان:

مردان: زنان: اعضای گروه های آسیب پذیر:
معلومات دهندگان/ رهبران کلیدی حاضر
(لست تمامی اشترک کنندگان بصورت جداگانه با امضا حسب لزوم)

هدف جلسه:

- معلومات در مورد هدف ملاقات جهت ارزیابی فعالیت های بهسازی پروژه اصلاحات ارضی در افغانستان (LARA): محلات و مناطق از بهسازی چی را میتواند بیاموزند و کدام نظریات و پیشنهادات را برای بهسازی در آینده دارند.
- درخواست معلومات در رابطه به پروژه LARA و اداره انکشاف بین المللی ایالات متحده امریکا (USAID) در مورد فعالیت های شان در آینده.

پس منظر:

- این یک ساحه مرطوب با مشکلات جدی آبرو ها بوده و در مقابل سیلاب ها آسیب پذیر است.
موضوعات/ مسایل / راه های حل:
- دست آورد های کمک های خودی محل از زمان استقرار در این منطقه
- در مورد اینکه شما کدام کار را در این منطقه انجام داده اید و به آن افتخار میکنید، صحبت کنید؟ فعالیت های که شما بدون کمک خارجی انجام داده باشید؟ فعالیت هایی که در آینده اولاد ها و نواسه های تان به خوبی از آن ها یاد کنند؟
- این دست آورد ها کدام مهارت ها، قوت ها، تجارب و دانش را نشان میدهند؟
- در طول یک سال گذشته کدام نتایج مثبت از فعالیت های شاروالی و دفتر LARA را مشاهده نموده اید؟
- کدام پیشرفت ها را در قسمت مستند ساختن حقوق تان در خانه های تان مشاهده نموده اید؟

توقعات/ رویا های تان برای آینده اولاد و نواسه های تان در این محل:

- کدام فعالیت های بهسازی را برای مردم و خانواده ها در محل تان میخواهید مشاهده نمایید؟
- کدام اثرات منفی و یا موانع به نظر شما در همچو فعالیت ها بوجود خواهند آمد؟
- مردم محل چگونه با همچو موانع نایل خواهند آمد؟
- پروژه LARA کدام کار های بهتر را نسبت به آنچه که حالا انجام میدهد، میتواند انجام دهد؟

پلان ها در مورد كسب اهداف محل/محل همجوار تان؟

- در سال آینده کدام اقدامات را جهت دست یافتن به توقعات تان اتخاذ خواهید نمود؟
- فعالیت های خاص برای اناث و گروه از زنان
- فعالیت ها خاص برای معلولین و گروه های آسیب پذیر
- فعالیت ها خاص برای جوانان
- خود را جهت جمع آوری معلومات مورد ضرورت و دست یافتن به پلان های تعیین شده چگونه تنظیم میکنید؟
- پروژه LARA باید کدام کمک ها را جهت تقویت پلان های تان انجام دهد؟

پیاپیاده کردن- اقدامات عاجل

- در جریان هفته های بعدی یا ماه آینده جهت آغاز عملی کار، کدام کار را انجام خواهید داد؟
- چه کسی کدام کار را انجام خواهد داد؟ چی وقت؟
 - هر کس شخصاً تعهد نماید

"همین حالا انجام دهید"

- همین حالا چه میتوانیم انجام دهیم در 10 یا 15 دقیقه آینده ... تا کار خود را آغاز نماییم؟
- یک کار کوچک جهت دست یافتن به رویا های خویش؟

بصورت عموم، پروژه LARA در آینده باید روی کدام موضوعات کار نماید، ثبت و عنوان زمین یا بیشتر روی بهسازی ساحات و یا بهبود عرضه خدمات در ساحات رهايشی؟ اگر شما فقط یکی را از دو مورد فوق انتخاب میکردید، کدام یک را انتخاب میکردید؟
رسمی سازی /- / بهسازی /- /
مشوره شما برای پروژه های آینده اداره انكشاف بين المللی ایالات متحده امریکا مانند LARA در قسمت رسمی سازی و بهسازی چیست؟

Questionnaire Multiple-choice

Form Title, Date: _____

Interviewer: _____

Have you ever heard of the LARA project for land registration and upgrading?	Yes _____ No _____				
If so, have you ever attended any meeting about LARA?	Yes _____ No _____				
1a. Do you think people in this neighborhood are involved in the formalization process for getting their land registered with government?	Highly	Involved	Somehow	Not much	Not at all
1b. Do you feel personally as involved as you should be in the formalization and registration process?	Highly	Involved	Somehow	Not much	Not at all
2a. Have you heard anything about any proposed changes in the laws or regulations about land registration?	Yes _____ No _____				
	Highly	Well	Somehow	Not much	Not at all
2b. If so, how do you think the proposed legal amendments address the fundamental issues of land reform, registration, or titling?					
3a. Have you attended any LARA training program or workshop?	Yes _____ No _____				
	Highly	Useful	Somehow	Not much	Not at all
3b. If so, how useful did you find the LARA training for you about land registration and upgrading in this settlement?					
4a. Overall, do you think that the LARA project has been implemented effectively to date?	Highly	Effective	Somehow	Not much	Not at all

4b. Overall, do you think that the LARA project been has implemented efficiently to date?	Highly	Efficient	Somehow	Not much	Not at all
4c. Overall, how satisfied are you with the LARA project?	Highly	Satisfied	Somehow	Not much	Not at all
4d. Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would it be?	<p>More emphasis on titling and registration _____</p> <p>More emphasis on upgrading _____</p>				

INTERVIEW FORM 6 QQS

Organization		Respondent	Date
		Contact Info:	
Questions	Sub-Questions	Responses	Notes
1a. Do you feel that the stakeholders are actively involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	What are your best examples, successes?		
	How could LARA do even better in the future?		
	What needs to be done to make that happen? (Action Plan)		
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	What are your best examples, successes?		
	How could LARA do even better in the future?		
	What needs to be done to make that happen? (Action Plan)		
2. How the proposed legal amendments address the fundamental issues of land reform?	What are your best examples, successes?		
	How could LARA do even better in the future?		
	What needs to be done to make that happen? (Action Plan)		
3. How have LARA trainings increased	What are your best examples, successes?		

counterparts' capacity?	How could LARA do even better in the future?		
	What needs to be done to make that happen? (Action Plan)		
4a. Has the LARA project been implemented effectively and efficiently to date?	Effectively, achieving the intended results?		
	Efficiently, good value, good results for the money?		
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	Land Reform		
	Land Tenure/titling		
	Cadastral mapping (merging systems)		
	Other....?		

**Meetings Summary Matrix – Stakeholders: AGCHO, AGCHO Eastern,
MAIL/ARAZI, DUDA, MUDA, ARAZI Nengahar, Jalalabad Mayor, etc.**

<i>Question</i>	<i>Response</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	
1b. Are all stakeholders [1] as involved as they feel they should be in the LARA formalization process?	
2. How the proposed legal amendments address the fundamental issues of land reform?	
3. How have LARA trainings increased counterparts' capacity?	
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	

ANNEX VI: DETAILED MEETING NOTES, MEETING SUMMARY MATRICES

This Appendix summarizes information gathered about the main LARA counterparts and their involvement in the three Components. The analysis includes findings about each of the counterparts and each of the three Components, including focus groups with local communities, CDCs, and women's groups. It is important to note, however, that these summarized meeting notes are not necessarily representative of the viewpoints of the affiliated organizations. The meeting notes represent discussions with individuals and should not be interpreted as official viewpoints of respective organizations.

MINISTRY OF URBAN DEVELOPMENT (MUDA)

MUDA is one of the main counterparts of LARA and heads all of the technical working groups concerning informal settlement upgrading. The Project Implementation Letter (PIL) referencing MUDA outlines the obligations of each party. The evaluation team was unable to meet with the Minister of MUDA, but did meet with his deputies, the Head of Policy and Planning and the Deputy Minister of Administration and Finance. The evaluation team gathered the following information regarding implementation of the PIL:

LARA assistance to MUDA involves:

- Support of MUDA participation in the Urban Planning Clinics in Jalalabad
- GIS training of MUDA staff
- Support of MUDA's co-hosting the three-day Informal Settlements Upgrading and Formalization Workshop with the Kabul Urban Reconstruction Program (KURP)
- Institutional Assessment of MUDA
- The Gender Assessment of MUDA, which was requested by MUDA

MUDA leadership identified these priorities for continued land reform programming:

- Enhanced technical support to MUDA to strengthen land tenure security through formalization and upgrading of informal settlements
- Revision of the Municipal Law of 2000 to distinguish between the respective responsibilities of IDLG and MUDA in order to more effectively achieve their closely related responsibilities
- Apart from the technical working groups, MUDA needs greater assistance with policy development of the legal structure for formalization.
- Strengthened coordination and collaboration through monthly meetings of the technical working group

Greater emphasis on tangible and visible outcomes in the areas of upgrading and urban service delivery focusing on informal settlements.

Department of Urban Development Affairs (DUDA)

DUDA is the Jalalabad division of MUDA, one of the main counterparts of LARA. The evaluation team met with the head of the DUDA regional office. Discussions centered on the implementation

of the PIL by LARA, as well as the Project's achievement and work in the two Jalalabad informal settlements, Araban and Campoona.

LARA has assisted DUDA in the following ways:

- Repair and renovation of DUDA's offices in Jalalabad
- Support of DUDA participation in the Urban Planning Clinics in Jalalabad
- GIS training of DUDA staff
- Close collaboration in planning upgrading
- Selection of Araban and Campoona as pilot areas to upgrade
- Development of the Topographical Survey

DUDA recommends that LARA:

- Enhance technical support to DUDA to strengthen land tenure security through formalization and upgrading of the Araban and Campoona informal settlements
- Help DUDA do more regarding policy development of the legal structure for formalization
- Complete promised renovations to DUDA's office
- Strengthen coordination and collaboration through monthly meetings of the technical working group
- Provide more training in AutoCad and GIS software
- Assist in better coordination with UN Habitat in providing upgrading in unplanned areas;
- Provide a more powerful generator and a large format scanner
- Purchase Total Station, plus field-to-office software for Total Station

Fundamentally, DUDA faces substantial challenges in the formalization and upgrading of the two pilot informal areas. They seek close collaboration and support from LARA, and hope that LARA will coordinate the upgrading work to provide a visible and tangible outcome in the near future.

INDEPENDENT DIRECTORATE OF LOCAL GOVERNANCE (IDLG)

The Independent Directorate of Local Governance (IDLG) was created in 2007 after the passage of the current Municipal Law for the purpose of leading, supervising and monitoring local municipal practices and capacity development. This includes urban planning at the community, municipal and provincial levels, and is to be less "top down" in its approach than MUDA. IDLG reports directly to the President and Parliament and is seen as an executor and implementer of policy. It includes the General Directorate of Municipal Affairs (GDMA) that oversees and regulates the affairs of all municipalities, except Kabul.

LARA has supported IDLG through:

- The MUDA/KURP three-day Workshop on Informal Settlements Upgrading and Formalization workshop with 140 leading stakeholders in land issues.
- The topographical mapping and the Social-Environmental Survey conducted in Araban and Campoona in Jalalabad.
- Training provided to GDMA and Jalalabad municipality

In interviews with the evaluation team, ILDG expressed that they would like LARA's assistance to:

- Participate in the Workshop on National Upgrading Policy, scheduled for 21 March 2013.
- Strengthen land tenure security efforts of IDLG through formalization and upgrading of informal settlements.
- Secure revision of the Municipal Law of 2000 in order to distinguish between the respective responsibilities of IDLG and MUDA in order to more effectively achieve their related remits.
- Expand formalization and upgrading work to the other twenty or so informal communities in Jalalabad, taking the Jalalabad model to other cities
- Strengthen coordination and collaboration through monthly meetings of the technical working group.
- Start implementation in conjunction with GDMA of the approximately one million dollars available for Araban and closely coordinate future plans in Campoona.
- Work with the Land and Asset Management Unit of Arazi to incorporate MAIL transfer of land to GDMA to facilitate upgrading into the municipal planning process.

IDLG wants LARA to overcome past delays in performance and to share and coordinate its plans for working in Jalalabad. Although the results were generally positive from earlier training provided by LARA, it was provided online and in English. They would like to see an analysis of their training needs and requested "smooth, live, practical training," rather than online/theoretical training. They would also like training in AutoCad, sustainable land use, and urban planning.

ARAZI

The Project Implementation Letter referencing Arazi (see ANNEX VI) outlines the obligations of each party that signed the PIL. The evaluation team was able to meet with several senior members of Arazi leadership in the both the Jalalabad and Nangahar Provincial office. Our discussions of the implementation of the PIL by LARA as far as Arazi is concerned yielded the following points:

The most important support from LARA to Arazi-Nangahar to date has been support for the three-day Provincial consultations on the proposed amendments to the Land Management Law earlier this year, and the national consultation held in Kabul a short time later. LARA contributed legal expertise as well as helped support the attendees.

The main issues taking significant time at the consultations were:

- Determining the duration of a lease period appropriate for different types of leases

How forgery of property documents can be reduced and past incidences eliminated from Arazi's and the Courts' property records

Equipment availability: LARA through AIMS has also provided GIS training for twelve Arazi-Kabul and Arazi-Nangahar staff. Since fewer than half have computers available, trainees have forgotten much of what they learned at the training.

There appears to have been some “mission creep” in LARA’s relationship with Arazi, in that the original intention of working on the LML amendments and helping train Arazi-Kabul staff in basic GIS has evolved into more in depth involvement in modernizing Arazi. LARA has conducted an assessment of Arazi (the assessment is unknown to Arazi Deputy Head and Department heads), as has the World Bank this past year, and DfID/ADB in 2007. These assessments seem to have been relatively useless to Arazi managers, and were mostly done for justifying investments by donors. LARA has also done studies of Arazi’s business practices in meeting its mandates in its various departments.

These studies have resulted in the decision to introduce Tetra Tech/ARD land administration software (GRM Registry and GRM Cadastre) into Arazi as part of the re-engineering of Arazi in Kabul and eventually in all Provincial offices. These two pieces of software will be the core of the Afghan Land Records Management Information System—ALRMIS, which is still in the design stage.

LARA has promised computers and software for improving the administration of land information at Arazi in Jalalabad, but nothing had arrived at the time of the evaluation. Nor is Arazi management clear about what to do with such equipment if it arrives. The process of re-engineering Arazi is destined to be a long and complex effort. The investments in the institutional transformation to date may be lost with LARA closeout.

Arazi in Jalalabad provides information about land ownership in Araban and Campoona, and has participated in the selection of LARA’s pilot sites. Most of land in Araban is private, while only 40 jeribs are private in the Campoona area, although it is difficult for Arazi to say where those specific 40 jeribs are located.

Arazi recommends that LARA should assist by providing:

- Technical support for better systems;
- More comprehensive capacity building
- Courses for 34 Provinces, 350-360 Districts, and 7 regions
- Training that is not just ad hoc, but is planned and implemented in a broad strategy for building Arazi.
- Provide Arazi with its own training capacity, through training of trainers, since it has training facilities

Arazi’s major concern is to have a business plan for creating a data center to ensure sustainability of the software, as well as licenses, a budget for maintenance, technical support in Kabul, and manuals for use and manuals for training.

AGCHO

The LARA mid-term evaluation team met with AGCHO at the Cadastre Survey Department General Director's office with General President of AGCHO and subsequently with the Cadastral Survey Director (who is a Cadastral Surveyor) in Eastern Regional Office in Jalalabad. The Cadastre Director recommends that, beyond office renovation, LARA needs to address the MOU by providing:

- Technical equipment needs: Total Station sets and Differential GPS for the survey of the land in Afghanistan, since their old equipment is either out of date or damaged and cannot be used. LARA has ordered some equipment, which is on the way.
- More training, specifically in Total Station use in the field and linkage of data to computer and produce hard copies and digital archives of field data and maps.
- Preservation storage and retrieval of survey and map data. Actual data entry work has not started. Presumably the Cadastral Data Management System (CDMS) which LARA promised to develop in its work plans will be the software which Cadastral Survey can use to store and access cadastral parcel maps and parcel data. Such a plan does not seem to be known by AGCHO in Kabul, and also not in the Regional Office.

Improving the Cadastral Survey of Afghanistan requires the direct attention of the LARA Project. There is a recognized need for bringing cadastral surveying capacities into alignment with the great need for parcel based information on rights as well as boundaries of urban and rural land parcels. At this point in time, LARA is supporting the General Director of AGCHO to produce a draft of a new Cadastral Survey Law and Regulations. This effort will provide a framework for designing both equipment and personnel needs of the Cadastral Survey Department. There are also discussions within the government about taking the Cadastral Survey out of AGCHO and placing it within a revitalized Arazi.

LEGAL FRAMEWORK AND SUPREME COURT

The information below is based largely on research conducted during the desk review and describes LARA's activities with courts.

Capacity Building:

LARA is introducing a component of the GRM Registry software recommended by Tetra Tech into the Supreme Court in coordination with the LRMPII project called the Deeds Registry Archive Conversion System or DRACS. LARA consultants are adapting DRACS to function in Dari and Pashto for administering the preparation and archiving of eight types of deeds presently prepared by Primary Court judges and by the Provincial Departments of Deeds by hand and presently archived by hand in the Provincial Court Makhzans (Court Archives), following digital copying in some Makhzans.

LTERA by 2009 had refurbished 21 Provincial Makhzans, including building new cabinets, repairing the archives, organizing, labeling and cleaning of volumes containing the hand written deeds. LTERA also created indexed digital copies of deeds in 11 of the 21 refurbished Makhzans. Another organization, Harakat, has continued the refurbishing, organizing and digital

copying work started by LTERA, including the purchase of computer hardware for running DRACS.

LARA's latest work plan states: "*DRACS will convert records digitized under LTERA, as well as existing archived paper records into digitized form. By the end of the Option Period, LARA proposes to have converted 500,000 records using this approach*". The digital archives of deeds are good protection against fire, looting and general deterioration of the paper records. The LTERA digital deeds system seems to be satisfactory to the Judges as a back up to the paper records, but it has yet to be fully utilized in the deed preparation process.

The Judges in the Departments of Deeds in the Provincial Courts by order of the Supreme Court first consult the paper records when a copy of an existing deed is needed. The reorganized and upgraded paper archives produce quick search results in a matter of minutes. At present, there seems to be little need in the operations of the Judges at this point in time for a DRACS. The DRACS format, nonetheless, is very useful for indexing the digital copies of the eight types of transaction deeds, which is an improvement over the LTERA work, which focused on copying and indexing just two types of court-produced deeds. DRACS needs to include the lunar calendar used in dating deeds in past decades in addition to the solar calendar presently used.

Legal Framework: LARA's Work Plan

The LARA Work plan through December 31, 2013 states the following:

Proposed improvements in laws and regulations ready for approval by December 2013 include:

- Supreme Court Procedures on Land Registration (presented through Harakat);
- Proposed Draft Law on AGCHO and Cadastre; and
- Regulation on the Operation of Central Department of Deeds and Documents Registration of the Supreme Court.

Proposed improvements in laws and regulations enacted by December 2013 include:

- Law on Land Registration;
- Law on Land Management; and
- Regulation on the Operation of Central Department of Deeds and Documents Registration of the Supreme Court.

Based on the results of ... seminars and workshops, LARA's Legal Team will work with the necessary government agencies to support legislative/procedural reform in order to test simplified procedures for land transfer and registration that can easily be monitored with modern technology at a regional level (e.g., Jalalabad *makhzan* office).

Little has been done to implement these aspects of LARA's work plan, mostly because each of these items is very difficult to accomplish in a short period of time. The evaluation team did not observe any evidence of support for the implementation of a Supreme Court order to Provincial

Judges to facilitate conversion of Customary Deeds into court Title Deeds. Nor has LARA encouraged the approval of the draft Law on the Registration of Customary Deeds.

Legal Framework—CLIR/BizCLIR and National Land Policy

The section below presents legal analysis conducted by the evaluation team. Using the CLIR/BizCLIR and the National Land Policy as criteria, we review two legal frameworks with which LARA has been working.

Land Management Law

In our review of this legal framework component of the LARA project, we focus first on the very significant work done with assisting the preparation of amendments to the Land Management Law of 2008. The focus of the LARA legal assistance to the drafting team was the facilitation of leasing of land under the LML, which does not include rangeland.

Consultations: A series of regional consultations were held by the drafting team to invite suggestions from governmental officials and from civil society in the region to improve the draft amendments.

National Land Policy: In the view of the evaluation team, the criteria of a good land law outlined in the CLIR/BizCLIR report do not sufficiently consider the National Land Policy as a guide for drafting the amendments to the Land Management Law. This policy stresses the importance of protecting local customary rights to land in addition to facilitating commercial transactions in land, such as leasing. This oversight was at least partially corrected following the consideration of critiques of the draft amendments, especially the observations of Liz Alden Wily (2012). While still drafted with a preference for government actions to arrive at lease agreements, but taking into account existing customary rights to land, the draft which has been presented to the Ministry of Justice for review is more open to community input than the original draft. However, the draft amendments still start with promoting “legal” allotments of rights (leases and transfers) from a widely perceived corrupt and inconsequential governmental structure.

Without local clans and village leaders negotiating benefits from the proposed leases for local people with legitimate use rights to the land, the leasing process will almost certainly produce discontent. It would seem desirable that the LML authorize local clan and other village leaders to produce signed agreements among these local leaders as to the existing legitimate users of land, and then use these agreements to negotiate how the local people will benefit from proposed leases.

Cadastral Survey

Municipalities, and therefore LARA, face the issue of how to conduct parcel surveys in order to provide a geographic reference framework for attaching information about rights and restrictions pertaining to each parcel in an upgrading settlement. The Cadastral Survey Department of AGCHO is the authorized entity in Afghanistan for doing cadastral surveying. Use of modern technologies is limited, but with the professional commitment and abilities of the remaining cadastral surveyors to help train younger cadastral surveyors in the fundamental skills of relating to people and their land holdings, updating technological competence is relatively easy.

There are at least three difficulties concerning cadastral surveying, some of them having to do with the legal framework for such activities, which were not included in the tasks of LARA's legal framework component, and should be recognized as of high priority:

Law relevance

The Cadastral Survey Law of 1988 applies only to parcel surveys and associated information gathering pertaining to farming land. There is a commission working on updating this law to also apply to land within Municipal boundaries, and on specifying procedures using technologies and standards which have evolved since 1988.

Also, the strategic orientation of the Cadastral Survey is evolving 1) from being a monopoly on the realization of any cadastral survey to being a licensing and monitoring agency supporting the work of private surveyors; 2) from being a monopoly, within AGCHO, for producing all topographic and cadastral maps, to being a coordinator of organizations which have the capacities for such work themselves and a national depository of such mapping work for assuring access to information by the general public in the future.

Presidential Decree Inhibiting Land Grabbing

As part of Presidential Decree #82, no cadastral surveying is allowed, unless specifically authorized by the President. The measure was taken so as to not legalize grabbed land through a cadastral survey. So, if the legal and regulatory issues are resolved by the commission, specific permission would have to be secured to conduct a cadastral survey.

Lack of Trained Cadastral Surveyors

While the training of the cadres of cadastral surveyors for the launching of the Cadastral Survey 47 years ago produced 640 professional and committed cadastral surveyors, only a few of this phase remain working as Cadastral Surveyors. Few younger people have joined the C.S. since 1978, in part because of there being very few positions open due to a lower number of employees. Therefore, if the institutional obstacles to upgrading informal settlements are overcome and the demand for cadastral surveyors greatly increases, there will be a time lag for producing them, and mentoring them in the special people skills of a cadastral surveyor by an experienced surveyor.

Stakeholder Data Summary Matrices

<i>Question</i>	<i>AGCHO</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	AGCHO has worked in close collaboration with Ministry commission that includes members from MoI, MAIL on preparing law regarding land grabbing to address those who are involved in illegal land transfer. This is being done by the Government of Afghanistan. Based on the agreement, LARA can provide technical assistance but AGCHO hasn't requested it yet.
1b. Are all stakeholders [1] as involved as they feel they should be in the LARA formalization process?	AGCHO has been in communication with LARA as whole and been involved in drafting the amendment law. There seems to have been very little communication between AGCHO and LARA compared to IDLG.
2. How the proposed legal amendments address the fundamental issues of land reform?	AGCHO has worked in close collaboration Ministry commission that includes members from MoI, MAIL on preparing law regarding land grabbing to address those who are involved in illegal land transfer. This is being done by the Government of Afghanistan; LARA is not involved at all. However, AGCHO is ready to work with LARA on mapping and the Cadastral survey that has not been done. LARA hasn't requested AGCHO.
3. How have LARA trainings increased counterparts' capacity?	AGCHO believes the trainings LARA delivered were not based on the needs and requirements of AGCHO. The training wasn't at the AGCHO; only five staff were trained in basic computer skill and one in GIS for one month which wasn't very effective. The GPS and geographical trainings for 11 areas initiating military weren't all completed; two trainings need to be done by the support of LARA.
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	LARA should give more support to AGCHO at the field level and equipment worth USD 866,000 should be delivered to AGCHO. The vast need of cadaster survey which is highly demanded by the government and people should be addressed by LARA. AGCHO hopes LARA resolves the issue in MoU in the next phase and focuses more on capacity building, digitalization, equipment, completing the two other remaining GPS trainings, cadastral school upgrading, imagery and deliver the promised equipment.

<i>Questions</i>	<i>AGCHO Eastern</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	
2. How the proposed legal amendments address the fundamental issues of land reform?	Presently, there is a group supported by LARA which is drafting new legal and regulatory provisions for making the Cadastral Survey department more agile and relevant to modern needs for parcel survey and mapping, including the responsibilities of the Cadastral Survey Department to license surveyors, monitor and certify their work, archive all final field surveys and maps, and make easily available to the general public and government agencies.
3. How have LARA trainings increased counterparts' capacity?	The LARA project has done some refurbishment of the AGCHO building and has offered GIS training for up to three staff, but no staff were available for that course. There are 10 vacant staff positions due to the low salaries and due to the lack of conducting the examinations needed for such appointments.
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	AGCHO in Jalalabad needs LARA to bring in the promised equipment and then train staff in its use. LARA should also help train the 10 young cadastral surveyors at the Cadastral Institute, extending to a period of internship with experienced cadastral surveyors to fill the vacant positions in Jalalabad.

<i>Questions</i>	<i>MAIL ARAZI</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	ARAZI believes the best support to date to ARAZI has been drafting the Land Management Law. LARA facilitated the process and the Afghan legal specialist led the process.
1b. Are all stakeholders [1] as involved as they feel they should be in the LARA formalization process?	
2. How the proposed legal amendments address the fundamental issues of land reform?	LARA together with ARAZI took the following steps: 1) Public consultation and engagement was organized in 34 provinces in all seven zones the final consultation of which was held in Kabul. The participants were from different levels of the community such as farmers, private sector and government. The discussion was on how amend the law. Consultation was warmly welcomed by the people as they feel involved and the final consultation brought all the decision makers together to finalize the Land Management Law and get it approved in the coming three to four months or maximum six months. The consultation report was later shared with LARA; however, LARA wasn't involved as member apart from having presence in the Technical working group. 2) In regard to Land Inventory/ Legislation and Documentation, LARA is only providing equipment and software, no technical assistance is given. ARAZI is using their own human resources to do the surveys. The Land Information System of Afghanistan is in process and not yet completed. Nothing is being done on Land Valuing.
3. How have LARA trainings increased counterparts' capacity?	LARA together with ARAZI took the following steps: 1) Public consultation and engagement was organized in 34 province in all seven zones the final consultation of which was held in Kabul. The participants were from different levels of the community such as farm
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	ARAZI strongly feel there is need of more capacity building regarding technical support to have better systems, the duration of the training courses are supposed to be longer, all the 34 provinces 350-360 districts in seven different regions desperately need capacity building. ARAZI feels LARA can be of great help in regard to establishment of a training unit with in ARAZI, help them in planning, drafting job descriptions, training of the trainers and holding mobile training for the zonal office of ARAZI.

<i>Questions</i>	<i>DUDA</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	1) LARA focused on unplanned areas; repaired/renovated our offices; cooperated well with DUDA; GIS Capacity Building training; Close involvement with LARA. 2) LARA has engineers and shifts drainage in a specialized way so it links with larger drainage system 3) LARA has done best work; consulted with us closely in planned areas 4) Provide promised renovations to office, still awaiting, Computer equipment for those trained 5) Consulting/coordinating with all bodies, Selecting areas with DUDA, implement the drainage and road plans; conduct upgrading
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	DUDA prepares the plans for upgrading but don't really know about legalization and formalization, they really do not feel involved in that regard and have no idea why. DUDA wishes to have same coordination with UN Habitat/UNHCR as with LARA; more consultation meetings; their focus on unplanned areas causes problems when we're trying to save open space for parks and other things in our plan; not encouraging working in unplanned areas; DUDA prefers LARA approach;
2. How the proposed legal amendments address the fundamental issues of land reform?	DUDA is not directly involved but are aware of discussions now going on around new policies; DUDA has seen proposed amendments for upgrading policy, land management law.
3. How have LARA trainings increased counterparts' capacity?	DUDA's participants were enthusiastic about the MIS training in which the trainers presented lectures with screen shots from the ARCMapping software along with explanations of its features in Pashto (or Dari, if they needed it). Afterward, they were broken into groups of two for continued sessions at a computer, in which they were able to practice their new skills and ask questions. Although the evaluation team didn't see the instructional materials, they said that they were all translated. The trainees also took their individual notes, which they have used for review and to share with those who did not attend the training. In their judgment, the training was very practical and keyed to their needs. Explanations were clear and understandable, and there was ample opportunity for interaction among participants, discussion and questions. The significant deficiency in the training is that the trainees have been unable to practice what they learned and are already losing their new skills. LARA has been delayed in the delivery of their computer equipment and the software, as well as solar panels to provide stable energy to run the hardware. They will need either English training or software in Pashto and/or Dari. They report that they also need digital cameras, digital theodolites and autocad training. Although they are quick to express appreciation for the training, they are clearly dubious with the long delay in delivering the promised hard and soft ware. It is entirely likely that they may need supplemental review training. It is my recommendation that the next training should be hands-on solutions to case studies that are relevant to their local work.
4a. Has the LARA project been implemented effectively and efficiently to date?	Topographical survey very helpful, effective consultation; professional planning and design

<p>4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?</p>	<p>Advice to USAID: 1) Economy is poor, we need to expand projects for upgrading to increase employment and security; with high unemployment we can get major trouble; need more visible upgrading; more green areas; more parks; improve river area; manage waste water to get it out of the city; provide access road upgrading; channels through city 2) Increase local participation/contributions; businesses are contributing for sidewalks; HHs and shops can contribute more; example: 800 m. sidewalk by UN/H raised cash contributions for implementation; street lighting also a possibility. Local contributions are the best way for upgrading under LARA; builds sustainability and local ownership;</p>
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<i>Questions</i>	<i>MUDA</i>
<p>1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?</p>	<p>Since MUDA is one of the main counterparts of LARA and is heading all of the technical working groups, feel involved enough in all the project process. One of the biggest achievements of LARA in MUDA was doing the Gender Assessment that was requested by MUDA. However, the findings of which has not been yet shared with MUDA. MUDA feel this assessment has consumed time and despite the passage of two months, the result has not been shared.</p>
<p>1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?</p>	<p>MUDA feels there is a good communication rapport between MUDA and LARA unless there is holiday issue or staff on leave. MUDA has good communication rapport with Ms Anna Soave and have her full cooperation.</p>
<p>2. How the proposed legal amendments address the fundamental issues of land reform?</p>	<p>MUDA has expat advisor on this regards. LARA has done nothing regarding policy development or legal structure for formalization apart from the technical working groups that involves all the other counterparts.</p>
<p>3. How have LARA trainings increased counterparts' capacity?</p>	<p>MUDA believes that best service LARA has provided them was the GIS training for the MUDA staff which was highly needed and appreciated by MUDA. The participants of the GIS training are able to give on job trainings to the other staff of MUDA.</p>
<p>4a. Has the LARA project been implemented effectively and efficiently to date?</p>	
<p>4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?</p>	<p>MUDA believes that much more tangible and visible outcomes regarding upgrading, urban services delivery focusing on informal settlement as there is a dire need to address the local demand such as urbanization, insecurity and urban immigration that puts the cities under great pressure and MUDA is barely able to deliver them basic services. LARA can replicate one of successful projects of World Bank that has a budget of 32 million USD for 19 different Gozars in Kabul .</p>

	<i>ARAZI Nengarhar</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	The most important support from LARA to Arazi-Nangahar to date has been support for the three day provincial consultation on the proposed amendments to the Land Management Law earlier this year, and the national consultation held in Kabul a short time later. LARA contributed legal expertise as well as helped provide a place for the consultation, refreshments, meals, travel and accommodations for Woluswali level staff as well as for other government officials and representatives of civil society who attended the consultation.
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	Arazi provides information about land ownership in Araban and Campoona, and has participated in the selection of LARA's pilot sites. Most of land in Araban is private, while only 40 jeribs are private in the Campoona area, although it is difficult for Arazi to say where those 40 jeribs are.
2. How the proposed legal amendments address the fundamental issues of land reform?	1) What duration, lease period, is appropriate for different types of leases? He showed us the paper work which has been done for preparing a lease of land for 9 or so fish ponds, much of it in English. Before leasing land, Arazi staff visit the land being considered for leasing to see the land use, condition of the land and any claims people might have to the land. If deemed appropriate for leasing, Arazi then advertises the land as available for lease. 2) How can forgery of property documents be reduced and past incidents identified and eliminated from Arazi's and the Courts' property records.
3. How have LARA trainings increased counterparts' capacity?	LARA, through AIMS, has also provided GIS training for three Arazi-Nangahar staff. Unfortunately, none of these staff use computers or printers or other sorts of IT in their work or in their private lives. So, they have forgotten much of what they learned at the training. LARA has promised computers and software for improving the management of land information at Arazi, but nothing has arrived as yet. Nor is Arazi management clear about what to do with such equipment if it arrives. The archives are all paper, in somewhat disorder, although the archivist probably can find anything asked of him with enough time and encouragement.
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	

<i>Questions</i>	<i>Jalalabad Mayor</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	The Municipality of Jalal Abad feels that people are happy about LARA at Araban and Campoona. LARA did a good job in the startup of the project, good people are working in the team and they have a good team leader. The first conference held regarding formalization and upgrading was a good start. It is appreciated by Jalal Abad municipality that LARA is working on upgrading in Araban and Campoona.
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	Jalal Abad Municipality feels the transition of city to Afghan Authorities has empowered the municipalities to take ownership of their project specially with the Mayor in charge, however, it hasn't been so with LARA. The Jalal Abad Municipality has projects with other International donors such as UNDP, UN Habitat, RAMP UP who have very good communication with municipality and good consultation regarding the activities that take place. The Mayor strongly feels LARA should involve the municipality team in activities. LARA should bid inside Nengarhar, hire local people, use local capacities, and keep the ownership in Nengarhar, which easily allows the municipality to oversee the work. Community ownership should be given at the beginning of the project, people contribution and involvement should be from the start, no need to wait till end of the project. The local capacities and good firms within Jalal Abad are not directly involved in bidding; the contract is given to outsider companies who later subcontract the local companies.
2. How the proposed legal amendments address the fundamental issues of land reform?	Nothing stated in the meeting regarding any involvement in the amendment as stated by the other counterparts.
3. How have LARA trainings increased counterparts' capacity?	LARA seems to have done no training to Municipality of Jalal Abad as nothing is stated by the mayor in this regard.
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	The Mayor as the representative and decision maker of Jalal Abad Municipality believes that the current approach LARA has is not effective. The qualified municipality team can help in over sighing and monitoring. He suggests that there should be more community representation and expands service in to unplanned areas as people there need a lot of problems that should be addressed. LARA is a complicated project and needs to be simplified. LARA has issue at the community level that needs to be resolved. The Mayor shows willingness to be present at bi weekly meetings.

<i>Questions</i>	<i>Written Response from one Araban Golayee Community Leader</i>
1a. How are stakeholders involved, in terms of completing defined formalization procedures or maintaining a defined role in decision-making, in the land formalization process?	During the last year, LARA has helped us through holding meetings and trainings on how to prepare a practical action plan for upgrading activities and also on how to implement the plan and how would it look like when it is finished and also provided trainings for Women Council. Municipality has also held the same meetings and trainings for us in cooperation of LARA and has showed their interest in terms of registration of the land ownership documents. We are particularly proud of having donated land for road widening and for school; all roads affected someone's property;
1b. Are all stakeholders[1] as involved as they feel they should be in the LARA formalization process?	If LARA is going to start its practical work, we are ready to assist them and will provide them a full cooperation. We will fully support the LARA Project, if they provide some courses for women in the fields of carpet waving, tailoring and handwork industries and also sewing woks. We will also provide full support to LARA, if they could provide disabled persons such jobs that they can be able to perform it and provide financial support for themselves. Also, we need LARA to provide youths with sports clubs in order to keep them away from any narcotics and also we LARA to provide youths with educational and cultural courses. To achieve these goals, the LARA should establish Tribes Consultation Committee and Disputes Resolution Committee.
2. How the proposed legal amendments address the fundamental issues of land reform?	
3. How have LARA trainings increased counterparts' capacity?	
4a. Has the LARA project been implemented effectively and efficiently to date?	
4b. What recommendations do you have for future USAID programming in the land reform, land tenure, land titling and cadastral mapping areas?	Build govt. related organizations to improve governance around land management [Araban people not generally paying municipal service fee/taxes] and the top priorities are upgrading and formalization of land deeds.

Community Meeting Notes – CRA – Kabul
USAID LARA Project – Social Impact Evaluation Team
Visit to Informal Settlement in Kabul, District 13
Deh Abad, with CRA team
Field Visit REPORT

Date: 7 Feb 2013

Starting Time: 9:30 a.m.

Reporter: Stanfield, Odell

Place: Deh Abad community and People's Unity community

Attendees:

- Malcolm, Allen, Neelab, David, Akram, and CRA team
- Community Councils' members – approximately 12

Meeting Objective(s)

- Learn about the CRA approach to informal settlement upgrading
- Conduct Community Focus Group meeting with local residents

Discussion

CRA has started working with the Asian Coalition for Community Action on a new approach for urban informal settlement upgrading, which is aimed at community development, but starting with small upgrading efforts. The funding that CRA offers to a neighborhood community council for upgrading work is \$3,000 maximum, which means that the initial upgrading has to be carefully identified as of the highest priority but of modest size and receiving significant community contributions.

In this community of Deh Abad of Nahia 13, there are a Men's Council and a Women's Council, both aimed at solving community problems, including dispute resolution thereby avoiding the police and courts. These are elected councils, with members representing particular streets and neighborhoods. The community is composed of about 700 households. The construction of houses and roads began about 11 years ago. The land was privately owned farmland (at least held by a private person) prior to the construction of houses, roads and alleys. The main access road, across the culvert, is wide enough for two vehicles to pass with room to spare, and the other roads and alleys seem to have been laid out in a rectangular grid, evidence of planning of the subdivision by those who sold and bought the land.

An important problem identified by both Councils was access to the neighborhood during the periodic floods which occur during the rainy season. The neighborhood is located across a major drainage ditch from the access road to the Gozar. During heavy rains, when the waters rise in the ditch, it is impossible to get into the neighborhood by vehicle and was very difficult and dangerous by foot. A person died trying to get across the ditch during a flood event.

To deal with this problem the Councils decided to construct a culvert. CRA agreed to provide \$3,000 maximum conditioned on the Women's Council setting up a Savings Box and the periodic contributions of community members to this Box. A total of community contributions to the culvert amounted to \$3,100.

CRA provided advice about the construction of the culvert, as well as materials. But the Councils found an engineer on their own to do the design, reviewed by CRA engineers. The community dug out the place for the culvert, constructed the forms for the culvert and prepared the cement.

Council members came to know about CRA through information from friends and relatives who had contact with CRA in nearby communities where upgrading had been occurring.

A Women's Council also functions around the generation of savings for investing in the community. About 50 families are members of the Council, and each family contributes 50 afs per month for investing in the community now that the culvert has been shown to be a successful example of what the community can do.

Community Focus Group Meeting:

Attending: 10 male elders, 2 youth – Representing the local CDC Council

Background on Council

- Wakil; organized for one year now; previously no council; we brought council together ourselves; worked together on bridge/culvert (20% of \$3000 raised came from council members); developed list of all residents on each street/lane; each street chose 1-2 members for council; we now have 30 members for 30 streets; elected Chair, Deputy, and Secretary; now formalized and registered with government; permanent council, not just for upgrading like UN/Habitat CDCs which don't look broadly at development of the whole community like our council does.

Meeting/discussion:

- **Community achievements**, successes-Self-help activities of which they are particularly proud, having done on their own:
 - Conflict resolution and security--Council members regularly help resolve local dispute over injuries, land, property, without need to involve police or courts; patrol streets at night and have mobile contact with police if needed; leaders known and respected; in one case of a fight leading to physical injury they took injured to hospital, fined the culprit; if they had involved police or courts it would have taken long time and cost a lot of money, but they solved problem locally to satisfaction of all parties; another dispute over land was satisfactorily settled for both parties, fining the guilty party; robbers have been captured and taken to police
 - Bridge/culvert—organized, designed and built by themselves with only modest help from CRA
 - Roads and lanes straightened, people persuaded to move walls; straighten the 'snakes'—roads graveled and maintained
 - School organized with teachers teaching for free
- **Community vision, dreams for their future**
 - Education: We have trained, educated people—male and female--to Masters level who are teaching for free, but we have no school, now conducting school in a rented house; we can provide labor but need land
 - Drinking water: Tube wells and hand pumps; underground water level is dropping every year; pumps need repair, new wells needed; water now being brought in by tankers but price is rising; 30 Af/cu.mtr now, going up to 40 or 45 Af.
 - Health Clinic in center of District 13, but far—30-45 min. walk for people in this area; discussion underway with MoH but no answer; we can provide labor but need land
- **Community Action Plan – tasks for coming year**
 - Trying for a school and clinic, and to improve roads, lanes;
 - School is top priority: we have formed a large council to work on school plans to find a way to raise money from the people and government; gvt. will build school if we provide land, but there is no land except to buy at very high price
- **Commitments**
 - Coordinate fund raising among our people
 - All to work together for school
 - Commit labor for construction
 - Volunteers include design engineers and skilled masons

- 10 teachers with BA degrees volunteering to teach for free
- **Action taken right now to begin**
 - Council meeting for school planning after this meeting
 - Saving from today on food costs

2. Another community visited: “People’s Unity”

One of the council members from the Deh Abad community, Ziaf, spoke English, and accompanied JDS to the People’s Unity community where an assembly of the Mens’ Council had been arranged. The Wakil i Gozar was a member of this Council, and about 10 members gathered to talk with JDS. The community has grown from fields to houses and streets in just 8 years. The residents bought land from the private owner of the land to build their houses. They do have documents describing these sales, and they have also managed to record their properties with the Municipality, along with the obligation to pay about 200-250 Afs per year in Safaie tax, per house. The documentation of these registrations with the Municipality seems to be a point of pride for the residents.

The Council has been in existence for 2 years, with a goal of improving cultural, social and health conditions, as well as deal with disputes, women’s’ rights and employment generation.

In 2012 the Council worked with CRA to start the improvement of alleys, nine in total, but with the CRA grant they improved four. 75% of the costs of the improvements were provided by the community and 25% by the CRA grant. A total cost contributed by the community was \$9,000 accompanied by a \$3,000 grant from CRA.

There is also a Women’s council, in charge of the Savings Box, where 75,000 afs have been collected, and some spent on the alley improvements. The next priority is to add drains to the alleys already improved, and complete the improvement of the other 5 alleys. Then comes the building of at least one health clinic, a school, improving the water supply. A problem is getting the land for the clinic and school, since the price of land now is quite high.

3. Visit to CRA field office

Close to these communities, CRA has acquired a nice older building with a garden for the field team. We were served lunch and then provided an overview of CRA’s new work supported by the ACCA, in a total of 11 communities, 8 of them in Kabul and 3 in Charikar City. There are over 4,500 households being affected by this project, with average contributions equaling the CRA grant in some cases, and in others being about half of the CRA grant.

In each case CRA is able to offer a grant of \$3,000 conditioned on community contributions and organizational development. Community contributions can be in kind or in cash, although usually at this point in labor contributions. Most are for the leveling and gravelling of access roads and drainage. Another condition is that the community organize a Women’s Council with a main responsibility of organizing a “Savings Box” with contributions from as many households as possible, for use in infrastructure and in income generation projects.

These efforts have all been launched and completed during 2012.

Community Focus Group Meeting Notes – Nangarhar

LARA JALALABAD COMMUNITY MEETING PROTOCOL

Date: 9 February 2013

Project Site/Location: Jalalabad, Nangarhar Province

Neighborhood: Araban (1): Araban Gulai

Interviewer/Recorders: Odell, Decker, Taher, Noor

Attendees:

Women: 0 **Men:** 8 **Vulnerable group mbrs:** 0

Observers present

Eng. Nisar Ahmad - LARA Project Manager Jalalabad Office, Mansour Popalzai - LARA Community Mobilizer, Mujib-ul-Rahman Shinwari - Institutional Liaison and Capacity Building Coordinator LARA, Eng. Noor Mohammad – Member of Construction Dept of Municipality

Attending Key Informants:

Dr. Ehsanullah - Head of CDC and Wakil of Kocha-e-araban

Haji Sardar Mohammad – Head of Golaie Araban CDC

Mr. Abdul Mateen – Golaie Araban Wakil (representative of the people),

Mohammad Baaz and additional 4 Members of CDC

Meeting Purpose:

- Introduce our purpose to evaluate LARA's upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Learn what communities have done for themselves, their aspirations and action plans for future self-help initiatives
- Inquire about lessons for LARA and USAID for any future initiatives

BACKGROUND

Originally this CDC came from initiative of UN/Habitat around 2005-2006; we elected 1 rep. from each cluster/lane; 8-10 clusters formed into a CDC with a Board, Chair; 2 councils for each area—1 for Men; a second for women. Men undertook upgrading activities including drainage channels and water supplies; women built latrines and undertook income generating activities including food, tailoring.

Methodological Note: For this meeting the CDC members chose to meet together and discuss each question and write out their consensus responses, translated and presented below.

DISCOVERY

Community/Neighborhood Self-help Achievements since coming to this place

- Tell us about what you have done together here in this community/neighborhood that you are especially proud of? Activities you did on your own, without outside assistance? Activities you would like your children, grandchildren to remember?
- What strengths, skills, knowledge, and experience do these achievements represent?
- What positive results have you seen from LARA and Municipality activities in this community during past year?
- What progress have you seen in documenting your rights to your homes?

In our community a CDC was established which by cooperation of UN Habitat constructed some streams, water-supply sources and concreted 2 sides of the lanes and constructed culverts. In social side, they created some tailoring and soap making projects through Women Council. We are proud of

improving the life-style and involvement of people in building up the community and the area and also we are proud of construction of new schools, mosques and construction of grave-yard surrounding wall and peoples (Arab Tribes Unity) and involvement of the people in upgrading activities in the area.

During the last one year LARA has helped us through holding meetings and trainings on how to prepare a practical action plan for upgrading activities and also on how to implement the plan and how would it look like when it is finished and also provided trainings for Women Council. Municipality has also held the same meetings and trainings for us in cooperation of LARA and has showed their interest in terms of registration of the land ownership documents.

We are particularly proud of having donated land for road widening and for school; all roads affected someone's property.

DREAM

Expectations, Dreams for your children, grandchildren for this community

- What upgrading efforts would you like to see for your community's people and families?
- What obstacles, or negative impacts might come from such activities?
- How might the community overcome such obstacles?
- **What can LARA do to improve formalization and upgrading 'even better' than they do now?**

Our expectations are to have a clean environment without dirt and dust and green area for our children and grandchildren and in addition we want to have roads, drainages and dirt-places to be constructed in our area. Also we need our power plants and access to drinking-water to be expanded in our environment and also we need municipality to reconstruct the demolished walls which will be destroyed due to upgrading activities and also to distribute new land plots for those people instead of what they lose due to upgrading activities.

The negative impacts of the upgrading work will damage the peoples land and they will lose their land permanently.

Our Dreams include all roads have tarmac and are in good condition; there is no standing water; drains are all of concrete; all houses have drinking water and electricity; and we have a solid waste collection system.

DESIGN

Plans for achieving your community/neighborhood goals?

- What will you do during the coming year to move toward achieve your dreams?
- Special activities for women, women's groups
- Special activities for disabled, vulnerable groups
- Special activities for youth
- How would you organize yourselves to gather the needed information and to realize, achieve your plans?
- **What should LARA do to support your plans?**
-

If LARA is going to start its practical work, we are ready to assist them and will provide them a full cooperation.

We will fully support the LARA Project, if they provide some courses for women in the fields of carpet waving, tailoring and handwork industries and also sewing woks.

We will also provide full support to LARA, if they could provide disables such jobs that they can be able to perform it and provide financial support for themselves.

Also we need LARA to provide youths with sports clubs in order to keep them away from any narcotics and also we LARA to provide youths with educational and cultural courses. To achieve these goals, the LARA should establish Tribes Consultation Committee and Disputes Resolution Committee.

DELIVERY – Immediate actions

- What will you do during the coming weeks/month to get started?
- Who will do what? When? Each person make a personal commitment.

We would like to see that we can do ourselves:

- We can manage solid waste, road side drainage, small pieces of land to widen road, “move our walls”
- Smaller project that we can do ourselves
- Our fathers and grandfathers had enough land to donate for schools, roads, etc. but there are many more now who have nothing to donate

“DO IT NOW”

- What can we do right now.... In the next 10 or 15 minutes... to get started?
- One small task to begin the journey toward achieving our dream?

We will provide LARA full cooperation and will monitor the work.

As our Tribal Council doesn't have any appropriate budget, so we will welcome any kind of meeting and contact with our area and will provide full cooperation with.

Some specific tasks:

- Clean drains with our own labor to be sure water flows quickly
- Some communities are hiring to clear drains and take care of solid waste and water supplies for as many as 50-60 HH will hire 1 person for Af100 /month.

Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which would be your first priority:

- Upgrading

What is your advice for any future USAID programs like LARA for formalizing and upgrading?

What should LARA do?

- Build govt. related organizations to improve governance around land management [Araban people not generally paying municipal service feed/taxes]

Community Focus Group Meeting Notes – Nangarhar

LARA JALALABAD COMMUNITY MEETING PROTOCOL *With Extra Questions*

Date: 10 Feb 2013

Project Site/Location: Jalalabad, Nangahar Province

Neighborhood: Araban (2); 4 CDCs

Interviewer/Recorder: Odell, Noor

Attendees:

Women: 0 **Men:** 12 **Vulnerable group mbrs:** 0

Key Informants/Leaders present

Chairmen of 4 CDCs, including Mhd Mansur Bubalzai & Mujib Rahman

Meeting Purpose:

- Introduce our purpose to evaluate LARA's upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Inquire about lessons for LARA and USAID for any future initiatives

Background—Methodological Note on Process using only pictures drawn by participants

The meeting started around 2:00pm, with a brief introduction of the Evaluation Team and meeting purpose. Twelve male community members were present, plus three LARA staff, including the Jalalabad Project Head and two community mobilization staff. First we field tested a survey questionnaire to be used for quick one on one interviews in the coming days. (Separately reported)

The main event of this meeting was a group discussion with the second Araban community representatives based on the main form developed and tested earlier. To measure the interest and involvement of the community in LARA activities, the form raises three main issues 1) how motivated and serious is the community about self-help, 2) does it have a vision for future, 3) are they practical about the vision and have personal commitment.

The Team Leader decided to conduct this discussion as a drawing/mapping exercise. The community was broken up into three groups and the main idea of each question was explained according to the "Community Meeting Protocol," one by one. Each group was given a blank flip chart and color markers to draw their main achievement so far as a community. On a second flip chart, they were requested to draw their hopes and vision for the future. Lastly and on a third flip chart, they were asked to sketch a practical and simple activity the members were planning to do in the future year, also indicating personal commitment towards the activity.

For each flip chart, the requirement was explained in detail and two team members made sure the groups stayed on track and any issues they raised were explained, during the drawing process. Once the drawing process was complete, each group presented the three charts they had drawn to the whole group. The community actively participated in the exercise and the Evaluation Team Leader was fully involved and in-charge of the whole process through direct interpretation.

Once the presentations were finished, the Evaluation Team took pictures of the flip charts and after a final thanks, photo session and goodbye, left the venue. The whole event took about 2 hours.

Background on Community

- Araban is named from the Arab origins of the people of this area, a tribal group mostly from one clan, respected Koresh with origins going back 1,200 years when they migrated from

Arabia; Came to this urban area during the Jihad conflicts; Araban militia; Related to the prophet; successful middle class in business and finance

- 61 HA, 13,000 residents ; settled here during the past 30 years on private land bought from local owners; there was an early upgrading plan but it was shelved during the war; Old master plan not accepted leading to informal unplanned settlement; residential, commercial and industrial areas had been planned but people settled randomly with narrow roads and alleys; no room for fire trucks to enter; spontaneous, ad hoc; they own the land but how they actually got the land was irregular; internal disputes and with government.
- After winning the war the population has been growing rapidly; they are thus subdividing land so some may only have 10 sq. mtrs.
- Lara community mobilizer explains that Municipality will provide land elsewhere for those who have to move their homes or walls for upgrading; municipality is developing other townships where people can move; Jalalabad now has about 400,000 population in 37 km. sq. – very dense; boundaries proposed to be expandable with possibility of getting new, bigger plots elsewhere; Water supply and electricity plan developed by LARA—pipe networks, electric poles
- Originally the CDC was organized with UN Habitat about 2005-2006; normal UN-H process with representatives from each cluster, 8-10 areas became a CDC, elected representative who constituted a board and elected a Chair; upgrading included men doing upgrading of roads and drainage and a water pipe; while women built latrines, provided food, received training

DISCOVERY

Community/Neighborhood Self-help Achievements since coming to this place

Tell us about what you have done together here in this community/neighborhood that you are especially proud of? Activities you did on your own, without outside assistance? Activities you would like your children, grandchildren to remember?

- Surrounding wall around graveyard; collected money from all families; selected a leader; organized skilled and unskilled labor, blocks, cement from community
- Particularly proud of having donated right of way; all roads were through someone's property
- Land also donated for a school 20-25 yrs. ago; before population growth
- Mosque rebuilt with a concrete foundation that had previously been only mud and stone

DREAMS

Expectations, Dreams for your children, grandchildren for this community

What upgrading efforts would you like to see for your community's people and families?

What can LARA do 'even better' than they are doing now?

- All roads tarmacked and in good condition
- No standing water; drains of concrete
- All houses have drinking water and electricity
- Solid waste collection from Municipality—we would pay Safaie taxes to get services

DESIGN

Plans for achieving your community/neighborhood goals?

What will you do during the coming year to move toward achieve your dreams?

- Smaller projects that we can do ourselves
- Our fathers and grandfathers did this; we can donate, even if we do not have much
- We can manage solid waste disposal
- Road side drainage
- Small pieces of land to widen roads; we can move our walls

DELIVERY – Immediate actions

What will you do during the coming weeks/month to get started?

Who will do what? When? Each person make a personal commitment.

- To clean our drains with our own people; drainage to be sure the water flows
- Our community is hiring, paying people to clear our solid waste
- We have water supply for 50-60 hh and charge Af. 100 per month per person

Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would be your first preference? Formalization /_/ Upgrading /_X_/

What is your advice for any future USAID programs like LARA for formalizing and upgrading?

- Build government related organizations to improve governance around land; policies are important but upgrading should get higher priority
- Araban people not generally paying Safaie Tax; but we would be willing to pay if we had services

Walk Around Meeting Notes – Nangarhar

Notes on Araban walk around, 10 February, 2013

Allen and David took a walk around the Araban community near the guest house where Malcom and Nour conducted a focus group on Community Action Planning with community elders.

One of the elders and a couple of young men in the community accompanied us to show us the past investments in infrastructure in the community and to tell us something of the history of the settlement. Soon we were joined by children and other community residents.

- 1) Roads. The community's roads are mostly well graded and drained, with a topping of large diameter gravel, which seems to be holding up well. Very few pot holes, compared with the asphalt roads of the city. Traffic use seems to be light enough to not justify paving at this time, although it would be nice to have concrete and asphalt streets.
- 2) There are main roads which are quite wide, and appear to have been laid out and leveled before the building frenzy of the past 30 years got underway. The Municipality seems to have been preparing this area for incorporation into the master planning process, and was making some infrastructure investments 20-30 years ago.
- 3) All of the roads we saw had drainage ditches along the sides, most constructed of concrete with financial contributions from UN-Habitat and the MRRD. The smaller alleys that we saw are mostly paved and have drainage canals in the middle.
- 4) Some of these alleys have become more heavily used, and they are clearly inadequate in width for vehicle traffic.
- 5) Also the main streets do not connect directly with larger thoroughfares, in that buildings at one end of the streets block those connections.
- 6) These latter two constraints have produced discussions:
 - a. on the widening of the narrow alleys evolving into streets, by demolishing the compound walls on both sides, and then reconstructing these walls after adding approximately 1.5 meters on each side of the existing alley.
 - b. On demolishing the walls and buildings which block the connecting of the main roads with nearby thoroughfares.

These discussions have coalesced into community council approved plans to do the needed demolishing and construction, which are incorporated into scopes of work for contracts which LARA is preparing to advertise and tender.

We also saw the impressively large cemetery whose walls the community has constructed with their own resources, which is also the case of the local Mosque. We saw a well drilling rig putting down a well, using steel casings, inside the walls of the Mosque. The water will be used only for people visiting the Mosque and other related purposes. The well is probably going down 20 meters or so to get water. Most houses have wells, but many are not encased, and not very deep, which increases the risks of contamination. Houses also have generators to power the pumps for water as well as for other purposes. Electricity is clearly a public need as is a drinking water system.

As we walked we saw one large vacant lot, owned by one of the community families, and another multi-story building being constructed, but without work being done while we visited.

Community Focus Group Meeting Notes – Nangarhar

DRAFT
LARA JALALABAD
COMMUNITY MEETING
PROTOCOL

Date: 11 February 2013

Project Site/Location: Jalalabad, Nangarhar Province

Neighborhood: Campoona (1): 2 CDCs

Interviewer/Recorder: Noor, Odell

Attendees:

Women: 0 **Men:** 10 **Vulnerable group mbrs:** 0

Key Informants/Leaders present

Chairmen of 2 CDCs

Meeting Purpose:

- Introduce our purpose to evaluate LARA's upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Learn what communities have done for themselves, their aspirations and action plans for future self-help initiatives
- Inquire about lessons for LARA and USAID for any future initiatives

Background:

- Over 40-50 years ago this was land for government agencies; planned for a government 'campus'
- After war started in village areas people fled to this part of Jalalabad; settled here in tents and then started erecting mud walls to make boundaries; then a single room house; then added rooms.
- Already the area was laid out according to early plan so it had wide streets and some water for about 30% of residents (70% without)
- 13,000 HH, 60,000 population over about 75 ha.
- Mixed population from 'everywhere' but 'Pashae' clan/tribe from mountain areas predominate
- 5 CDCs in Campoona; 2 represented in this meeting
- Workshops have been held with both Araban and Campoona residents by LARA with about 40 people attending each workshop
- Community dispute resolution conducted;
- Electricity from Kabul dam; local hydropower, but not enough to serve the area
- Community has agreed in principle to demolish/move walls where needed; provide labor for digging ditches; they have also said they will buy waste bins but it's not clear if they will contribute the money
- UN Habitat had projects here before: Differences between UN/H and LARA:
 - UN/H only facilitated ditch construction; LARA adds roads
 - UN/H ignored topography so locally constructed secondary/tertiary drains do not have correct elevation to connect with main drains
 - CDCs organized work and UN/H gave them money to construct
 - UN/H did tax mapping by hand measurement
 - Men did the construction; women had income generating projects from UN/H
 - UN/H left 2 years ago

- LARA plans to start upgrading work for water and streets by April 2013; completion targeted for September
- Araban and Campoona only represent a fraction of all Jalalabad informal settlements

DISCOVERY

Community/Neighborhood Self-help Achievements since coming to this place

- Tell us about what you have done together here in this community/neighborhood that you are especially proud of? Activities you did on your own, without outside assistance? Activities you would like your children, grandchildren to remember?

First CDC

1. Constructed seven bridges
2. Graveled eleven streets (sub roads), total length 1.7 Km
3. Digging 7 Km ditch for water pipe
4. Rehabilitation of three mosques, one main mosque and two smaller ones
5. Rehabilitation of 13 Km drainage channels, where the people contributed 10% of the labor

Second CDC

1. Construction of two main mosques
2. One bridge
3. Graveling of some roads
4. Digging ditches for water pipe

DREAM

Expectations, Dreams for your children, grandchildren for this community

- What is the best way that LARA could help you achieve your expectations?

First CDC

1. Proper pavement of all main and sub roads
2. Proper reconstruction of all bridges
3. Rehabilitation of all drainage channels
4. Ensuring the sewerage water is drained adequately
5. Reconstruction of the garbage cans
6. Including the area in the formal plan of the municipality (making the settlement a formal area)
7. Construction of protection wall along the river

Second CDC

1. Paving the road in a basic (proper) manner
2. Construction of drainage channels
3. Rehabilitation of the bridges
4. Provision of clean drinking water
5. Construction of a clinic and school
6. Construction of a park
7. Provision of garbage cans

DESIGN

Plans for achieving your community/neighborhood goals?

- What will you do during the coming year to move toward achieve your dreams?

- What should LARA's contribution be for supporting your plans?

First CDC

1. LARA must ensure that any rehabilitation work does not have technical defects, so as not to cause problems for the people in future.
2. The sewerage drainage system should be assessed and surveyed in the beginning to ensure the water will drain properly.
3. LARA should give the management and oversight functions of the projects to the CDCs and the technical functions to engineers.

Second CDC

1. LARA should make sure their projects are technically sound, as this could cause major problems for people in the future.
2. We believe the management and construction side of the projects should be handed to the CDCs and the technical side should be overseen by engineers.
3. We can do good construction and get twice the results as from one contractor for half the price.

DELIVERY – Immediate actions

- What will you do during the coming weeks/month to get started?
- Who will do what? When?
 - Each person mad a personal commitment.

“DO IT NOW”

- What can we do right now.... In the next 10 or 15 minutes... to get started?
- One small task to begin the journey toward achieving our dream?

Community Focus Group Meeting Notes – Nangarhar

**LARA JALALABAD
COMMUNITY MEETING
PROTOCOL
*With Extra Questions***

Date: 13 Feb 2013

Project Site/Location: Jalalabad, Nangarhar Province

Neighborhood: Campoona (2): 3 CDCs

Interviewer/Recorder: Odell, Noor

Attendees:

Women: 0 **Men:** 10 (2 accompany David & Allen ‘Walk-around’) **Vulnerable group mbrs:** 0

Key Informants/Leaders present: Sher Agha, Presiden, ADC1, Jalalabad, EC/UN-Habitat partner;
(List all participants separately with signatures as appropriate) +93 (0) 799 545 161

Meeting Purpose:

- Introduce our purpose to evaluate LARA’s upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Inquire about lessons for LARA and USAID for any future initiatives

Background:

- This is a wetland area with serious drainage problems and is vulnerable to flooding

Topics/Issues/Resolutions:

Community/Neighborhood Self-help Achievements since coming to this place

- Tell us about what you have done together here in this community/neighborhood that you are especially proud of? Activities you did on your own, without outside assistance? Activities you would like your children, grandchildren to remember?
- What strengths, skills, knowledge, and experience do these achievements represent?
- What positive results have you seen from LARA and Municipality activities in this community during past year?
- What progress have you seen in documenting your rights to your homes?

3 CDCs:

DISCOVERY

CDC A:

- Mosque constructed, mainly by efforts and support of active CDC member/real estate developer
- Extensive, 1 km road

CDC B:

- 800 m. gravel road;
- 3 mosques (one with Madrassa);
- 4 bridges;
- local masons and laborers for self-help activities

CDC C:

- 2 km. gravel road
- 3 bridges
- Mosque

DREAM

Expectations, Dreams for your children, grandchildren for this community

- What upgrading efforts would you like to see for your community's people and families?
- What obstacles, or negative impacts might come from such activities?
- How might the community overcome such obstacles?
- **What can LARA do 'even better' than they are doing now?**

CDC A:

- Get rid of stinking abbatoire/slaughterhouse owned by government
- LARA: road upgrading

CDC B:

- Electricity
- LARA: road upgrading

CDC C:

- Drainage project
- LARA: Drainage support

DESIGN

Plans for achieving your community/neighborhood goals?

- What will you do during the coming year to move toward achieve your dreams?
- Special activities for women, women's groups
- Special activities for disabled, vulnerable groups
- Special activities for youth
- How would you organize yourselves to gather the needed information and to realize, achieve your plans?
- **What should LARA do to support your plans?**

CDC A:

- Flood protection wall along river: Pray to Allah; sell properties and start raising big money
- LARA: Road project support

CDC B:

--Madrassa: Estimates are done; plan is done; build on existing Mosque 2nd floor; buy bricks, mortar; engage labor; raise money among ourselves

--LARA: Road

CDC C:

--School classroom addition: Make plan; estimation; design; work plan; organize labor, woodwork; raise money from our local community

DELIVERY – Immediate actions

- What will you do during the coming weeks/month to get started?
- Who will do what? When?
 - Each person make a personal commitment.

CDC A: Start with road

CDC B: Planning is done for Madrassa; start work

CDC C: Start raising money

- What can we do right now.... In the next 10 or 15 minutes... to get started?
- One small task to begin the journey toward achieving our dream?

- CDC B:
 - 2 tons of steel rebar rods ordered today
 - 50 bags of cement ordered today

Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would it be? Formalization /_1_/ Upgrading /_5_/

What is your advice for any future USAID programs like LARA for formalizing and upgrading?

- Channel implementation and funding through CDC/Wakili Gozhar, not through contractors or Municipality; “The Mayor is a thief”

Walk Around Meeting Notes – Nangarhar

Notes on Campoona walk around, 13 February, 2013

Allen and David took a walk around the Campoona community near the guest house where Malcolm and Nour conducted a focus group on Community Action Planning with community elders. We were accompanied at a distance from us by a representative of Gozars 1, 2 and 3 which we subsequently visited, plus Kitt, Checchi security person.

The Gozar reps and several young men from the community accompanied us to show us the past investments in infrastructure in the community and to tell us something of the history of the settlement. Soon we were joined by children and other community residents.

Over 30 years ago, most of Campoona land was prepared for use as exhibition space for various Ministries to use to show the general public what the Ministries was doing for the development of the country and for the Eastern Region. Some roads were laid out and a potable water system was installed for servicing these exhibitions.

With the turmoil of the following decades, people from all over the country migrated to Campoona and put up houses, laid out streets, and began developing the area on a mostly spontaneous basis. The land had not been foreseen by the Municipality as for residential use, in part because it was low lying land, marsh in some places, along the river which periodically flooded parts of the land.

The high levels of soil moisture and mostly flat topography continue to challenge the residents of Campoona, although there have been substantial investments by UN-Habitat, the ICRC, World Food Program and other NGOs in streets, drainage canals, water pumps, street signs, and impressive investments by residents and businesses in buildings, a private electricity network (55 afs or about US\$1.10 per KW hour).

The community residents themselves have made significant investments in community infrastructure in the recent past. We walked over a bridge and observed several dirt drainage ditches built and maintained by community members, although the latter were not well cleaned to say the least, nor were the cemented drainage ditches put in by the NGOs. Members of the community also combined their resources to build retaining walls to channel the river and rain water away from houses and businesses. Savings Boxes have been created and used to assemble the needed cash for such communal investments.

To the non-engineer, it seems that the main drainage ditches are not deep enough to drain the secondary and tertiary ditches, but the water table is so high that drainage is difficult to design. During the rainy season each year, flooding of streets and house compounds is a big problem. About all the people can do is wait for the waters to recede. One benefit of the flooding, however, is the cleaning of the garbage out of the canals and streets.

Garbage collection is a problem, even though several people claimed that they were paying the Safaie tax. Another problem is the lack of a municipal electricity system, or at least power transmission poles. There are no public health clinics (there are some private doctors' offices) and the only school is some distance away from Gozars 1, 2 and 3.

A main problem causing much concern in these Gozars is a slaughter house (built by some public entity, it seems) whose wastes produce obnoxious odors and flow out of the plant into drainage canals which continue through the community. There are growing pressures for the demolition of the plant and then use the land for a new school. In the meantime community members combined financial and technical

resources to build a “cleaning” canal, taking water from the river into a canal built to move water rapidly which runs along the edge of the slaughter house and acts to move the refuse from the plant through the community and back into the river. The engineering and construction of the cleaning canal, which runs for at least a kilometer, were community provided, and cuts through varied topography and under several streets.

Community Focus Group Meeting Notes (Women) – Nangarhar

LARA JALALABAD COMMUNITY MEETING PROTOCOL

Date: 12 Feb 2013

Project Site/Location: Jalalabad, Nangahar Province

Neighborhood: Campoona; 4 women's CDCs for 3 Gozars

Interviewer/Recorder: Faiqa Zeh Hussain

Attendees:

Women: 12 (4 women each from 3 Gozars) **Men:** 0 **Vulnerable group mbrs:** 0

Key Informants/Leaders present:

Two educated CDC Chairwomen are educated; one is trained Midwife with her own clinic

Meeting Purpose:

- Introduce our purpose to evaluate LARA's upgrading efforts: how community/neighborhood can help learn lessons from upgrading projects and make suggestions for future upgrading.
- Learn what communities have done for themselves, their aspirations and action plans for future self-help initiatives
- Inquire about lessons for LARA and USAID for any future initiatives

DISCOVERY

Community/Neighborhood Self-help Achievements since coming to this place

- 'Savings Box' for women: held by CDC Chairwoman so women can borrow for emergencies or to start small businesses
 - One very poor woman with tailoring skills took a loan/contract for Rs.9,000 for 1 year; bought 6 sewing machines and taught neighboring girls to sew for small fee; sold products and repayed her loan in only 7 months instead of 1 year
 - Tailoring clothes for poor children for free
- Organized their own literacy and tailoring courses for women; continued to teach each other after end of a UN Habitat training program ended
- One woman is teaching children, including girls, to read the Koran and runs her own small Madrassa
- Chairwoman has her own small medical clinic and provides services, and childbirth assistance, for small fees that local women can afford; she studied medicine, became trained Midwife, but could not finish university
- Brought tea for men cleaning drains and ditches
- One woman collects 10-20 Rs. each from neighbors and has hired a person to clean streets
- Another women installed a hand pump at her own expense and provides water for neighboring women

DREAMS

Expectations, Dreams for your children, grandchildren for this community

- School, Madrassa, Kindergarten
- Clean up our environment:
 - Upgrade streets
 - Buy dustbins for streets

PROPERTY DEALERS

Afghan property dealers are involved in a minority of transactions and have little impact on the market. In the future, as the property market rationalizes and becomes more secure, they will be candidates for fair licensing law, establishing minimal standards of training and professional practice, codes of ethics, and association building.

We met with two property dealers in Jalalabad to characterize the current level of activity in the local real estate market and to learn more about the use of the Court's Circular Form to guide property transactions. We also wanted to explore the operational environment and level of development of real estate brokers, and to explore the extent of corrupt practices and rent seeking, as well as to determine what is needed for development of the real property market

Brokers (property dealers) have no legal status and are popularly viewed as street hustlers, speculators and nuisances or even potential forgers of property records by the courts and often by the general public. Brokers are licensed by the Ministry of Justice, but a having a license does not mean that they have met minimal professional standards, nor that they have a right to practice their trade; it merely protects them against fines for being unlicensed. One informant and his brothers pay 5,000 af/month, but another dealer told us he paid 1,500 af/year.

Although brokers must determine ownership of properties they deal with and register transactions to do their business, they are viewed as suspicious nuisances by the court and recording officials; one dealer maintained that they can be jailed for six months without appeal or early release just by being at a court. If not arrested, they have to pay "facilitation fees" to officials to secure access to the information they need. In effect, there is no open, transparent and free access to public records regarding real property.

Brokers use a standard listing agreement provided by the Ministry of Justice. The non-negotiable commission rate (provided in the Ministry of Justice listing agreement) is two percent and is paid as one per cent collected from both the buyer and seller; the tax of 25% of the gross commission is collected by the Ministry on the basis of inspection of the dealer's property listing agreement book. The net .75% commission covers the broker's overhead and payment to the agent. It is not uncommon that the broker is unpaid, especially if the seller is powerful and refuses to pay. There is no legal redress for the broker to collect his fee. There is no rule of law in the property brokerage business but ample opportunity for unethical practice.

There is a Property Dealers Association, composed of 6-10 property dealers. Its purpose is to arbitrate conflicts between brokers. However, this association does not offer training to brokers. The listing agreements provide for no exclusive agency and allow owners to sell the property themselves without paying a commission. In the absence of exclusive rights to sell agreements, there is no shared inventory or multi-listing system providing for cooperative sales.

The second broker informant engages mainly in sales, but does some leasing. The commission on leases equals the first month's rent if the lease runs for a minimum of one year. Rents tend to be below the level of a good return on equity, since renters have little money to pay. Brokers

also sell properties of developers, although the developers want half the commission and often pay no commission at all.

The second broker interviewed and his four brothers have been selling real estate in the Jalalabad market for 14 years and represent some of the more successful brokers. They do not procure deeds themselves; they hire a “fixer” (*commission kar*); deeds cost 25,000 afghanis. There are very few property dealers, in spite of the number of office signs. Most are just fishing for any opportunities that might pop up. Land grabbing is an everyday event; they too have to protect the land they hold.

Good land sells for \$350/square meter; an office building also costs \$350/square meter. A good house with three floors, 10x20 meters in exterior dimensions, with a living room, 2 bedrooms, kitchen and bath, fully furnished with an exterior wall—costs US \$200,000. Sales are all-cash; there is no financing, not even “contracts for deed” or “land contracts” (where the seller or bank holds the deed until full payment is made)

Currently, it is reported that the market has gone flat until after 2014 due to public anticipation that the ISAF withdrawal may result in distress sales and a collapse of property values until the market can reestablish itself. Many owners are withdrawing their properties for the market since they fear that they cannot attain their “needed” sales price. Potential buyers do not want to invest their capital in a risky venture. A logical strategy for brokers or investors is to buy for their own account at deep discount, rent the property in the meantime, and anticipate sale for a substantial profit in the future—if the market stabilizes.

COMMUNITY STAKEHOLDER AND COMPARISON COMMUNITIES IN UPGRADING AND FORMALIZATION

LARA has an enormous and virtually untapped reservoir of community energy, resources, and commitment waiting to be harnessed for what should be a dynamic program of bottom-up, community-driven upgrading that has the potential of involving all 27 informal settlement areas in and around Jalalabad. Yet, to date, the current structure of the project and its resource allocations, have provided for very little actual informal settlement upgrading activities. Although upgrading is critical to component one, the logic of the project (see Annex VII) considers upgrading as input into formalization policy and methodology development, and not as a project objective. As a result of this positioning of upgrading in the project logic, upgrading has been allocated extremely limited resources in the Project budget. While LARA has provide yeoman service to the important task of promoting and facilitating crucial policy dialogue around formalization of community planning and property titling and registration, it has devotes little attention to community organizational development and active engagement in actual upgrading activities, that remain—well into year two—to be launched. The lack of visible benefits for informal settlements is a sore point for participating institutions and communities and potentially a threat to USAID’s public image and Afghanistan’s national security.

The policy and methodological foundations for upgrading have largely been achieved, a major accomplishment of which the project designers and implementers and their stakeholders should be proud. The need from a community perspective in a follow on LARA project is now to move resources into actual upgrading of physical infrastructure, community organization, and stronger property rights for the holders of homes and businesses in the informal settlements.

To determine community stakeholder perceptions of LARA, their degree of involvement, and their interest and capacity for undertaking self-help activities in support of both LARA objectives and the overall development of their communities in terms of quality of life, the Evaluation Team conducted a series of nine participatory focus group meetings with approximately 100 local residents, including leaders and members of 18 CDC in Araban and Campoona, Jalalabad, and—for comparison—District 13 in Kabul. A summary of the results of these focus groups appears in Annex VI. Abbreviated summaries of communities’ self-help achievements, aspirations, and suggestions for USAID and LARA for the future, appear below. The results of an indicative mini-survey on local CDCs priorities for formalization and upgrading are included in Table C, below, and in more detail in Annex VII.

Findings

Stakeholder involvement:

As suggested in the Community Self-Help Summary and result of the Mini-Survey (Table C and Annex VII), Community Stakeholders are generally well-satisfied with their general involvement with LARA, yet overwhelmingly of the view that formalization has taken precedence over the actual upgrading to which they give the greatest importance. Community stakeholders see little need at this point in time for validation of title or registration, beyond a general interest in being recognized as legitimate property users for purposes of paying the Safaei Tax, which they feel entitles them to municipal services that they hope to see in the near future. (Tables A & C)

Perhaps of the greatest importance is the finding that community stakeholders are already remarkably active in a variety of social and economic upgrading activities in their neighborhoods and are keenly interested in direct engagement in LARA's upgrading program. Instead, however, they find themselves rather passive participants, engaged in surveys and planning exercises, but do not see that LARA has a real place for them in concrete upgrading activities. Instead, they understand, upgrading will be done by construction contractors who, at most may engage some local unskilled labor—despite both the presence of skilled engineers and experienced workers and demonstrated community capacity for undertaking their own construction projects. As indicated in Table B, the 18 CDCs represented in the 9 focus groups have constructed at least 16 bridges and culverts, over 6 km of graveled roads and 20 km of drainage channels, and built or rebuilt at least 8 mosques. They have also constructed 2 schools and a Madrassa while also straightening 'snaked' roads and alleys and constructing hundreds—even thousands—of their own homes, many of them substantial structures.

Community perspective on legal amendments and land reform issues

As suggested above, and demonstrated in Tables A and C, community stakeholders clearly see value in the formalization process within a long-range perspective. Yet at the same time, they overwhelmingly feel LARA's proper emphasis should be on upgrading.

Training and capacity building

While quite a few Council Members have attended training programs and workshops conducted by LARA, the number seems to have been quite small, given the very large populations of the surveyed settlements, while none of those in the 9 focus groups mentioned anything particularly useful or productive that came out of the workshops, the majority apparently being largely consultative rather than skill-oriented.

Effectiveness and efficiency

While the very small and non-random sample of 11 CDC members personally interviewed in focus groups should not be taken as anything but indicative (Table C), it suggests the participants clearly appreciated what LARA has been doing thus far, giving it high marks for both efficiency and effectiveness, however the respondents may have interpreted those indicators. This is countered, however, by the clear indications regarding relative emphasis on formalization compared to upgrading that suggest that, from the community perspective, LARA has not demonstrated good value for the large amount of money that participants know have been expended by the project to date. In terms of cost/benefit, the communities clearly feel that their own CDCs could give far greater value for money if given the opportunity to conduct upgrading works themselves. As one Councilor in Campoona put it:

“We can do good construction and get twice the results as from one contractor for half the price..”

Recommendations to LARA and USAID from the communities

As part of the focus group agenda, participants were asked what their own recommendations might be for USAID and LARA for any potential future programming around land and urban upgrading issues. Overwhelmingly, while governance around land management was clearly a concern for which future attention should be paid, the communities were virtually unanimous in urging that the focus of future efforts should be directly on upgrading. Interestingly, while they understood

LARA was a land management program they also urged USAID to take a more holistic perspective when undertaking urban upgrading. Clearly in the eyes of the communities, urban upgrading encompasses a wide range of social and economic quality of life parameters that should not be ignored in the urban upgrading package. Even male-led Councils urged, for example, programs for women's literacy and economic empowerment, as well as specific programs for youth that they saw essential for a healthy, secure community where urban unrest is a clear concern. While unfailingly polite, the communities expressed concern over mounting frustration over the slow pace of development and lack of clear visible outcomes for a program clearly extremely well-endowed.

Women spoke clearly to this call for a holistic approach to urban upgrading. Their greatest enthusiasm came from being consulted and especially to have been asked about their achievements. Said two women's CDC chair persons:

“We are very excited and motivated by sharing our success stories like we did in this meeting; mostly we think about problems and get discouraged...”

“The women say that they are very happy—This was the first time anyone ever came to them to ask about their achievements, expectation, and action plans...”

When thinking about LARA itself, however, their tone was less sanguine. Said one woman in Araban:

“LARA has nothing special for us as women; we need program for women; we're ready but have no support; LARA's focus is too narrow only on roads and drainage; need literacy; savings clubs; need clean water, electricity...”

Said another woman in Campoona:

“Programs for women are lacking; nothing from LARA for us here in Campoona...”

A Kabul CDC summarized the conclusions of most other CDCs:

“The government has not responded to their problems, leaving the community people feeling marginalized, frustrated and having to deal with problems themselves...”

The collective voice of the communities is clear: We are ready to get to work in partnership with LARA; we're experienced, eager, and committed. We want to be directly involved, not just consulted. We are a rich resource to be tapped. Together we can dramatically accelerate the pace of urban upgrading, not only across all Jalalabad's informal settlements, but show the way for settlements across Afghanistan. And with our energy and enthusiasm we can help stem the tide of anger, despair, and frustration that grips all too many of our countrymen... and women...

This interest, commitment—even enthusiasm—would be extremely difficult for a program like LAURA to tap within the short time-span remaining in its contract. However, in a potential future program, there is an opportunity to move forward that is ready and available right here in Afghanistan. Such a model—with both expertise and a proven track record—is available right here in the country. As evident from the team's meetings, discussions, field visits and focus groups in Kabul District 13, there is the necessary talent right here waiting to be tapped. With credentials from the World Bank and UN Habitat, and the support of local people in informal settlements, LARA and USAID have both an opportunity and a path forward. And the team's unanimous endorsement of this bottom-up community-based approach, described in some detail in Annex

VII—Community-Based Upgrading, has an even more important endorsement: that of local people in the informal urban settlement of Kabul and Jalalabad—an opportunity not to be missed.

TAB LE B	Araban 1 1 CDC	Araban 2 4 CDCs	Araban Women-1 CDC	Campoona 1 2 CDCs	Campoona 2 3 CDCs	Campoona Women-4 CDCs	Kabul 1 CRA 1 CDC	Kabul 2 CRA 1 CDC	Kabul Women 1 CDC
<i>Self Help Achievement</i>	New schools, mosques, grave-yard wall.	Graveyard wall; collected money; donated land for roads, Mosque rebuilt	Planted trees, flowers; cleaning streets; teaching; making soap, hats, burkhas, bonnets for women and children	8 bridges; graveled 11 streets (1.7 Km); 7 Km ditch for water pipe; build 2 mosques; rebuild 3 mosques, rebuild 13 Km drainage channels	4 mosques, Madrassa; 4 km gravel road; Madrassa); 7 bridges;	‘Savings Box’ very poor woman takes loan for Rs.9,000 for 1 year for tailoring business; repays loan in 7 mos.; organize literacy, tailoring courses teaching children to read; medical clinic; tea for men cleaning drains, ditches streets; water for neighboring women	Conflict resolution, security— resolve land, property, injury disputes; bridge; roads, lanes straightened, move walls; straighten ‘snakes,’ roads graveled, school organized; teachers up to MA level teaching for free	Residents bought land from private owner; sales documented, recorded with Municipality; pay 200-250 Afs/yr/house. Safaie tax, per house; improvement of 4 alleys; 75% of costs by community; \$9,000	Af. 75,000 savings by women; 50Afs each/mo.; interest charged if woman fails to pay on time
<i>Total</i>	2 Schools 1 Mosque 1 Graveyard wall	1 graveyard wall (w other CDC) 1 Mosque rebuilt		8 bridges 11 streets (1.7 km) 7 km ditch 2 Mosques	4 Mosques 4 km road 7 bridges	1 ‘Savings Box’	Bridges Roads Move walls 10 teachers	200-250 Af/HH/yr \$9,000 contributions	2 “Savings Box” with Af. 75,000

					3 Mosques rebuilt					
TABLE A	Araban 1	Araban 2	Araban	Campoona 1	Campoona 2	Campoona	Kabul 1 CRA	Kabul 2 CRA	Kabul Women	
18 CDCs	1 CDC	4 CDCs	Women-1 CDC	2 CDCs	3 CDCs	Women-4 CDCs	1 CDC	1 CDC	1 CDC	
<i>Formalization Vs Upgrading</i>	Upgrading, upgrading..!	Upgrading	Upgrading	Upgrading	Formalization /_1_/	Upgrading	Upgrading and holistic community development	Upgrading; development of community as a whole, including health, sanitation, education, and security	Upgrading	
					Upgrading /_5_/					

TABLE C

SUMMARY—MINI-SURVEY of COMMUNITY MEMBERS--JALALABAD

Date: 9-13 February

2013

Interviewer: Noor Atel

Methodological Note: Non-random purposive surveys of community members attending three Focus Groups; representative of viewpoints of participants but without statistical validity; percents are approximate.

N= 11 VDC Council Members

Have you ever heard of the LARA project for land registration and upgrading?	Yes <u>11</u> No <u>0</u> 100%				
If so, have you ever attended any meeting about LARA?	Yes <u>11</u> No <u>0</u> 100%				
1a. Do you think people in this neighborhood are involved in the formalization process for getting their land registered with government?	Highly	Involved	Somehow	Not much	Not at all
	10 91%	1 9%			
1b. Do you feel personally as involved as you should be in the formalization and registration process?	Highly	Involved	Somehow	Not much	Not at all
	11 100%				
2a. Have you heard anything about any proposed changes in the laws or regulations about land registration?	Yes <u>7</u> No <u>4</u> 64% 36%				
	Highly	Well	Somehow	Not much	Not at all
2b. If so, how do you think the proposed legal amendments address the fundamental issues of land reform, registration, or titling?	1 9%	1 9%		5 45%	4 37%
3a. Have you attended any LARA training program or workshop?	Yes <u>10</u> No <u>1</u> 91% 9%				
	Highly	Useful	Somehow	Not much	Not at all
3b If so, how useful did you find the LARA training for you about land registration and upgrading in this settlement?	8 73%	1 9%			2 18%
4a. Overall, do you think that the LARA project has been implemented effectively to date?	Highly	Effective	Somehow	Not much	Not at all
	11 100%				
4b. Overall, do you think that the LARA project been has implemented efficiently to date?	Highly	Efficient	Somehow	Not much	Not at all
	11 100%				
4c. Overall, how satisfied are you with the LARA project?	Highly	Satisfied	Somehow	Not much	Not at all
	11 100%				
4d. Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would it be?	More emphasis on titling and registration <u>2</u> 18%				
	More emphasis on upgrading <u>9</u> 82%				

TAB LE C	Araban 1 1 CDC	Araban 2 4 CDCs	Araban Women-1 CDC	Campoona 1 2 CDCs	Campoona 2 3 CDCs	Campoona Women-4 CDCs	Kabul 1 CRA 1 CDC	Kabul 2 CRA 1 CDC	Kabul Women 1 CDC
<i>Advice for LARA/USAID Future</i>	<p>Build govt. related organizations to improve governance around land management [Araban people not generally paying municipal service fee/taxes.] Provide courses for women literacy, carpet waving, tailoring, handwork, sewing; jobs for disabled; jobs for youths with educational, cultural courses, sports clubs to keep them away from narcotics Establish Tribes Consultation and Disputes Resolution Committees.</p>	<p>Improve governance around land; policies are important but upgrading should get higher priority We are not generally paying Safaie Tax; but we would be willing to pay if we had services</p>	<p>We are very excited and motivated by sharing our success stories like we did in this meeting; mostly we think about problems and get discouraged, LARA has nothing special for us as women; we need program for women; we're ready but have no support; LARA's focus is too narrow only on roads and drainage; need literacy; savings clubs; need clean water, electricity</p>		<p>Channel implementation and funding through CDC/Wakile-Gozar, not through contractors or Municipality; "The Mayor is a thief"</p>	<p>Programs for women are lacking; nothing from LARA for us here in Campoona; The women say that they are very happy—This was the first time anyone ever came to them to ask about their achievements, expectation, and action plans; they hope LARA and USAID are listening and can find help for them to realize their action plans. Overall, they feel LARA has been too slow in showing any results, real upgrading</p>	<p>The government has not responded to their problems, leaving the community people feeling marginalized, frustrated and having to deal with problems themselves.</p>		

Table D. Campoona CDCs, Women’s Groups Notes

	Campoona 1	Campoona 2	Campoona Women	LARA Gender
Self Help Achievement	<p>First CDC</p> <ol style="list-style-type: none"> 1. Constructed seven bridges 2. Graveled eleven streets (sub roads), total length 1.7 Km 3. Digging 7 Km ditch for water pipe 4. Rehabilitation of three mosques, one main mosque and two smaller ones 5. Rehabilitation of 13 Km drainage channels, where the people contributed 10% of the labor <p>Second CDC</p> <ol style="list-style-type: none"> 1. Construction of two main mosques 2. One bridge 3. Graveling of some roads 4. Digging ditches for water pipe 	<p>CDC A:</p> <ul style="list-style-type: none"> --Mosque constructed, mainly by efforts and support of active CDC member/real estate developer --Extensive, 1 km road <p>CDC B:</p> <ul style="list-style-type: none"> --800 m. gravel road; --3 mosques (one with Madrassa); --4 bridges; --local masons and laborers for self-help activities <p>CDC C:</p> <ul style="list-style-type: none"> --2 km. gravel road --3 bridges --Mosque 	<p>‘Savings Box’ for women: held by CDC Chairwoman so women can borrow for emergencies or to start small businesses.</p> <ul style="list-style-type: none"> o One very poor woman with tailoring skills took a loan/contract for Rs.9,000 for 1 year; bought 6 sewing machines and taught neighboring girls to sew for small fee; sold products and repayed her loan in only 7 months instead of 1 year o Tailoring clothes for poor children for free <p>Organized their own literacy and tailoring courses for women; continued to teach each other after end of a UN Habitat training program ended</p> <ul style="list-style-type: none"> • One woman is teaching children, including girls, to read the Koran and runs her own small Madrassa • Chairwoman has her own small medical clinic and provides services, and childbirth assistance, for small fees that local women can afford; she studied medicine, became trained Midwife, but could not finish university • Brought tea for men cleaning drains and ditches • One woman collects 10-20 Rs. each from neighbors and has hired a person to clean streets • Another women installed a hand pump at her own expense and provides water for neighboring women 	<p>Gender issues and perspectives from meetings with women in settlements: Women were very motivated by sharing their successes using the APA method with drawing pictures for sharing stories with each other; They came away very motivated to take more active roles in their CDCs and community activities</p>

<i>Vision for the Future</i>	<p>First CDC</p> <ol style="list-style-type: none"> 1. Proper pavement of all main and sub roads 2. Proper reconstruction of all bridges 3. Rehabilitation of all drainage channels 4. Ensuring the sewerage water is drained adequately 5. Reconstruction of the garbage cans 6. Including the area in the formal plan of the municipality (making the settlement a formal area) 7. Construction of protection wall along the river <p>Second CDC</p> <ol style="list-style-type: none"> 1. Paving the road in a basic (proper) manner 2. Construction of drainage channels 3. Rehabilitation of the bridges 4. Provision of clean drinking water 5. Construction of a clinic and school 6. Construction of a park 7. Provision of garbage cans 	<p>CDC A:</p> <ul style="list-style-type: none"> --Get rid of stinking abbatoire/slaughterhouse owned by government --LARA: road upgrading <p>CDC B:</p> <ul style="list-style-type: none"> --Electricity --LARA: road upgrading <p>CDC C:</p> <ul style="list-style-type: none"> --Drainage project --LARA: Drainage support 	<p>School, Madrassa, Kindergarten</p> <p>Clean up our environment</p> <ul style="list-style-type: none"> o Upgrade streets o Buy dustbins for streets • Slaughterhouse (Masla) where they slaughter animals; move it away; it stinks and contaminates our neighborhood with blood, smell, pollution • Literacy courses for women • Park: We have a designated place but need to clean up and make it green • Flood control wall 	<p>“If we’re uneducated, we can do something for ourselves anyway..!!”</p>
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Action Plans and Commitments	<p>First CDC</p> <ol style="list-style-type: none"> 1. LARA must ensure that any rehabilitation work does not have technical defects, so as not to cause problems for the people in future. 2. The sewerage drainage system should be assessed and surveyed in the beginning to ensure the water will drain properly. 3. LARA should give the management and oversight functions of the projects to the CDCs and the technical functions to engineers. <p>Second CDC</p> <ol style="list-style-type: none"> 1. LARA should make sure their projects are technically sound, as this could cause major problems for people in the future. 2. We believe the management and construction side of the projects should be handed to the CDCs and the technical side should be overseen by engineers. 3. We can do good construction and get twice the results as from one contractor for half the price. 	<p>CDC A:</p> <ul style="list-style-type: none"> --Flood protection wall along river: Pray to Allah; sell properties and start raising big money --LARA: Road project support <p>CDC B:</p> <ul style="list-style-type: none"> --Madrassa: Estimates are done; plan is done; build on existing Mosque 2nd floor; buy bricks, mortar; engage labor; raise money among ourselves --LARA: Road <p>CDC C:</p> <ul style="list-style-type: none"> --School classroom addition: Make plan; estimation; design; workplan; organize labor, woodwork; raise money from our local community. <p>Immediate actions</p> <p>CDC A: Start with road</p> <p>CDC B: Planning is done for Madrassa; start work</p> <p>CDC C: Start raising money</p> <ul style="list-style-type: none"> • What can we do right now? <ul style="list-style-type: none"> o CDC B: <ul style="list-style-type: none"> § 2 tons of steel rebar rods ordered today § 50 bags of cement ordered today 	<ul style="list-style-type: none"> • All three groups agree on following action plans, working together: <ul style="list-style-type: none"> o One CED has ‘Savings Box’ program and women have been starting their own businesses; they will share ideas with other CDCs to help them start their own; great interest among all CDCs o One CDC Chairwoman, educated, will contact Wakil for assistance to contact other organizations to find programs for women o Another CDC Chairwoman (MD/Midwife) will directly contact government and outside NGOs for support o Carry on with their plans for Madrassa o Carry on with street cleaning <ul style="list-style-type: none"> • What can we do right now.... <p>In the next 10 or 15 minutes... to get started?</p> <ul style="list-style-type: none"> • CDCs gave Faiqa responsibility to share their dreams and action plans with LARA 	
		Formalization /_1_/	Upgrading	
Advice for LARA/USAID Future		<ul style="list-style-type: none"> • Channel implementation and funding through CDC/Wakili Gozhar, not through contractors or Municipality; “The Mayor is a thief 	<ul style="list-style-type: none"> • What can LARA do ‘even better’ than they are doing now? <ul style="list-style-type: none"> o Programs for women are lacking; nothing from LARA for us here in Campoona o Help us find support, resources, introduction to NGOs, agencies that can help us with our plans • The women say that they are very happy—This was the first time anyone ever came to them to ask about their achievements, expectation, and action plans. They hope LARA and USAID can find help for them to realize their action plans. • Overall, they feel LARA has been too slow in showing any results, any upgrading for them; • LARA/USAID should give a real focus for women, empower women so we can do more for themselves; provide support for savings and literacy programs; income generation so we are more independent. 	<ul style="list-style-type: none"> • LARA and USAID move far too slowly in getting approvals.. big delays

			o “If we are uneducated, we can do something for ourselves, anyway...!”	
Observations	<p>Background:</p> <ul style="list-style-type: none"> • Over 40-50 years ago this was land for government agencies; planned for a government ‘campus’ • After war started in village areas people fled to this part of Jalalabad; settled here in tents and then started erecting mud walls to make boundaries; then a single room house; then added rooms. • Already the area was laid out according to early plan so it had wide streets and some water for about 30% of residents (70% without) • 13,000 HH, 60,000 population over about 75 ha. • Mixed population from ‘everywhere’ but ‘Pashae’ clan/tribe from mountain areas predominate • 5 CDCs in Campoona; 2 represented in this meeting • Workshops have been held with both Araban and Campoona residents by LARA with about 40 people attending each workshop • Community dispute resolution conducted; • Electricity from Kabul dam; local hydropower, but not enough to serve the area • Community has agreed in principle to demolish/move walls where needed; provide labor for digging ditches; they have also said they will buy waste bins but it’s not clear if they will contribute the money • UN Habitat had projects here before: Differences between UN/H and LARA: <ul style="list-style-type: none"> o UN/H only facilitated ditch construction; LARA adds roads o UN/H ignored topography so locally constructed secondary/tertiary drains do not have correct elevation to connect with main drains o CDCs organized work and UN/H gave them money to construct o UN/H did tax mapping by hand measurement 	<p>Background: This is a wetland area with serious drainage problems and is vulnerable to flooding</p>		<ul style="list-style-type: none"> · Give a real focus for women · No programs explicitly for women: urgent need for women’s empowerment; cross-cutting gender programming is not enough · We must empower women in Afghanistan, in the LARA settlements and CDCs..so that women realize what they can do for themselves and not wait for some others to come help them · For all the talk about empowering women, we don’t know a single women’s empowerment program anywhere in Afghanistan · Send us to Nepal to see their famous women’s empowerment program · Income generation for women so they can be more independent · Afghan women must go out and learn · LARA/USAID should provide child care facilities for working women in LARA · Study tours to other S. Asian countries can be very inspiring – to learn how they empower women for developing our country
Notes				

<ul style="list-style-type: none">o Men did the construction; women had income generating projects from UN/Ho UN/H left 2 years agoo LARA plans to start upgrading work for water and streets by April 2013; completion targeted for September• Araban and Campoona only represent a fraction of all Jalalabad informal settlements			
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ANNEX VII: SUPPORTING DOCUMENTS AND ARTICLES

COMMUNITY-BASED UPGRADING

Evaluation of Different Methods of Informal Settlement Upgrading, January 2013
Eng. Akram Salam, Dr. David Stanfield

In Afghanistan, various projects using various approaches for upgrading informal settlements have been developed: UN-Habitat, United Nations Development Program (UNDP), Kabul Urban Reconstruction Program (KURP), Regional Afghan Municipalities Program for Urban Populations (RAMP UP), Land Titling and Economic Restructuring in Afghanistan (LTERA), Asian Coalition for Housing Rights/Asian Coalition for Community Action (ACHR/ACCA), and Land Reform in Afghanistan (LARA). These efforts have the common goal of improving the lives of families living in informal settlements through two types of activities:

1. investing in roads, drainage, drinking water, waste disposal, health clinics, schools, and other investments in the community living environment, and
2. taking steps to reduce the risks of residents losing their homes and businesses by increasing the security of rights to these homes and businesses.

These two aspects of upgrading can interact with each other and create a “virtuous cycle.” Making communities more permanent through infrastructure improvements and through recognition of their legitimacy by Municipalities improves security of tenure. Improving security of tenure encourages residents to invest in their homes, businesses, and common facilities, since they can expect to reap benefits in the future for their investments today.

1. Economic Impacts of Upgrading

Assuming that upgrading involves some infrastructure investments and some improvement in security of tenure, how do such upgrading efforts impact the economies of affected communities? From observations and conversations with residents in some upgrading cases (we recommend a structured study of these factors), we propose the following hypotheses about the economic benefits of upgrading:

1. The market values of the houses increase in comparison with non-upgraded communities.
2. People pay less for transportation in the upgraded communities.
3. Because of proper drainage and clean streets families pay less for health treatments than in non-upgraded communities.
4. Implementation of upgrading projects encourages families to invest in their neighbourhoods.
5. Through investment in their houses many people get employment and income in such home improvements.
6. Home improvements require construction material, stimulating demand and investment in local supply of such material.

2. Community Based Upgrading versus Construction Company Upgrading

One important feature which distinguishes among projects is the implementer of the upgrading: either a construction company is contracted by the Municipality or a community takes control of the infrastructure improvements. What are some hypotheses for comparing these contrasting different methods, and what sort of data collection would serve to explore the validity of initial expectations?

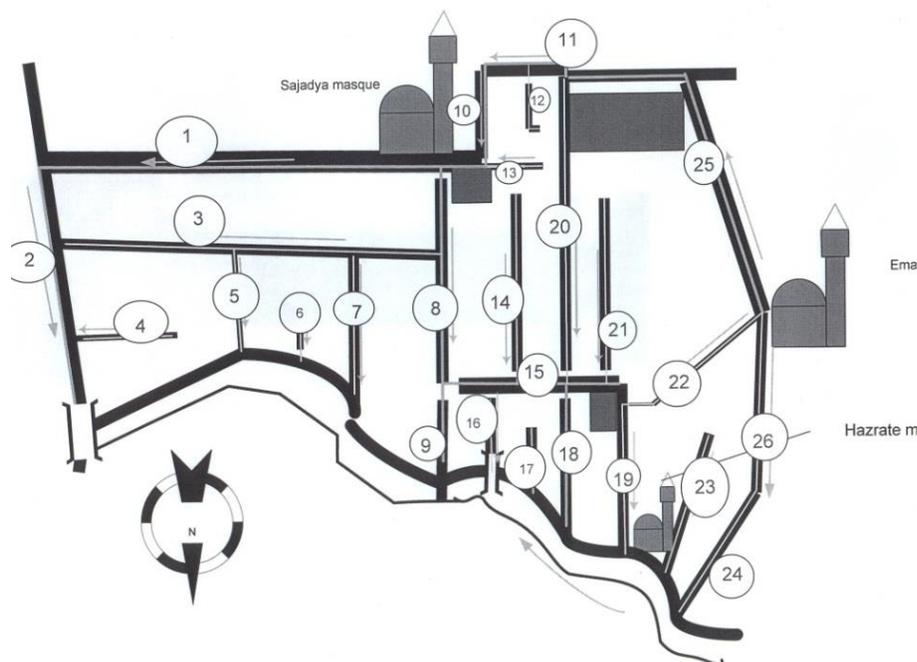
One experience offers some insights which should be further explored. In 2006, the USAID contractor, Emerging Market Group with Terra Institute and their LTERA project, contracted with the Afghan NGO, “Cooperation for the Reconstruction of Afghanistan” (CRA). The purpose of that contract was for CRA to help develop and apply a version of the community action planning methodology to improve the physical environment and the security of tenure of a neighbourhood composed of 250 houses in Kabul’s District 13, an informal settlement created by its residents and their predecessors. This neighbourhood was identified for the project through consultations between CRA, the LTERA Project, and the Kabul Municipality.

3. An Example of Community Based Upgrading of Informal Settlements

Community based upgrading (CBU) works through close community consultations. As an example, in a neighbourhood of District 13, two Community Councils (CC) composed of men and women in equal numbers discussed the priority needs of the neighbourhood. Their joint decision was to pave the passage-ways of the community with concrete. CRA/LTERA then advised the CC on how to achieve that goal over a 11 month period through June, 2006.

The community street network which the CC upgraded is shown in this map.

Figure 1: Street Map of Portion of District 13, Kabul



This pilot experience offers an opportunity to compare the community based upgrading approach that CRA/LTERA used with the conventional construction company approach.

From a public health perspective, building new streets using either model effectively reduce the constant threat of disease bred in the filth of the muddy rights-of-way during significant parts of the year. From a project cost point of view, however, how does the CBU approach compare with the conventional construction company approach?

1. Community mobilization approach: In the District 13 case, the total project cost was \$170,000; it was completed in 11 months, including technical assistance. The physical work completed was three kilometers of 10-12 centimeter-thick concrete street pavement, over a layer of 10 cm compacted gravel. The community contributed around 15% of total value of streets through voluntary labor and some financial contributions, which included adding a 75 centimeter-wide and 5 centimeter-thick sidewalk along 3 km. of road.
2. An actual construction company's bid for the same job was for \$225,041, including an estimated 10% profit, but this bid did not include the 75 cm sidewalk paving for pedestrian use.

There is a financial saving of 24% of community upgrading approach over the conventional construction company approach for more area paved by the community upgrading approach. Community Based Upgrading can be economically more efficient than the "Contractor" model. It also can produce significant improvements in social conditions communities, with the clear involvement of both genders in the project design and implementation on an equal basis. In the community of District 13, there clearly is a significant community sense of ownership of the paved streets, shown by the Community Council members' and families' contributions of labour during the project, their work for assuring the proper curing of the concrete, the post project maintenance of the streets and keeping drains free of garbage and trash.

Figure 2: Community Council Members and Families Curing the Concrete



There also was no detectable corruption of the construction process in the Community Control model due to the careful monitoring of the work by male and female members of the neighbourhood Community Council.

From a democratic governance point of view, the community of District 13 has become a well-organized group of previously fragmented households, with strong, positive relations with the Kabul Municipality. The conditions for future community upgrading activities covering other problems affecting the community in cooperation with the Municipality are well established. By involving men and women in the planning and implementation of the upgrading, a wide range of people and their capabilities develops abilities for working together for future application to resolution of community problems.

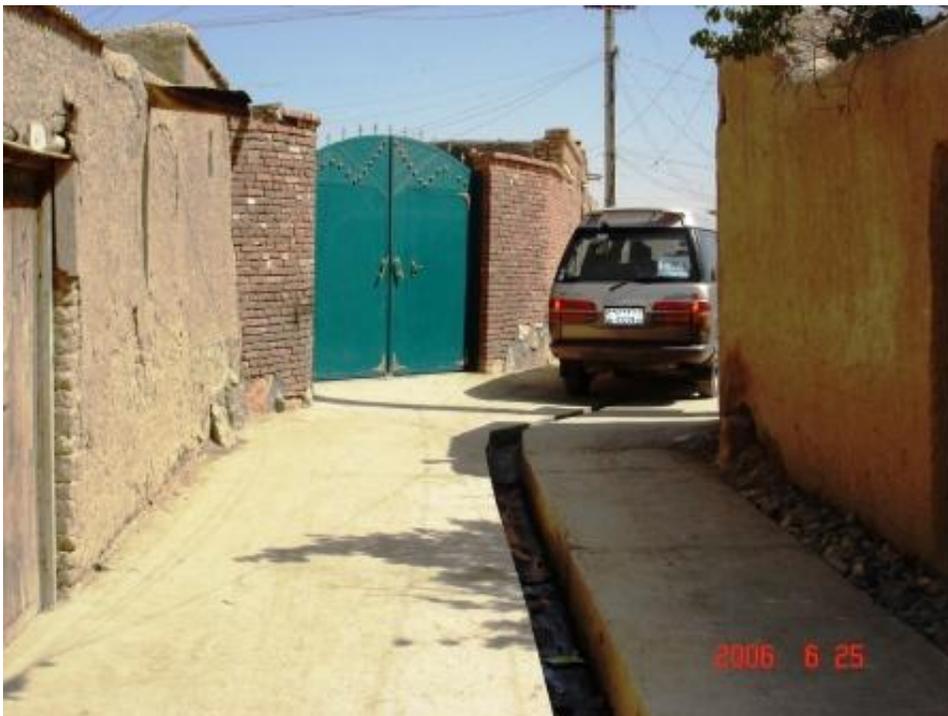
Figure 3 shows the conditions of a typical passage-way before the project began—distressing filth in a passage-way too narrow for a vehicle to pass.

Figure 3: A Passage-Way Before Upgrading



Figure 4 shows the same street after the main upgrading, with the community portion yet to be paved. The width of the street is now sufficient for a vehicle to pass.

Figure 4: Street after Upgrading



Upgrading of settlement physical infrastructure can improve the quality of life of settlement residents. The way that this physical upgrading is done has economic implications. However, focusing only on financial advantages of one model or another misses an important point: namely, which model works better in situations of weak governmental institutions and great social insecurities? In such conditions, the community itself houses the greatest potential, energy and resources for community development. A new model of State-Community relations is needed to encourage community development based on the organizational capacities communities themselves but with State support. What is needed immediately is the launching of investments in this community's organizational capacities, with the basic approach being "start small and grow rapidly."

Recent experiences, encouraged by the ACHR/ACCA through the CRA in Kabul's District 13 and in Charikar City, offer some guidance about this evolutionary approach to CBU for informal settlements. CRA offers Community Councils small grants of US\$3,000 to communities for infrastructure investments. Recipients are identified by the Councils but conditioned on community matching of these resources. In one community, following extensive discussions about how to use the offer of a small grant and how to raise matching funds, priority was a construction of a culvert over a drainage ditch. The ditch fills and overflows during the rainy season, making access to the community very difficult. One person died trying to cross the flooded ditch. Figure 5 shows the culvert, built for a total cash outlay of \$6,100 complemented by donated engineering design time, community mobilization, and construction labor.

Figure 5: Culvert Constructed through Conditional Small Grant to Dough Abad in District 13



Under the initial small grants strategy, when the Councils show capacities for identifying investment needs and managing the investment process, one idea being considered is to offer progressively larger grants over a period of three to five years, always conditioned on community management of the grant and matching grant funds.

In the 11 communities (8 in District 13 and 3 in Charikar City) involved in the initial small grant program, in 10 months, \$33,000 in 11 grants produced small infrastructure investments affecting 4,500 households and visible to them. The councils mobilized the population and learned how to create and manage Savings Boxes as well as small infrastructure construction.

Community organizational infrastructure is as important to community physical infrastructure, both of which gradually improve over successive investment cycles.

Table 1 shows a series of hypotheses which compare of the Community Based Upgrading (CBU) approach to upgrading with the conventional construction company approach to neighbourhood infrastructure upgrading. Limited data are available other than personal experiences to explore these hypotheses empirically. Systematic and action oriented research involving communities and municipalities is badly needed.

Table 1: Comparison of CBU and Construction Company Models of Upgrading

Community Based Upgrading Approach	Construction Company Approach
<ul style="list-style-type: none"> • Able to implement small scale projects in the residential areas • Majority of work done by community manpower • Has labor and facilities to implement small scale projects • The project management process, especially financial, is very transparent • Community (men and women) participation and contribution is very high • Community feel ownership of the project and take care of the project during implementation and after completion of the project • Employment of the local labor • Participation of women in decision making and monitoring of the project activities is high and continuous during and after the upgrading • The project leadership has community support during implementation of the project • Community pays especial attention to quality, quantity, and cost of the 	<ul style="list-style-type: none"> • Able to implement large scale projects • Majority of works done by machines • Has construction machines and wealth to implement large scale projects • The process financially is not very transparent • Community participation is limited and contribution is nothing • Community does not feel ownership of the project • Limited opportunities for local employment • Women have no participation in decision making • Limited community support • Community pays little attention to quality or cost of upgrading project • The project financial cost is higher than the community approach, for the same physical result • There is little or no community contribution.

- project activities and construction material
- Because of community contributions the project financial cost is cheaper than construction company.
 - Community contribution is between 10-50 percent cost of the project
 - Positive relation among community members and between the community council and the Municipality's District Office
 - Community members perceive benefits from Municipality recognition of "taxpayer" status
 - Community members' capacities increase during implementation of upgrading project--technical knowledge, project management including financial management, resources management and conflict management
 - During implementation of upgrading project joint efforts create trust and unity among community and help to have sustainable peace in neighborhoods
 - Gradual evolution of positive intentions toward public institutions
- Lack of coordination between community and Municipality
 - Community members lack positive views of Municipality
 - Community capacities will not built
 - During implementation there are conflicts between community and the construction company, which resists implementing community instructions.
 - Little connection with public institutions

The other part of the supposed "virtuous cycle" that can emerge in the upgrading process: namely, the improvement of rights to land security, which encourages investments in local homes, businesses and communities, which in turn encourages people to seek state protection of their rights to land (formal title deeds), which encourages investments, and so on. The evaluation team adopts for the moment, at least, the Global Land Tools Network concept of a "continuum of tenure security" from simple possession to community validation of the legitimacy of this possession to governmental recognition of possession through full governmental recognition of ownership rights. In the cases of informal settlements, the occupants of the homes have already moved along this continuum, having made investments in building the homes, a strong statement of rights, challenging others to contest this mixing of family labor and materials to produce a home as a demonstration of rights to that home. Governmental acceptance of any upgrading in informal settlements, which are by definition outside of the law, is another step along the tenure security continuum even if it is a small and admittedly tentative step. The legal recognition of private sales agreements as evidence of title is yet another step. What we still need to do is devise a community based method for validating these small steps sufficiently to provide enough title security to reduce risks of transaction or other conflicts over the settlement properties in the future.

Conclusions: The evaluation team is not advocating the immediate adoption of CBU approaches for all situations of upgrading in informal settlements throughout Kabul or in other municipal environments since the capacity for implementing that approach on a massive scale does not yet exist. The evaluation team also does not have systematic empirical evidence to test the validity of the above hypotheses, which are based mostly on direct but few experiences of the team and what they know of the experiences of others. More evidence is needed, but there is enough support for the hypotheses to at least call for the preparation of many more Community Engineers. There are construction companies with access to standard Engineers and with the capital and organization, which theoretically could upgrade access roads, for example, in informal settlements on a massive scale. We conclude that building the capacity for carrying out the CBU approach deserves serious consideration for the widespread adoption of this model for its many apparent advantages over the construction company approach.

UNDP Co-MANAGEMENT APPROACH

Co-Management in the UNDP/ASGP of Jalalabad

The purpose of the ASGP is to strengthen local government, in this case the Municipality of Jalalabad. The UNDP stresses with local government officials the importance of transparent co-management of projects, which has several implications for the structure of UNDP projects:

- 1) Preparation with Municipal staff reviewed and approved by Mayor, of a yearly work plan.
- 2) Assessments of needs of Municipal Departments are done by commissions, involving the UNDP advisor and Municipal officials.
- 3) When needs result in a proposal for infrastructure/equipment/training investments for a particular Department, a tender commission is created by the Mayor and the UNDP advisor, usually headed by the Deputy Mayor, a member of the Provincial Council, representative of the Municipality's Procurement Dept, and a specialist in the technical aspects of the investment. This commission produces a Scope of Work for the needed construction/procurement/training.
- 4) This SOW is advertised in the Eastern Region, with a major focus on Nangahar Province potential providers of the required work.
- 5) For training needed, a list of capable people from Nangahar is drawn up, based on recommendations from other Projects and Departments, and interviews of those interested are done, which result in the selection of the best qualified locally based trainer willing to do the job for an acceptable cost. They have had bad experiences with contracting large companies, especially those from outside the region.
- 6) Once the contract has been signed, and the work has been invoiced for payment, the Tender Commission reviews the work done and decides upon payment or upon the work needed to be done before payment. Once payment has been approved it goes to the Mayor and the UNDP Team Leader, who review the decision of the Commission and both sign the order for payment. The funds come from a bank account for the project, where both signatures are required for payment to be drawn from the Project bank account.
- 7) For long-term contracts, the Tender Commission identifies a group involving UNDP and Municipal staff for monitoring the progress made under the implementation of the contract.
- 8) For investments in communities, the Project has worked with Municipal staff and with UNDP hired community mobilizers to form 13 Gozar councils in one Nahia. The 13 Council heads meet to form a Nahia Council. The consultations with these councils produce priorities for investments in each Gozar, and are accumulated for planning purposes with the Municipality to the Nahia level. The approval of the Community Action Plans by the Municipality is the goal, for launching the upgrading process.

CUSTOMARY LAND DEEDS

د خمکي عرفی قبالة

Customary Land Deed

نیټه: / /

Date:

د پېرودونکي تصویر Picture of the buyer	د پلورونکي تصویر Picture of the seller
د دواړو لوریو پیژندنه Introduction of both parties	
پېرودونکی The buyer	پلورونکی The seller
نوم Name	نوم Name
دپلار نوم Father's name	دپلار نوم Father's name
دنیکه نوم Grandfather's name	دنیکه نوم Grandfather's name

1

د ځمکې عرفی قباله

Customary Land Deed

	حقوقی حالت Legal status		حقوقی حالت Legal status
	فعلي استوګنه Present address		فعلي استوګنه Present address
	د تذکرې شمېره ID card number		د تذکرې شمېره ID card number
<p>د ملکیت نور یا لږه برخه لرونکی Other potential owners/inheritors of the property</p>			
	نوم Name		نوم Name
	د پلار نوم Father's name		د پلار نوم Father's name
	د نیکه نوم Grandfather's name		د نیکه نوم Grandfather's name
	حقوقی حالت Legal status		حقوقی حالت Legal status
	فعلي استوګنه present address		فعلي استوګنه ځی Present address
	د تذکرې شمېره ID card number		د تذکرې شمېره ID card number

د ځمکې عرفی قباله

Customary Land Deed

	نوم Name		نوم Name
	د پلار نوم Father's name		د پلار نوم Father's name
	د نیکه نوم Grandfather's name		د نیکه نوم Grandfather's name
	حقوقی حالت Legal status		حقوقی حالت Legal status
	فعلي استوګنه ځی Present address		فعلي استوګنه ځی Present address
	د تذکری شمیره ID card number		د تذکری شمیره ID card number

د قبالی متن Text of deed

د ځمکې عرفی قبالة

Customary Land Deed

<p>د پلورل شوي ځمکې تفصیلات The details of the sold land</p>			
			<p>د ځمکې پوره قیمت په افغانیو Total price of land (in Afghanis)</p>
			<p>د ځمکې نیم قیمت په افغانیو Half of the sale price (in Afghanis)</p>
			<p>د ځمکې اندازه په جریب یا متر مربع Size of land (square meters or jeribs)</p>
<p>د ځمکې نوعیت او دندونولیت Type of land</p>			
<p>د ځمکې د څلور خواوو او شفعیانو تفصیل Details of land boundaries and neighbors to the land</p>			
<p>د شفیع د پلار نوم Name of neighbor's father</p>	<p>د شفیع نوم Name of neighbor</p>	<p>د څلور خواوو د ښکاره نښو او علاماتو تشریح Landmark(s) defining the land boundaries</p>	<p>لوری Directions</p>
			<p>ختیځ East</p>
			<p>لوېدیځ West</p>
			<p>سویل South</p>

د ځمکې عرفی قباله
Customary Land Deed

			شمال North
د پورتنی ځمکې د پلورلو موافقت Agreement to sale			
پیرودونکی Buyer		پلورنکی Seller	
	نوم Name		نوم Name
	لاسلیک / گوته Signature/ thumb print		لاسلیک / گوته Signature/ thumb print
د ملکیت په پلورلو کې د با لږه برخه لرونکو رضایت Consent of potential owners/inheritors to selling the property			
لاسلیک / گوته Signature/thumb print	نوم Name	لاسلیک / گوته Signature/thumb print	نوم Name
د شاهدانو تصدیق او تایید Witness approval			
لاسلیک / گوته Signature/thumb	نوم Name	لاسلیک / گوته Signature/ Signature/	نوم Name

د ځمکې عرفی قبالة

Customary Land Deed

print		thumb print	
د وکیل گذر یا د کلی د ملک تصدیق او د تایید مهر Approval and stamp of the Malik or other representatives			
لاسلېک / گوته / مهر Signature/thumb print/stamp		نوم Name	

د ځمکې عرفی قبالة
Customary Land Deed

اضافي ورقه Extra paper

د قبالي د متن بیلگه
Example of Text of deed

زه (احمد) (د محمود) زوی د (علی) نسی چی شهرت می پورته په پوره ډول ذکر دی اقرار کوم چی خپله یوه ټوټه ځمکه چی ټول مشخصات ېې په دی سند کی ذکر دي په خپله خوښه ، رضا او رغبت ، پرته له کوم زور او جبر په داسی حال کی چی عاقل، بالغ او د ټولو حقوقي تصرفاتو لرونکی یم ، په خپله هوش او حواس باندی پوره اختیار لرم ، ذکر شوی ځمکه می په جان محمد ولد او داسی نور

Example: I, Ahmad, son of Mahmood and grandson of Ali, whose personal details are recorded above, state of my own free will that I desire to sell the part of my land specified in this document. I state this without any duress and confirm that I am of sound mind and am an adult with legal rights. I am selling my land to Jan Mohammad . .

CUSTOMARY DEEDS REGISTRATION LAW

Prepared by the Judicial Reform Commission, 2004

Customary Deed Registration Law

Table of contents:

Chapter one:	General provisions
Chapter two:	The Organization for Document Registration
Chapter three:	method of executions
Chapter four:	Final provisions

Chapter one General provisions

Article one:

This law is enacted for the purpose of facilitating the sound conclusion of contracts and transactions, better arrangement and organization of the relevant documents, public access to the legal centers [authorities?], validation of documents to [be acceptable to] the judicial authorities, reducing the disputes resulting there from, and preventing any claims of forgery and fraud in customary documents.

Article two:

Registration of customary deeds is a private business to be carried out pursuant to the provisions of this law, upon taking a permit [issued by] the ministry of justice, for the purpose of serving the public.

Article three:

The Permit for the registration of customary deeds is a printed document, the contents and shape of which shall be determined in compliance with the provisions of this law, by the ministry of justice, and shall be granted to those eligible, for 1000 Afs.

The permit shall be renewed annually for those who are not disqualified for the same amount. Any delays of more than one month in renewing the permit shall be sanctioned with a monetary penalty equivalent to one fourth the total value of the permit for every month.

Article four:

Any person may acquire the permit, provided that he/she:

- 1—is a citizen of Afghanistan;
- 2—is [at least] 25 years old;

- 3—has not been sentenced for committing felony;
- 4—has complete legal capacity; and
- 5—has at least graduated from grade 12 [high school], or has spent five years as a clerk in a court or the administration for registration of legal documents.

Article five:

Those in charge for customary deed registration shall endeavor, for the purpose of concluding contracts and transactions in a sound and authentic manner and for [ensuring] the governance of law, to assure themselves of the fulfillment of all the conditions and terms required for the contracts or transactions mentioned in the documents presented to them for registration.

Chapter two The Organization for Registration of Documents

Article six:

Those in charge of customary deed registration may create an organization as their central organ by the name of (Organization for Registration of Customary Deeds). This organization will be a legal person, and shall enjoy autonomy in the relevant affairs, within the scope of law.

Article seven:

The organization shall be composed of the selected representatives of the Provincial administrations for registration of customary documents; with each province represented by a single representative.

The organization shall meet annually, and shall select a board of management from the members thereof for each year, the number of which shall be 3 to 5 persons.

The minister of justice shall introduce one of the civil servants responsible for registration of social organizations to become a member of such organization and represent the ministry of justice therein.

Article eight:

The Ministry of Justice may, within the scope of the provisions of law, supervise the organization for registration of customary documents and inspect the activity thereof.

Article nine:

The organization shall prepare a complete list of the persons who receive permits and have not been disqualified, annually with the distinction of their provinces and locations, together with the specific address of their business, and shall submit a copy to the ministry of justice, Supreme Court, and the office of the Prosecutor general.

The names of persons, who acquire the permit subsequently, shall be added at the bottom of the prepared tables [lists], and the names of those who are disqualified, shall be deleted from such tables.

Chapter three Method of execution

Article ten:

Any person, who wants to receive the permit for registration of the documents, shall be obliged to submit his application together with all the authorizing documents provided for in article 4 to the management board of the Organization for Registration of Legal Documents.

The board of management shall evaluate the relevant documents and shall submit them to the ministry of justice if the board finds out that the documents are fulfilling the conditions and terms provided for by law.

Article eleven:

If the board of management does not decide within one month, the person may contact the Ministry of Justice directly, and apply for the issuance of the permit. In addition, prior to the time the organization shall be established, all applications are submitted directly to the ministry of justice.

Article twelve:

Any person, who receives the permit for registration of legal documents for the first time, shall be obliged to take the following oath in the presence of the management board:

“I swear in the being of God that I shall observe the provisions of law in the discharge of my assigned duties and shall carry them out with utter honesty and integrity.

Article thirteen:

The one in charge of customary deed registration shall be obliged to select a location for the office which is easily accessible by the public and visible. Such persons may not carry out their work at residential houses.

Article fourteen:

Those in charge of customary deed registration shall be authorized to accept or reject the registration of the deeds presented to them, at their option.

Article fifteen:

If any deed submitted contains contracts or transactions which are not authorized by law and “Shari a”, or are against morality or public order, the person in charge of deed registration shall refuse to register such a deed

Article sixteen:

Registration of the deeds shall take place in a special book [registry], whose shape and content shall be determined by a commission composed of a representative from each of the Administration for registration of legal documents, Ministry of justice, Office of the prosecutor general, Bar association, and chaired by one of the experienced judges appointed by the chief justice of the supreme court, and shall be printed and distributed by the administration for registration of legal documents.

Article seventeen:

The registry shall contain the identification of both parties to a transaction, the witnesses, the date and place for issuance of the contract, or the date and the subject of a transaction. The signatures and finger prints of both parties and any witnesses mentioned in the document shall be taken in a technical manner in the office for registration.

Article eighteen:

Those in charge for registration shall register the deed when both sides confirm the content and the stamp, and their signatures or finger prints.

The number, date, and the title and page numbers shall be written at the margin of the original deed, and shall be registered, stamped with the specific stamp, and signed by the authorized and responsible person.

Article nineteen:

If a customary deed contains a sale transaction of immovable property, the registration shall be interpreted only as a claim filed in the court, and can not cause the transfer of property in the official documents, such as the legal documents, unless it is prepared and regulated in accordance with the law for registration of legal documents and registered as such.

Article twenty:

The parties to a transaction are required to pay the fee of registration as a customary deed, in accordance with the provisions of this law, on an equal basis, unless they agree otherwise.

1—For the registration of documents which do not have any financial value, 100 Afs shall be charged for each deed

2—For the registration of documents which have financial value, a fee shall be collected as follows:

- (1) From (1000) to (10000)-, a fee of (100) Afghanis.
- (2) From (10000) to (50000) - a fee of (200) Afghanis.
- (3) From (50000) to (100000) - a fee of (250) Afghanis.
- (4) From (100000) to (500000) - a fee of (300) Afghanis.
- (5) From (500000) to (1000000) - a fee of (350) Afghanis.
- (6) From (1000000) to (10000000) - a fee of (400) Afghanis.
- (7) From (10000000) and above, - a fee of (500) Afghanis.

Article twenty one:

Those in charge of registration shall be obliged to provide the payer a receipt for the amount of the fee. The receipt shall contain the amount of money, the number and date of the deed, and date, title and page, number of the registry, and shall be signed by the receiver and stamped at the bottom.

The receipt shall be prepared in two copies, one of which shall be kept in the office of the person responsible, and the report of revenues at the end of every year shall be submitted to the Organization, in consideration of such receipt copies.

Article twenty two:

Five percent of the registration fee shall be transferred the Cooperative Fund of the organization for customary deed registration. The organization shall regulate and prepare a procedure for the use of such fund.

The in charge of customary deed registration shall be subject to the provisions of income tax Law. The income tax shall be assessed upon deducting the amount payable to the fund.

Article twenty three:

Defective registration or error in the contents of a document or other similar actions which happen due to the negligence of the person responsible for the registration of legal documents, and cause a damage to be accrued to a party to the document, shall be the responsibility of the person who registers the document, and such person shall be responsible to indemnify the ensuing damages.

Article twenty four:

The Organization of customary deed registration or in the absence of the members of the Organization, the management board may take corrective actions to sanction the person responsible for registration of documents in cases of violation from his duty requirements at its discretion, or upon receipt of complaints.

Article twenty five:

Corrective punishment consists of the following:

- 1—verbal reprimand and advice
 - 2—written warning
 - 3—closing of the business office for a week
 - 4—suspension from the job for one month
 - 5—eliminating the name of the person responsible from the general list, for that year.
- The penalties referred to in sections (2-3-4-5) shall be recorded in the personnel records of the person.

Article twenty six:

If a person is punished as provided for in sections (3—4—5), such a person shall not open another office or do business under a different name.

Article twenty seven:

Corrective sanctions do not exempt the person from his legal responsibilities pursuant to this law.

Article twenty eight:

No complain may be heard against a responsible person after one year has lapsed.

Chapter Four Final provisions

Article twenty nine:

Registration of a customary deed in the relevant offices does not prevent the preparation of documents for and the organization of the transaction through the Administrations for registration of legal documents.

Article thirty:

Those in charge of customary deed registration shall be obliged to make available certified copies of documents together with all the relevant details for a fee of half the amount charged during preparation of the original, to the interested person, unless a law suit of fraud has been filed against the document.

In such cases, only the court may ask for a certified copy or require the registry in accordance with the procedures for getting information about official documents.

Article thirty one:

If required by the court, office of the prosecutor, Administration for defending the property of the state, or the Administration for criminal techniques, the persons in charge of the customary

deed registration shall be obliged to certify the finger stamp or the signature of the concerned persons in the documents and to affirm and declare that it was carried out in his/her presence.

Article thirty two:

This law has been prepared in thirty-one articles and shall be enforced upon its publication in the official Gazette.

PROJECT IMPLEMENTATION LETTERS FOR MUDA, IDLG, AGCHO, ARAZI, SUPREME COURT

PROJECT IMPLEMENTATION LETTER (PIL)—UWSID-MUDA-IDLG-AGCHO
11 OCTOBER, 2011

[Excerpt]

II. LARA Project Term

The LARA project has an 18-month base period with an 18-month option period, and a ceiling of \$41.8 million.

A. USAID's Expected Contribution

USAID's LARA project through its implementing partner Tetra Tech ARD should carry out the following tasks in collaboration with MUDA and IDLG:

1. Work closely with MUDA, IDLG and Jalalabad Municipality at the central and municipal level for decision-making purposes;
2. Engage both MUDA and IDLG in the joint selection of the informal settlements that will be the focus of LARA's planning, regularization and upgrading activities in Jalalabad;
3. In line with the objectives of the ANDS Prioritization & Implementation Plan 2010-2013 (Economic & Infrastructure Development Cluster), contribute to the improvement of current urban planning processes by providing technical assistance and on-the-job training to staff of relevant departments in MUDA and the Jalalabad Municipality- this includes support for the setup of required IT systems and the invitation of key staff to attend training on land- related issues;
4. Ensure that the opinions and priority needs of targeted communities are taken into consideration by applying due consultative and participatory planning processes at the citizen and Nahia levels during the drafting of Community Upgrading Plans for the settlements selected for infrastructure improvements;
5. Provide MUDA and IDLG with legal assistance for the review and amendment of the existing regulatory framework and the development of new land management, settlement and urban regulations, as required;
6. Provide long and short-term technical assistance, hardware and software envisioned and training in different subjects;
7. Coordinate the project implementation with other organizations (governmental and non-governmental), stakeholders working in the same area, and sub-contractors; and
8. Contribute to improved coordination between governmental institutions, implementing agencies and other stakeholders by the following:
 - 8.1. Offering support to the Working Group setup by MUDA and IDLG for the development of strategic plans, policy work, implementation of activities, facilitation of improvements at the central and provincial levels, and in identifying the required steps to develop a sustainable approach for the upgrading of informal settlements;
 - 8.2. Reporting all its project activities and outcomes to IDLG and MUDA focal point and Head of the Directorate of Urban Development Affairs - Eastern Region;

- 8.3. Convening a joint KURPILARA Upgrading Workshop aimed at sharing technical expertise and lessons learned in upgrading and formalization of informal settlements in Afghanistan with participation from key stakeholders including IDLG and MUDA;
- 8.4. Assisting MUDA and Jalalabad Municipality to develop a geo- referenced base map for the tracking of recent, on-going and planned urban interventions and providing said maps and data to MUDA and IDLG;
- 8.5. Involving MUDA's City Planning Department staff and the Directorate of Urban Development Affairs (National and Eastern Region) staff in joint urban planning activities and on-the-job training; and
9. Design and implement a national education campaign focusing on land rights in close coordination with key stakeholders that provide services in land management and the land market.

USAID's LARA project through its implementing partner Tetra Tech ARD should carry out the following tasks in collaboration with AGCHO:

1. Provide technical support and capacity building in technical services and equipment that contribute to the improvement of current geodesy, cadastral surveying and GIS practices - which includes support for the establishment of required IT systems for cadastral data management in the Kabul and Jalalabad offices of AGCHO;
2. Seek and obtain AGCHO permission for all proposed cadastral survey and mapping operations in Jalalabad and conduct them according to procedures and requirements jointly developed by AGCHO and LARA;
1. Provide AGCHO with legal and technical assistance for the review, amendment or creation of existing laws, regulations, policies, standards and technical specifications, as required by AGCHO;
4. Work closely with AGCHO throughout the duration of the project on targeted settlement committees in Jalalabad;
5. Work closely with AGCHO at the central and provincial level (Jalalabad) as required;
6. Coordinate project implementation with other organizations (governmental and non-governmental), stakeholders working in the same area, and sub- contractors; and
7. Provide specific technical trainings in different software which will be installed by LARA for the cadastral department of AGCHO.

B. The Grantee's Expected Contribution

MUDA and IDLG should provide the LARA project the following:

1. Access to key documents, reports, and other technical information necessary to LARA's analysis/assessment of the organization and operational procedures;
2. Work closely with MUDA's City Planning Department's, Directorate of Urban Development Affairs (Eastern Region) and Municipal staff;
3. Support LARA by providing written information, documents, reports, and other information as necessary to facilitate LARA's analysis/assessment of the organization;
4. Provide a list of functionaries at different organizational levels and with appropriate expertise, to work and coordinate directly with LARA on a consistent basis;

5. Provide information on the Regional Offices and the Municipality, pertaining to the operations, procedures, infrastructure, human resources, and location, and to work together with LARA on a series of activities designed to improve regional operations; and
6. Ensure that secure office space is available for the group of consultants and subcontractor's representatives that will be working with MUDA, IDLG and the one Municipality.
7. Take part in the Urban Coordination Meeting established by MUDA to ensure appropriate coordination between stakeholders; and
8. Explore opportunities to secure temporary office space for LARA staff, consultants and subcontractors to the project in the Directorate of Urban Development Affairs (Eastern Region) - if and when required for on-the-job training.

AGCHO should provide the LARA project the following:

1. Access to all documents, cadastral maps, data and other technical information necessary for LARA to analyze and assess AGCHO and its operational procedures;
2. Support LARA by providing written information, documents, reports, and other information as necessary to facilitate LARA's analysis/assessment of the organization;
3. Provide a list of functionaries at different organizational levels with appropriate expertise, to work and coordinate directly with LARA on a consistent basis;
4. Provide information on the regional offices, pertaining to the operations, procedures, infrastructure, human resources, and location, and work together with LARA on a series of activities designed to improve regional operations;
5. Collaborate and work with other GIROA entities working on the LARA project; and
6. Ensure that secure office space is available for the group of consultants and subcontractor's representatives that will be working with AGCHO, if necessary.
7. Introductory letters to all relevant government offices to cooperate with LARA, if they are required; and
8. Supervision services for the cadastral survey and mapping operations to be conducted by subcontractors working for LARA in Jalalabad.

III. Method of Project Implementation

USAID has selected "Tetra Tech ARD" to execute the LARA project through USAID Contract No. 306-C-00-11-00514-00. Subject to the availability of funding, USAID will provide funding for LARA. The expenditures by USAID will not exceed US \$41,800,000. The mentioned amount is the entire budget for the life of the project. These funds will be utilized to support the LARA project, which partners with MUDA, IDLG, Arazi, AGCHO, Supreme Court, Jalalabad Municipality and private sector (for-profit and non-profit organizations). The services and equipment provided by USAID funding will be administered under USAID procedures and rules.

IV. Monitoring and Evaluation

In accordance with Section V (Indicators, Monitoring and Evaluation) of Annex 1 (Amplified Description) to the Agreement, the Grantee and USAID should establish a monthly meeting with senior leadership of MUDA, IDLG, AGCHO, USAIDILARA and the implementing partner

Tetra Tech ARD to assess progress of LARA as well as mitigate and resolve any issues or challenges related to LARA.

V. Effect of PIL No. 21

PIL No. 21 does not constitute a legal obligation or binding agreement or effect an obligation of funds by USAID or the U.S. Government, and it does not contemplate a transfer of funds from USAID to MUDA, IDLG and/or AGCHO or assumption of liability by USAID. USAID will obligate, commit and expend funds and carry out operations pursuant to PIJ No.2 I in accordance with the applicable laws and regulations of the United States.

VI. Public Recognition

The Grantee and USAID should work together to maximize, to the extent possible, broad public awareness of the project, including USAID's contribution to the project. This includes, but is not limited to prominently displaying, unless USAID otherwise agrees in writing: (1) appropriate temporary signage at any construction project, and (2) a permanent plaque with the seal of the Islamic Republic of Afghanistan and the USAID logo to recognize the partnership between the peoples of Afghanistan and the United States.

Program Implementation Letters



USAID | AFGHANISTAN
FROM THE AMERICAN PEOPLE

April 29, 2012

The Honorable Dr. Hassan Abdullahi
Minister of Ministry of
Urban Development Affairs (MUDA)
Islamic Republic of Afghanistan

The Honorable Abdul Khaliq Farahi
Director General of Independent
Directorate for Local Governance (IDLG)
Islamic Republic of Afghanistan

The Honorable Engineer Abdul Raouf Yari
Director General of Afghan Geodesy
and Cartography Head Office (AGCHO)
Islamic Republic of Afghanistan

The Honorable Doctor Abdul Malik Kamawi
Supreme Court
Islamic Republic of Afghanistan

The Honorable Minister Mohammad Asif Rahimi
Minister of the Ministry of Agriculture, Irrigation
and Livestock (MAIL)
Islamic Republic of Afghanistan

Subject: Project Implementation Letter Number 41: Modifying Project
Implementation Letter Number 21 for Land Reform in Afghanistan
(LARA) Project

Reference: Strategic Objective Grant Agreement (SOAG) for Economic Growth
USAID Grant Agreement No. 306-05-00 ("the Agreement")

U.S. Agency for International Development
Great Massoud Road
Kabul, Afghanistan

Tel: 202-216-6288 / 0700-108-001
Email: kabulusaidinformation@usaid.gov
<http://afghanistan.usaid.gov>

Dear Minister Abdullahi, Director General Farahi, Director General Yari, Dr. Kamawi and Minister Rahimi:

This Project Implementation Letter (PIL) Number 41, issued in accordance with Article 2, Section A.2., Annex 2 of the above-entitled Agreement serves to record the mutual understandings of the Islamic Republic of Afghanistan (“the Grantee” or “GIROA”) as represented by the Ministry of Urban Development Affairs (MUDA), Independent Directorate for Local Governance (IDLG), Afghan Geodesy and Cartography Head Office (AGCHO), the Supreme Court, Ministry of Agriculture, Irrigation, and Livestock (MAIL) and United States Agency for International Development (USAID) to set forth our respective roles and responsibilities with regard to the Land Reform in Afghanistan (LARA), a project under the above-referenced Agreement.

I. Amendment to Project Implementation Letter Number 21

This PIL Number 41 shall serve to amend PIL Number 21 to add the Supreme Court and MAIL/Arazi to the roles and responsibilities of Grantee as set forth in Implementation Letter 21. It shall in no other way modify or amend the terms, conditions, or roles as set forth therein. Specifically PIL Number 41 shall add the following provisions:

First, Section A. “USAID’s Expected Contribution with Grantee:” of PIL Number 21 is amended to add the following:

A. USAID’s Expected Contribution with Grantee:

Supreme Court

USAID’s LARA project through its implementing partners Tetra Tech ARD should carry out the following tasks in collaboration with the Supreme Court:

1. Work closely with the management of the Central Makhzan in Kabul and main office in Kabul for decision making purposes for work to be conducted in Jalalabad Appeal Court;
2. Conduct an assessment of the Supreme Court Land Registration System in the headquarters and Jalalabad (appellate court) to determine the scope and nature of a land records management system. The LARA project should prepare a business area analysis and systems requirements specification documents for the Supreme Court, with options and scalability for possible implementation;

3. Support Legal Recognition of Customary Deeds. The Land Management Law currently does not recognize customary deeds, thus undermining property rights and tenure security of customary holders. The LARA project should work with MAIL's PALAD to review best practices, amend policy, legislation, related land laws and respective regulations, where necessary, drawing upon the services of local firms and LARA's legal team;
4. Support Digitization of Title Deeds and/or other Documentary Evidence of Land Rights. The LARA project should design and procure modern, secure and scalable land records archiving software (GRM OpenTitle and GRM LRS Backfile), computer replacements/upgrades in the Makhzan, and software training. The outputs from this activity are expected to be migrated into the Computerized Deeds Registry that the LARA project is proposing to configure for the Supreme Court;
5. Streamline and Automate Land Records in a central archive in the Supreme Court and appeal court of Jalalabad; and
6. Work closely with the Supreme Court and provide legal assistance for the required land registration, transfer legislations, and other relevant regulation and procedures, if needed.

MAIL/Arazi

USAID's LARA project through its implementing partner Tetra Tech ARD should carry out the following tasks in collaboration with Ministry of Agriculture, Irrigation and Livestock (MAIL) and its Directorate Arazi:

1. Work closely with the Senior Management of Arazi in Kabul and through the headquarters, work with the Jalalabad-based office of Arazi for decision making purposes;
2. Conduct an institutional assessment in close collaboration with Arazi to identify training and capacity building needs;
3. Design hardware and software systems to improve the land management in Afghanistan;
4. Provide long and short term technical assistance, hardware and software envisioned under Component 2 of the project, and training in different subjects of the mentioned systems, including the following:
 - a. Configure ALRMIS. ALRMIS should be configured with the features of land/property lease management, billing and collection, GIS integration, user workflow functions, secure audit trails, local languages support, transaction monitoring, property appraisal, and web access. ALRMIS is

expected to be deployed in Arazi's Kabul headquarters and Jalalabad office (if feasible).

- b. Improve methodologies to do the inventory and classify State-Owned Land, to provide guidance on how to identify, document, and classify state-owned land, as well as evaluate existing information sources (remote imagery, land use zoning plans, ownership records).
 - c. Development of land valuation models and land leasing fee calculations. Land valuation models should be piloted and land valuation data management software for integration with ALRMIS to model, value and track historical changes will provided. A comprehensive training plan should be created to scale up services.
 - d. The Afghan Land Information System (AfLIS) will be conceptualized.
5. Work closely with MAIL/Arazi and provide legal assistance for the required amendment of the existing laws, regulations and development of new laws, regulations, procedures, and manuals (if required);
 6. Coordinate the project implementation with other organizations (governmental and non-governmental), stakeholders working in the same area, and subcontractors;
 7. Develop and implement targeted training sessions together with the management of Arazi, based on the findings of the assessment, with focus on HQ and Jalalabad; and
 8. Support public education and awareness programs to inform the governmental and non – governmental stakeholders and public about the new land related legislations, policies, etc.

Second, Section B. "The Grantee's Expected Contribution:" of PIL Number 21 is amended to add the following:

B. The Grantee's Expected Contribution

The Supreme Court should provide the LARA project the following:

1. Access to key documents, reports and other technical information necessary to the LARA project's analysis/ assessment of the organization and operational procedure in the central archive and also in Jalalabad;
2. Work closely with the Supreme Court central office and Jalalabad office staff;

3. Support the LARA project by providing written information, document, reports, and other information as necessary to facilitate the LARA project's analysis/assessment of the organization;
4. Provide information on the database and archives pertaining to operations, procedures, infrastructure, human resource and location of the Supreme Court and work together with the LARA project on a series of activities designed to improve regional operations;
5. Ensure that secure office space is available for the group of consultants and subcontractors' representatives that may work in the Supreme Court; and
6. Assist the LARA project in meeting the contribution set forth in Section A that pertains to the Supreme Court.

MAIL/Arazi should provide the LARA project the following:

1. Access to key documents, reports and other technical information necessary to the LARA project's analysis/assessment of the organization and operational procedure;
2. Work closely with MAIL/Arazi central office, Jalalabad office staff and office staff from other key municipalities;
3. Support the LARA project by providing written information, document, reports, and other information as necessary to facilitate the LARA project's analysis/ assessment of the organization;
4. Provide a list of key staff at different organizational levels and with appropriate expertise, to work and coordinate directly with LARA on a consistent basis;
5. Provide information on the Arazi operational system, pertaining to organizational structure, procedures, infrastructure, human resource and location and to work together with the LARA project on a series of activities designed to improve regional operations;
6. Ensure that secure office space is available for the group of consultants and subcontractors' representatives that will be working with MAIL/Arazi; and
7. Assist the LARA project in meeting the contribution set forth in Section A that pertains to the MAIL/Arazi.

Third, Section IV. "Monitoring and Evaluation" of PIL Number 21 is stricken in its entirety and replaced with the following:

IV. Monitoring and Evaluation

In accordance with Section V (Indicators, Monitoring and Evaluation) of Annex 1 (Amplified Description) to the Agreement, the Grantee and USAID should establish a monthly meeting with senior leadership of MUDA, IDLG, AGCHO, the Supreme Court, MAIL/Arazi, USAID and the implementing partner Tetra Tech ARD to assess progress of the LARA project as well as mitigate and resolve any issues or challenges related to the LARA project.

Fourth, Section VII. “Other Matters” of PIL Number 21 is stricken in its entirety and replaced with the following:

VII. Other Matters

A. Notice of Commencement of Operations; Issuance of Permissions

USAID via the LARA project implementing partner Tetra Tech ARD should inform MUDA, IDLG, MAIL/Arazi, the Supreme Court, and AGCHO not less than ten days prior to the date that foreign personnel and equipment are scheduled either to (a) begin work with the GIRoA or (b) commence operations, and will provide a list of the foreign personnel and equipment scheduled to support the GIRoA. Within ten days of being notified, MUDA, MAIL/Arazi, the Supreme Court, IDLG, and AGCHO should provide all the necessary support and documentation to recommend that the GIRoA provide free of charge all licenses and/or permissions required for the import and export of equipments, materials, technology, and issue visas, foreigner registration cards, and any other documents required, if any, as necessary.

II. Effect of PIL Number 41

PIL Number 41, which amends PIL Number 21, does not constitute a legal obligation or binding agreement or effect an obligation of funds by USAID or the U.S. Government, and it does not contemplate a transfer of funds from USAID to MAIL/Arazi and/or Supreme Court or assumption of liability by USAID. USAID will obligate, commit and expend funds and carry out operations pursuant to PIL Number 41 in accordance with the applicable laws and regulations of the United States.

III. Conclusion

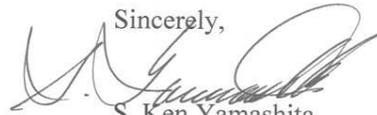
This PIL No. 41 is executed in sextuplicate. Please sign and date where indicated below to acknowledge receipt of and to confirm your agreement to

the terms and conditions set forth in PIL Number 41. USAID respectfully requests that MUDA, IDLG, AGCHO, the Supreme Court, and MAIL/Arazi keep one original for MUDA, one for IDLG, one for AGCHO, one for the Supreme Court, and one for MAIL/Arazi and return the other original to USAID.

USAID looks forward to our mutual collaboration and coordination in implementing the LARA project under the Agreement as described herein and as may be further explained in subsequent PIL amendments.

Please accept the assurances of our highest esteem and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Ken Yamashita', written over a horizontal line.

S. Ken Yamashita
Mission Director

Acknowledged and Agreed to:

_____ Date: _____
The Honorable Dr. Hassan Abdullahi
Minister of MUDA
Islamic Republic of Afghanistan

_____ Date: _____
The Honorable Abdul Khaliq Farahi
Director General of IDLG
Islamic Republic of Afghanistan

_____ Date: _____
The Honorable Engineer Abdul Raouf Yari
Director General of AGCHO
Islamic Republic of Afghanistan

_____ Date: _____
The Honorable Doctor Abdul Malik Kamawi
Supreme Court
Islamic Republic of Afghanistan


_____ Date: 05 Aug 2012
The Honorable Minister Mohammad Asif Rahimi
Minister of MAIL
Islamic Republic of Afghanistan



USAID | AFGHANISTAN

FROM THE AMERICAN PEOPLE

29 اپریل 2012

محترم داکتر حسن عبدالہی

وزیر امور شہر سازی

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جمہوری اسلامی افغانستان

محترم داکتر عبدالملک کاموی

ستہ محکمہ

جمہوری اسلامی افغانستان

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جمہوری اسلامی افغانستان

موضوع: مکتوب اجرائیوی شماره 41: کہ در مورد مکتوب اجرائیوی شماره 21 پروژہ اصلاحات اراضی در افغانستان (LARA)

مرجع: توافق نامہ کمک های بلاعوض اهداف ستراتیژیک (SOAG) به منظور رشد اقتصادی

توافق نامہ شماره 306-05-00 ادارہ انکشاف بین المللی ایالات متحده ("توافقتنامہ")

محترم وزیر صاحب عبدالجی، آقای فراهی، رئیس عمومی اداره مستقل ارگانهای محلی، محترم یاری، آقای دکتر کاموی و وزیرصاحب رحیمی:

این مکتوب اجرایی شماره 41، که در مطابقت به ماده 2، بخش A.2 ضمیمه شماره 2 موافقت نامه فوق الذکر صادر گردیده است، مدرک تفاهم مشترک میان جمهوری اسلامی افغانستان (که در این نامه "صاحب امتیاز" یا "دولت جمهوری اسلامی افغانستان" نامیده شده است) و وزارت امور شهرسازی (MUDA)، اداره مستقل ارگانهای محلی (IDLG)، ریاست عمومی جیودوزی و کارتوگرافی افغانستان (AGCHO)، ستره محکمه، وزارت زراعت، مالداری و آبیاری (MAIL) از آن نمایندگی مینمایند، و اداره انکشاف بین المللی ایالات متحده امریکا (USAID) بوده که حاوی نقش ها و مسئولیت های مربوطه طرفین پیرامون پروژه اصلاحات اراضی در افغانستان (LARA)، که یک پروژه ایجاد شده درچاچوب این توافقنامه است، میباشد.

1. تعدیلات در مکتوب اجرایی شماره 21

هدف مکتوب اجرایی شماره 41 وارد نمودن تعدیلات در مکتوب اجرایی شماره 21 جهت افزودن نام های ستره محکمه و وزارت زراعت، مالداری و آبیاری/اداره اراضی به بخش نقش ها و مسئولیت های صاحب امتیاز پروژه طوریکه در مکتوب اجرایی 21 تصریح گردیده است. در نتیجه این تعدیلات باید به هیچ وجه در ضوابط، شرایط و یا هم نقش های موجود در آن، تغییرات وارد نیاید. هدف مکتوب اجرایی شماره 41 تنها افزودن موارد ذیل در مکتوب اجرایی 21 میباشد:

اول، هدف تعدیل بخش A (کمک متوقّعه اداره USAID با صاحب امتیاز پروژه): مکتوب اجرایی شماره 21، افزودن موارد ذیل به آن میباشد:

A. همکاری متوقّعه اداره USAID با صاحب امتیاز پروژه:

ستره محکمه

پروژه LARA باید از طریق همکاری تطبیق کننده خود تینترتیک ای آر دی (Tetra Tech ARD) وظایف ذیل را در تشریح مساعی با ستره محکمه انجام دهد:

1. همکاری نزدیک با اعضای ارشد مخزن مرکزی و دفتر مرکزی در کابل بمنظور تصمیم گیری راجع به کارهای که باید در محکمه استیناف جلال آباد صورت گیرد؛

2. بررسی سیستم ثبت اراضی ستره محکمه در مرکز و جلال آباد (محکمه استیناف) بخاطر تعیین و تشخیص حیطه و ماهیت یک سیستم منبریته ثبت اراضی. پروژه لارا باید یک تحلیل از ساحت تجارتي و اسناد تعیین شرایط سیستم ها را همرا با مقیاس پذیری و گزینه ها برای تطبیق ممکنه برای ستره محکمه فراهم سازد؛

3. کمک با شناسایی حقوقی اسناد عرفی. قانون اداره اراضی فعلاً اسناد عرفی را به رسمیت نمی شناسد، و به این خاطر حقوق مالکیت و مصونیت اجاره داری مالکین عرفی اراضی را تضعیف مینماید. پروژه لارا باید طوریکه لازم باشد با اداره PALAD وزارت زراعت، مالداری و آبیاری جهت اتخاذ تجارب بهتر، تعدیل پالیسی، قوانین و مقررات مربوط اراضی افزون بر خدمات که از سوی شرکت های محلی و تیم حقوقی لارا فراهم میگردد، همکاری نماید؛

4. همکاری با دیجیتل سازی قباله ها و سایر اسناد حق مالکیت زمین. پروژه لارا باید سافت ویرهای عصری، مصنون و قابل معیار آرشیف اسناد اراضی چون (GRM Open Title and GRM LRS Backfile) را خریداری نموده و زمینه طرح و فراهم سازی برنامه های آموزشی سافت ویرها، تعویض و نوسازی کمپیوترها در مخزن را مهیا سازد. توقع میروود که محصول و یا هم معلومات بدست آمده از این کار به ثبت کمپیوتری اسناد مالکیت، که پروژه لارا آنرا برای ستره محکمه جهت تنظیم در آنجا پیشنهاد مینماید، منتقل خواهد شد؛

5. بهبود و خودکار سازی ثبت اراضی در آرشیف مرکزی ستره محکمه و محکمه استیناف جلال آباد، و همچنان؛
6. همکاری نزدیک با ستره محکمه و در صورت نیاز فراهم آوری مساعدت حقوقی برای ثبت لازمی اراضی و انتقال اسناد تقنینی و سایر مقررات و طرز العمل ها.
- وزارت زراعت، مالداري و آبياري/اداره اراضی**
- پروژه LARA اداره USAID باید از طریق همکاری تطبیق کننده خود تیترا تیک ای آر دی (Tetra Tech ARD) وظایف ذیل را در تشریک مساعی با وزارت زراعت، مالداري و آبياري و اداره اراضی آن انجام دهد:
1. همکاری نزدیک با اعضای ارشد اداره اراضی در کابل و از طریق دفاتر مرکزی با دفتر جلال آباد آن بمنظور تصمیم گیری ها؛
 2. انجام بررسی اداری در همکاری نزدیک با اداره اراضی جهت تشخیص نیازمندی ها برای برنامه های آموزشی و ظرفیت سازی؛
 3. طرح سیستم های سخت افزار و نرم افزار برای بهبود اداره اراضی در افغانستان؛
 4. فراهم آوری مساعدت های کوتاه مدت و دراز مدت تخنیکي، سخت افزار و نرم افزار که در چارچوب بخش 2 این پروژه در نظر گرفته شده اند و همچنان آموزش ها در موضوعات مختلف سیستم های مکتور، بشمول موارد ذیل:
 - a) تنظیم سافت وير ALRMIS به بهره برداری. سافت وير ALRMIS باید طوری تنظیم گردد که فیچرهای اداره اجاره اراضی/ملکیت ها، صدور و جمع آوری بیل ها، سهولت GIS، فنکشن های جریان کاری استفاده کننده گان آن، گزینه های مصنون پیگیری تفتیش، پشتیبانی از زبان های محلی، نظارت از معاملات، ارزیابی ملکیت ها و همچنان دسترسی به انترنت را داشته باشد. توقع می رود که سیستم ALRMIS به دفاتر مرکزی اداره اراضی در کابل و جلال آباد (در صورت امکان) منتقل گردد.
 - b) بهبود بخشیدن روش های ثبت موجودی و همچنان تصنیف زمین های دولتی جهت فراهم آوری رهنمود برای چگونگی شناخت، ثبت و تصنیف زمین های دولتی و نیز ارزیابی منابع کنونی معلوماتی (شبیه سازی از راه دور، پلان های تعیین استفاده از زمین، ثبت ملکیت ها).
 - c) انکشاف مدل های ارزیابی زمین و محاسبات مصارف اجاره داری زمین. مدل های ارزیابی زمین باید مورد آزمایش قرار گیرند و سافت وير مدیریت معلومات ارزیابی اراضی برای انسجام در ALRMIS بخاطر مدل قرار دادن، ارزش دادن و پیگیری تغییرات تاریخ فراهم شود. یک پلان جامع برنامه های آموزشی باید بخاطر افزایش میزان خدمات ایجاد گردد.
 - d) مفکوره سیستم معلوماتی اراضی افغانستان (AfLIS) باید به میان آید.
 5. همکاری نزدیک با وزارت زراعت، مالداري و آبياري/ اداره اراضی و همچنان فراهم آوری مساعدت تخنیکي برای تعدیل مستلزم قوانین و مقررات موجوده و نیز تقنین قوانین، مقررات، طرز العمل ها و کتب رهنمای جدید (در صورت که نیاز باشد)؛
 6. هماهنگی روند تطبیق پروژه با دیگر نهادها (دولتی و غیردولتی)، جوانب ذیدخل که در عین ساحه کار مینمایند و همچنان قراردادیان فرعی؛
 7. طرح و تطبیق برنامه های آموزشی مورد هدف یکجا با ار اکین اداره اراضی مبنی بر یافته های ارزیابی و تمرکز بالای دفتر مرکزی و جلال آباد، و؛

ایالات متحده (USAID) به اساس نامه شماره (41) و در مطابقت به قوانین و مقررات نافذه ایالات متحده امریکا متعهد به فراهم آوری و مصرف کردن وجوه و اجرای فعالیت ها خواهد بود.

III. اختتام

این مکتوب اجرایی شماره 41 در شش نسخه ترتیب و تهیه شده است. به منظور تصدیق دریافت و تأییدی توافق خویش در خصوص شرایط و محدودیت های مندرج آن لطفاً آن را امضاء نموده و نیز تاریخ را در آن تذکر دهید. اداره انکشاف بین المللی ایالات متحده (USAID) از وزارت محترم امور شهر سازی (MUDA)، ریاست محترم مستقل ارگان های محل (IDLG) و اداره عمومی جیوڈیزی و کارتوگرافی افغانستان (AGCHO)، ستره محکمه، و وزارت زراعت آبیاری و مالداري/ اداره اراضی احترامانه تقاضا می نماید تا هر یک آن ها یک نقل اصلی این نامه را نزد خود نگهداشته و سایر نسخه های اصلی آن را به این اداره دوباره تسلیم دهند.

اداره انکشافی بین المللی ایالات متحده (USAID) در خصوص تطبیق پروژه اصلاحات اراضی در افغانستان (LARA) تحت موافقت نامه ی که طی این نامه راجع به آن توضیحات داده شده است و ممکن در نامه های بعدی نیز به آن اشاره شود، خواهان تشریک مساعی، همکاری و هماهنگی طرفین نیدخل می باشد.

احترامات و تمنیات مزید ما را پذیرا شوید.

بالحترام



اس کن یامانی

رئیس اداره انکشاف بین المللی ایالات متحده (USAID) در افغانستان

تائید و تصدیق ت وسط:

تاریخ _____
محترم داکتر حسن عبدالهی
وزیر امور شهرسازی
جمهوری اسلامی افغانستان

تاریخ _____
محترم عبدالخالق فراهی
رئیس عمومی اداره مستقل ارگان محلی
جمهوری اسلامی افغانستان

تاریخ _____
محترم انجنیر عبدالرؤف یاری
رئیس عمومی اداره جیوڈیزی و کارتو گرافی
جمهوری اسلامی افغانستان

تاریخ _____
محترم عبدالملک کاموی
سنځه محکمه
جمهوری اسلامی افغانستان

تاریخ ۸ - اکتبر ۲۰۱۲
محترم محمد آصف رحیمی
وزیر زراعت، آبیاری و مالداري
جمهوری اسلامی افغانستان

MINI SURVEY OF COMMUNITY MEMBERS—JALALABAD: 9-13 FEBRUARY 2013

Methodological Note: Non-random purposive surveys of community members attending three Focus Groups; representative of viewpoints of participants but without statistical validity; percent values are approximate.

N= 11 VDC Council Members

Have you ever heard of the LARA project for land registration and upgrading?	Yes <u>11</u> 100%		No <u>0</u>		
If so, have you ever attended any meeting about LARA?	Yes <u>11</u> 100%		No <u>0</u>		
1a. Do you think people in this neighborhood are involved in the formalization process for getting their land registered with government?	Highly	Involved	Somehow	Not much	Not at all
	10 91%	1 9%			
1b. Do you feel personally as involved as you should be in the formalization and registration process?	Highly	Involved	Somehow	Not much	Not at all
	11 100%				
2a. Have you heard anything about any proposed changes in the laws or regulations about land registration?	Yes <u>7</u> 64%		No <u>4</u> 36%		
	Highly	Well	Somehow	Not much	Not at all
2b. If so, how do you think the proposed legal amendments address the fundamental issues of land reform, registration, or titling?	1 9%	1 9%		5 45%	4 37%
3a. Have you attended any LARA training program or workshop?	Yes <u>10</u> 91%		No <u>1</u> 9%		
	Highly	Useful	Somehow	Not much	Not at all
3b. If so, how useful did you find the LARA training for you about land registration and upgrading in this settlement?	8 73%	1 9%			2 18%
	Highly	Effective	Somehow	Not much	Not at all
4a. Overall, do you think that the LARA project has been implemented effectively to date?	11 100%				
	Highly	Efficient	Somehow	Not much	Not at all
4b. Overall, do you think that the LARA project been has implemented efficiently to date?	11 100%				
	Highly	Satisfied	Somehow	Not much	Not at all
4c. Overall, how satisfied are you with the LARA project?	11 100%				
	4d. Overall, in the future, should LARA focus more on land titling and registration or more on upgrading roads and services in this settlement? If you HAD to choose only one of the two, which one would it be?				
More emphasis on titling and registration <u>2</u> 18%					
More emphasis on upgrading <u>9</u> 82%					

GENDER—WOMEN IN LARA

1. Background

Although the results of a recent Environics survey shows that the majority of Afghans believe that women in their country are better off today, more detailed surveys conducted by the Asia Foundation point to uneven progress. For example, findings from the Foundation’s 2006 survey indicate that women “remain oppressed and discriminated against in crucial areas like healthcare and education and access to legal justice” despite “significant levels of improvement” and Afghanistan’s commitment to the Millennium Development Goals.

2. LARA Achievements Regarding Gender

MUDA Gender Assessment

At the request of MUDA, the LARA Project Gender Specialist conducted a gender assessment of MUDA. After developing needs assessment questionnaires and analysis of the completed questionnaires and interview responses, LARA provided recommendations for nine MUDA directorates: Gender, Norms and Standards, Program Management Unit (PMU), Construction Affairs, Housing, Informal Settlements, Urban Plan, Urban Development and Human Resources. LARA’s findings of the assessment were:

- A Gender Unit does exist in MUDA.
- The Gender Unit is not involved in decision making, planning, budgeting policy and surveys.
- There is a high need for gender trainings among the employees of MUDA.
- Gender harassment and policies are missing.
- There is a clear lack of women’s presence in managerial posts.

Women’s Land and Inheritance Rights Public Information Awareness Campaign.

In cooperation with Ministry of Women’s Affairs (MOWA), LARA launched a public information awareness campaign on 15th December 2012. The main activities of the campaign were:

- 50 giant billboards across Kabul city to raise awareness
- TV and radio dramas and public announcements for several days on National television and radio.
- A local firm was subcontracted to assess the campaign results and impact.

The campaign embraced the legal rights of women and did not distinguish between rights derived from customary guidelines, as opposed to civil legislation. Studies of the campaign revealed that urban and



Figure 1. Kabul District 13 women discuss plans for a community-driven program for a new school.

rural listeners reacted very differently to the campaign, especially in response to the use of a young woman in media programming.

Additional Support for MAIL/Arazi on Gender Issues:

- LARA has contracted an international short-term technical assistant who will soon conduct a Gender Assessment of MAIL/Arazi.

Community Focus Groups with Women in Target Settlements

A review of the gender related activities was conducted as part of the evaluation of LARA. In particular, the activities reviewed were those done by women to upgrade their community by self-help or help of the LARA Project in Araban and Campoona areas of Jalalabad City, east of Kabul.

Women participating in self-help activities in Araban planted trees and flowers across neighborhoods and in their homes and have cleaned the streets together. Regarding cleanliness of their area, Campoona women hired a person to clean the streets. One woman has been assigned to collect Afs. 10-20 from neighbors to compensate the cleaner.

In the Campoona area, a savings box was established and held by CDC Chairwoman. This system provides loans to community women for emergencies or for starting small businesses. A success story of the system was that a very poor woman with tailoring skills took a loan of Afs.9,000 for one year; she bought six sewing machines and taught neighboring girls to sew for a small fee; she sold the products and repaid her loan in only seven months. She also sewed clothes for poor children for free. They organized their own literacy and tailoring courses for women and continued to teach each other after the end of a UN Habitat training program.



Figure 3. Women of Araban and Campoona drew remarkable pictures of their achievements, dreams and action plans.

3. Findings

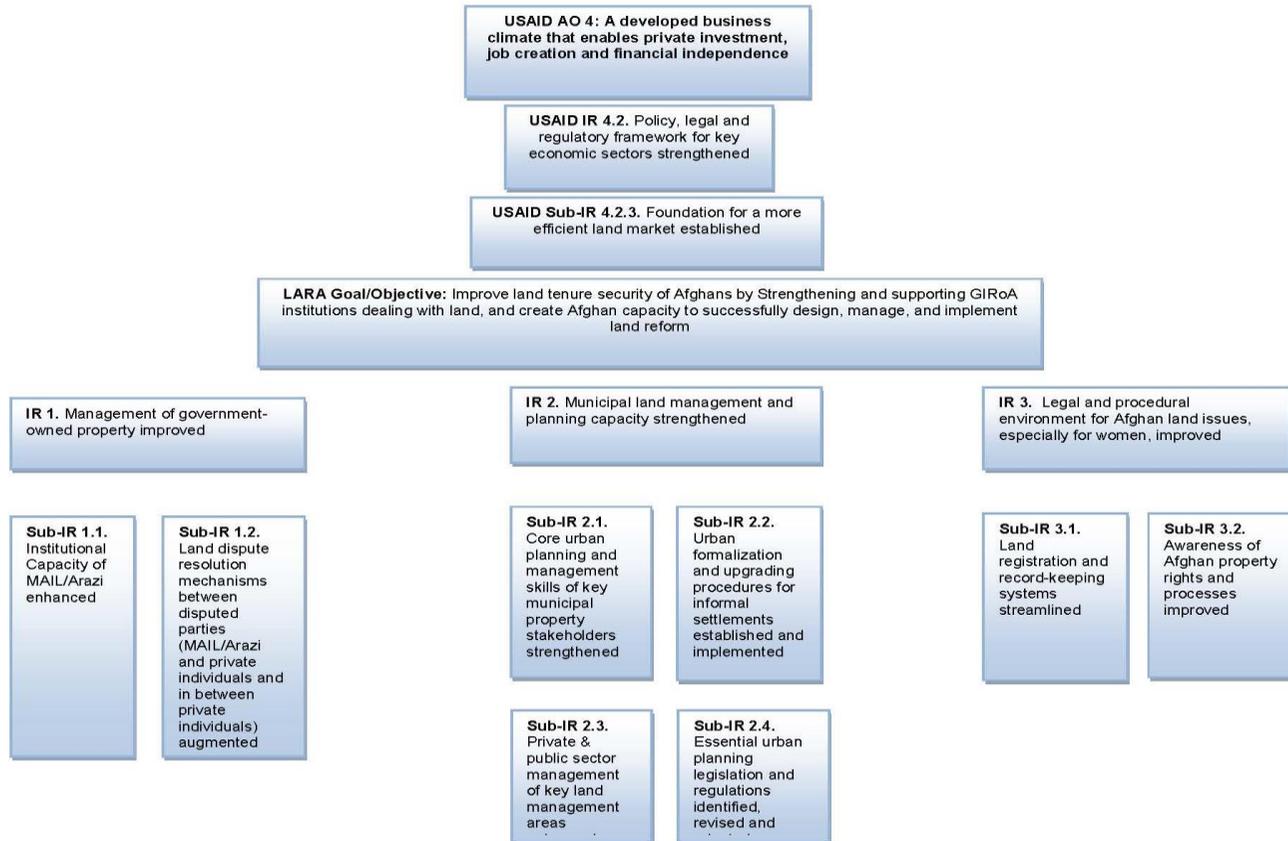
There are no programs explicitly related to women, nor are the programs conducive to women's participation, and there is a desperate need of policies and action regarding women's inheritance of land and land titling. Overall, the feeling was that LARA has been too slow in showing any results on upgrading for them; in fact, LARA has not yet done much both in the Araban and Campoona areas. LARA is focusing too narrowly only on upgrading for roads, and there is has been no role for women in such activities though they feel that they could have been of great help.

4. Recommendations: What could be better?

LARA should create full-scale and equal women's participation in community-based decision making that can directly and more actively engage women in grappling with the issues on LARA's agenda regarding women's ownership, women's awareness programs at the grass-root level about land policies, titling and women's rights to inheritance. To ensure the engagement of women, however, requires support for their priority issues of literacy, savings, and income generation necessary for real empowerment – at which point women will be able to achieve their own visions of becoming active supporters for upgrading initiatives now exclusively left to the males of their communities.

LARA CAUSAL MODEL—RESULTS FRAMEWORK

Figure A-1: LARA Causal Model and Contribution to USAID/Afghanistan AO4



ANNEX XII: EVALUATION TEAM CURRICULUM VITAE

Malcolm J. Odell, Jr., MS, Ph.D. **Team Leader**

Dr. Odell has over 25 years' international experience in evaluation and applied research for agriculture, food security, community mobilization, conservation, rural development, land management and land policy. Malcolm brings 19 years residential experience in Asia Africa and the Middle East, frequently in conflict zones. From his work in Africa, Dr. Odell brings a strong background in land tenure-related issues, having worked as Senior Rural Sociologist for the Government of Botswana for 5 years to assess and re-design Botswana's national tribal grazing land policy to better serve the needs and capacities of rural landholders and pastoralists to reduce conflicts between crop production and livestock management. He has extensive experience in team building, capacity development and conflict management having worked in numerous conflict areas including Pakistan, Palestine, Nepal, Sri Lanka and Sierra Leone.

Some of his most recent assignments as Team Leader have include a longitudinal assessment of higher education for agriculture, water and energy for USAID in Pakistan, HICD assessment for agriculture, rule of law and public administration in Kosovo, a legacy study of US/Pakistan partnerships for higher education and development, and resettlement action planning for MCC and Africare in Tanzania.

SELECTED PROFESSIONAL EXPERIENCE

Nov 2011-Jan 2012 **Team Leader, Senior Research Associate, JBS/AGUIRRE International**

- USAID, Pakistan Higher Education Commission; Centers of Excellence assessment for agriculture, energy and water; Chief of Party for 9-person team conducting in-depth study for development of Pak/US collaboration and capacity building for selection and creation of Centers of Excellence among universities in Sindh, Punjab, Khyber Pakhtunkhwa provinces
- Team Leader, HICD assessment for agriculture, rule of law, public administration—10 person team—reviewing options for strengthening of higher education, USAID, Kosovo.

Jun 2010-Sept 2010 **Technical Advisor for Higher Education, Management Systems International (MSI)**

- Team Leader, responsible for researching, writing, presenting a comprehensive assessment for USAID—including participatory workshops and video conferences—assessing the legacy of Pakistan/US engagement in higher education since the 1950s—laying the foundation for the Green Revolution to inform USAID and GoP policy for future planning
- Led and trained a local 4-person team with Pakistan's Higher Education Commission and 23 public-sector universities, Vice Chancellors, and scholars in a joint research process, including data collection, analysis, and drafting of sectoral papers; designed tracking survey for \$45 million program for Internally Displaced Persons

2008-2011 **Technical Advisor for M&E/Resettlement Action Planning, Africare/MCC**

- Team Leader, responsible for project design, staff training, program oversight, quality control, and supervision of monitoring, evaluation and reporting to MCC/Millennium Challenge Account-Tanzania
- Drafted 2 successful proposals for a total of \$5 million; developed work plans, budgets, and staffing program for 25-person Africare/Tanzania team; provided editorial direction and coaching

that contributed to MCC/MCA-T awarding a new sole-source \$3 million contract to Africare for follow-on project

- Drafted Resettlement Action Plans and management information/M&E system for 2,000 km transmission distribution line, and hydropower dam involving survey of over 16,000 affected people in more than 100 communities in seven regions

1998-Present **Monitoring, Evaluation, and Community Development Specialist, Winrock International, PACT International, International Rescue Committee**

- Team Leader, developing and implementing innovative model for participatory planning, monitoring, evaluation and reporting--including innovative use of 'Success Stories,' training-of-trainers, team-building for literacy, micro-finance, value-added agriculture and entrepreneurship programs for USAID and other donors in Nepal, Sierra Leone, Southern Sudan and DR Congo
- Documented results through external evaluations for USAID, others

2000-2005 **Technical Advisor, Monitoring and Evaluation, Participatory Planning, Habitat for Humanity**

- Team Leader in charge of developing a new model for participatory monitoring, evaluation and reporting and trained staff and local affiliates under a USAID-funded program to build organizational capacity and enhance innovation, advocacy, and decentralization
- Developed capacity of staff and affiliates across Asia-Pacific tripled community-based housing production, reduced home cost, increased a) local participation in development of new housing for the poor following Asian Tsunami, b) affiliate self-assessments, c) peace-building in war-time Sri Lanka; program praised by USAID external evaluation

1994-1997 **Project Manager and Senior Community Development Advisor, The Mountain Institute, Nepal**

- Managed conservation and development project promoting eco-tourism, small-scale agriculture/horticulture projects and participatory natural resource management; staff of 100+ worked in 5 remote sites in Himalayan Mountains during early stages of Maoist rebellion
- Responsible for \$5-\$8 million budgets, monitoring, evaluation and reporting to USAID, UNDP, Danish, Dutch donors
- Developed participatory community mobilization approach that helped double local incomes, develop new natural-fiber-based industry for women, small-farmer activities and indigenous wildlife protection programs to end poaching, promote sustainable tourism

1980-1994 **Technical Advisor, M&E, Project Design, Training of Trainers, Synergy International**

- Conducted ~100 international assignments including project development, assessment, MR&E, study tours and conflict-resolution programs in Pakistan, India, Nepal, Bangladesh, Sri Lanka, Palestine, Malawi, Zimbabwe, Egypt, Botswana, Lesotho, Jamaica, England, Canada, Norway. Clients have included USAID, World Bank, FAO, AFDB, SIDA, NORAD, DANIDA, GTZ, Salvation Army, Education Development Center
- Served as Team Leader/Lead Trainer/Manager for 56 projects, including working on environmental conflict resolution initiatives with Merrimac River Watershed Council, Common Ground/Center for Policy Negotiation, Boston, requiring flexibility and broad range of skills

including program and financial/budget management; supervision of local staff, consultants and subcontractors; and effective communication and local language skills

1975-1980 **Senior Rural Sociologist, director, applied rural development research and planning**

- Director of research/planning unit responsible for research for major national land reform program/national tribal grazing land policy focusing on village-oriented social, economic, environmental, agricultural research and food security programs; built local research team of 12; engaged over 20 international scholars in assessment and redesign of national rangeland policy to reverse desertification; designed \$3 million follow-on program for USAID
- Supervised and supported research of more than a dozen MS/PhD students, faculty through institutional partnerships among Univ. of Witwatersrand, Univ. of Cape Town, Univ. of Botswana, Lesotho and Swaziland, Cornell, Boston, Reading, Bergen Universities, **Chr. Mickelsen Institute**, others
- Outcome of research led to major, positive changes in tribal grazing land reform program to benefit small holders in crop and livestock areas across the Kalahari

EDUCATION

Ph.D. Development Sociology, Organizational Behavior, and Planning for Natural Resource and Agricultural Management, Cornell University, Ithaca, NY, 1974

M.S. Cornell University, Ithaca, NY, 1970

B.A. Social Sciences and Architecture, Princeton University, Princeton, NJ, 1962

Certificate in Appreciative Inquiry and Organizational Development, Taos Institute, 1999

Certificate in Education, Agriculture, and RD from the Peace Corps in Kathmandu, Nepal, 1962-1967

Certificate in Human Development, Challenge, Survival, Outward Bound, Marble, Colorado, 1962

SELECTED PUBLICATIONS

Letters from the Rainbow Planet: Appreciative Planning and Action in Sierra Leone, AI Practitioner, Volume 13 Number 3 ISBN 978-1-907549-06-9; August 2011: 57-64

The Makalu Model: Forerunner of the Appreciative Planning and Action (APA) Model, AI Practitioner, Volume 13 Number 3 ISBN 978-1-907549-06-9; August 2011: 53-56

The Untold Story of a Pakistan-U.S. Legacy of Higher Education for Development—1947-2010, Management Systems International/Higher Education Commission-Pakistan/USAID, Islamabad, Sept. 2010

Lessons Learned from Reviews of Higher Education Partnerships in South Asia, (for USAID/EGAT) with Jane Gore, PhD; Higher Education for Development/ACE, Washington, DC, August 2009

Higher Education Partnerships in Sub-Saharan Africa: An Impact Assessment of 12 Higher Education Partnerships, (for USAID/EGAT) with Jane Gore, PhD; Higher Education for Development/ACE, Washington, DC, December 2009

Evidence of Impact of Higher Education Partnerships in Southeast Asia, (for USAID/EGAT) with Jane Gore, PhD; Higher Education for Development/ACE, Washington, DC, February 2009

Training of Trainers for Community Mobilization and Development, manual/handbook, Winrock International, September 2009

“The Power of a Positive Lens in Peace Building and Development,” with Bernard Mohr, Case Western Reserve University, *Designing Information and Organizations with a Positive Lens, Advances in Appreciative Inquiry*, JAI/Elsevier, Oxford, UK, 2008

Letters from the Rainbow Planet: How Stories, Song, Dance and ‘Do it Now!’ Change the World” A User’s Guide to Appreciative Planning and Action (Based on IRC ToT); forthcoming

WORTH: Road to Wealth -- Women in Business Program, Pact WORTH women’s empowerment program, co-author, editor, creative designer; innovative savings-led village banking and micro enterprise manual/handbook, with Marcia Odell, Jeffery Ashe, and Mukul Acharya, Pact, Inc., November 2003

“Beyond the Box -- An Innovative Habitat for Humanity Paradigm for Participatory Planning, Monitoring and Evaluation; Measuring and Increasing Program Impacts with Appreciative Inquiry,” Habitat for Humanity, January 2002

“Participatory Planning Monitoring & Evaluation: A collection of Tools, Materials, Reports; ‘Measuring Transformation through Houses’ Project, Habitat for Humanity, January 2002

“Affiliate Participatory Evaluation: Team Handbook”—Revised draft, with Andy & Sharon Fitton, Habitat for Humanity, March 2002

“From Inquiry to Impact: Adding an Appreciative Dimension to Participatory Planning, Monitoring and Evaluation,” Habitat for Humanity, International Affiliate Update, March/April 2001

"Issues in Participatory Development: From 'Participatory Rural Appraisal' to 'Appreciative Planning and Action,' A Personal Journey of Discovery from Peace Corps to Women's Empowerment," Paper delivered at Participatory Development Forum, Ottawa, Canada, August 1999, revised for workshop presentation at Habitat for Humanity Asia Pacific Leadership Conference, August 2000

"Toward a New Paradigm for Social and Economic Change: The Evolution of Pact's 'Women's Empowerment Program,'" with Keshab Thapaliya, David Walker, Marcia Odell, July 1999

“Appreciative Planning and Action: Experience from the Field,” in Sue Annis Hammond and Cathy Royal, *Lessons from the Field: Applying Appreciative Inquiry*, Plano, TX: Practical Press/Thin Book Publishing Co., 1998

"From Protest to Partnership: A Review of Community Participation Activities in Support of Hydropower Development," with Rajendra Thanju and Prandav Acharya, Kali Gandaki Environmental Management Unit, UDNP South Asia Poverty Alleviation Program, and Impregilo, SpA, Kathmandu, Nepal, August 1998

"Environmental Management and Monitoring Reports, Kali Gandaki "A" Hydroelectric Project, 30 September, 31 December 1997, 31 March, 30 June 1998

"The Challenge of Global Conservation: Protected Area Management, Ecotourism, and Local People, in *Sustainability in Mountain Tourism*, Innsbruck-Vienna, Austria: Studienverlag, and New Delhi, India: Book Faith India, 1998

"Tea House Trekking: The Evolution of a Grass-Roots Tourism Institution in Nepal," with Wendy Lama in *Sustainability in Mountain Tourism*, Innsbruck-Vienna, Austria: Studienverlag, and New Delhi, India: Book Faith India, 1998

- "Makalu Barun: The First Four Years and The Next Generation, A Review of Phase I with Lessons for Phase II," The Mountain Institute, Kathmandu, Nepal: July 1997
- "Appreciative Planning and Action: Experience from the Field in Evolving a New Strategy for Empowering Communities," The Mountain Institute, Kathmandu, Nepal: July 1997
- "Participation, Empowerment, and Agriculture Extension: Lessons from World Bank Task Managers and Division Chiefs," draft report to World Bank, AGRTN, ENVDR, Washington, DC: January 1994
- "Education and Training for Building a Future," Evaluation of USAID/AMIDEAST Human Resource Development Programs in the West Bank and Gaza, Jerusalem: Management Systems International, February 1990
- Getting to Reality in Environmental Decision Making*, with Thomas Scott, Cheryl Avery, Boston: Center for Policy Negotiation, 1989
- "Alternative Dispute Resolution Techniques for NJ Gvt.," (\$50,000 funded, implemented project proposal); Boston, MA: Ctr. for Policy Negotiation, 1989
- "Dealing Effectively with Opposition," *Industry Magazine*, Associated Industries of Massachusetts, June, 1988
- "Water, Agriculture, and Citizen Participation in California's Central Valley," Amesbury, Mass.: Synergy International, June 1985
- Decentralization Management from a Comparative Perspective*, Training manual and workshop for Development Specialists and Senior Managers, Washington, DC: Graduate School USDA, with Paul Eberts, December 1984
- Rural Sociology Report Series*: over 20 published research reports on Botswana's Tribal Grazing Land Policy, crop-livestock conflict management, land reform for smallholders for crops and livestock management, fencing policy, water point management, World Bank and SIDA program assessments, village impact studies; Ministry of Agriculture, Gvt. of Botswana, 1975-1980

J. David Stanfield, Ph.D.
Technical Consultant

Dr. J. David Stanfield has over 35 years' experience in teaching, international development research, international development consultancies and projects concerning land tenure and land administration issues. Dr. Stanfield has carried out numerous consultancies for the Inter-American Development Bank (IADB), the World Bank, USAID, Swedish International Development Agency and the U.S. Carter Center. He has worked as a Land Tenure Specialist in Latin America, the Middle East and North Africa, CIS countries and countries of Eastern Europe. He was Director of the USAID/UW Land Market Development Cooperative Agreement for the establishment and development of land market related institutions in Albania, Director of an IDB funded project on land use planning and administration in Trinidad and Tobago, Coordinator of a Workshop on land issues in the Caribbean resulting in a published proceedings, Director of a land policy analysis project in Albania with World Bank Funding, Director of a land market program and policy development project in Georgia, Co-Director for the Immovable Property Registration System Program (design and testing) in Kyrgyzstan (funded by USAID), Director for the Land Titling and Registration Component of the Land Titling and Economic Restructuring Project in Afghanistan (LTERA). In 2004 Dr. Stanfield received a Senior Scientist Emeritus appointment from the University of Wisconsin – Madison. Since 2004, Dr. Stanfield has worked on land tenure issues with a community focus through Terra Institute, including an assessment of the effects of Hurricane Katrina on land administration in New Orleans, directing a community based effort to identify the legitimate users of pasture land in northern Afghanistan (funded by the Asian Development Bank), co-directing a project featuring community based journalism for improving land tenure in rural Mozambique, and directing a project on improving communication among communities in conflict over land in the Menominee Reservation in northern Wisconsin, Director of the Rural Land Administration Project in Afghanistan funded by the Asian Development Bank, and as a consultant for the Municipality of Kabul on upgrading of informal settlements in Kabul.

SELECTED PROFESSIONAL EXPERIENCE

2007-2008 **Project Director, Rural Land Administration and Policy Project, Afghanistan**

- Funded by ADB and DfID through Terra Institute and Scanagri. Designed and tested community-based strategy for consolidating community-state relations around the administration of property records.

2007-2008 **Consultant, Land Use Policy and Administration Project, Bahamas**

- Completed study of generation and commonage lands, with IADB funding through Terra Institute and ILS. Proposals for the securing of customary rights to land through adaption of laws and policies and through the more effective use of community knowledge of rights to land for protecting customary rights and facilitating their transfers.

2008 **Consultant, UN-Habitat, New Orleans, Louisiana, USA**

- Case study on the impacts of the Hurricanes Katrina/Rita on land issues in New Orleans, Louisiana, USA. Development of a community based program for mobilizing and guiding the use of resources in preparation for serious hurricanes and rebuilding after they occur, plus options for the upgrading of land administration agencies of the City of New Orleans.

October 2008 **Visiting Professor, International Islamic University, Kuala Lumpur, Malaysia**

- Policy and programmatic options for reducing the risks of land fraud, and establishing a long term policy oriented research program in support of the training of law students in customary and formal property law.

2009-2010 **Co-director, Building Bridges Program, Terra Institute**

- With Brue Moore, worked to connect communities and stakeholder organizations so as to improve community development programs (piloted in Mozambique).

2009 **Coordinator, Terra Institute**

- Coordinator of study of institutional capacities for the acquisition of rights to land for constructing a pipeline in southern Albania, 2009.

2009-2010 **Coordinator, Terra Institute**

- Coordinator of a program for identifying the potential development rights for approximately 400 properties in the Town of Vermont, Dane County, Wisconsin.

2009 **Consultant, Shelter for Life, International OFDA**

- Consultant for a project preparing a plan for informal settlement upgrading in conditions of unstable and high slope land in and around Kabul.

Jan-Feb 2011 **Consultant, Land Registration and Land Tenure Security in Sri Lanka, FAO**

- Consultant on Land Registration and Land Tenure Security in Sri Lanka including suggestions for pilot projects to deal with problems of weak State land administration capabilities, fragmentation of land through inheritances, informal dealings in land, encroachments onto State forest reserve land.

Summer 2011 **Team Member, Center for International Forestry Research (CIFOR)**

- Member of a Terra team for review of literature concerning forest land grabbing and preparation of a practical framework for guiding CIFOR projects.

2009-2012 **Director, Conflict Resolution Initiative, Terra Institute**

- Director of a project aiming to improve respectful dialogue among communities in conflict over land through high school focused video-based curriculum and community meetings (piloted in Menominee Tribal Reservation in northern Wisconsin), funded by Terra Institute, Wisconsin Humanities Council, and the Indian Land Tenure Foundation.
- Executive Producer of 34 minute video documentary, “Legend Lake: A Talking Circle” for use in high school Social Studies courses and in community meetings, http://www.terrainstitute.org/legend_lake.html.

EMPLOYMENT HISTORY

1979-2004	Senior Scientist, Land Tenure Center, University of Wisconsin
2004-2007	Project Director, Terra Institute; Emeritus at University of Wisconsin
2007-present	President, Terra Institute

Recent Publications and Papers (2007-12)

“Administration of Immovable Property Records in New Orleans”, Terra Institute, December, 2007. (Editor) with Kali Akuno, Richard Campanella, Annie Clark, Dominique Duval-Diop, Davida Finger, Monique Hardin, Amy Koritz, John Lovett, David Marcello, Bill Quigley, Kalima Rose, Ommeed Sathe, Keith Twitchell, and Nathalie Walker, “The Challenges of Sudden Natural Disasters for Land Administration and Management: The Case of the Hurricane Katrina in New Orleans”, 11 April, 2008, prepared for UN-Habitat, Nairobi, Kenya.

With Jeff Underwood, Kirthimala Gunaskera and Carl Ernst, “Land Registration and Land Fraud in the United States”, paper presented at the Seminar on the Risk Reduction in Land Fraud, held on 22-23 October, 2008, in Grand Blue Wave Hotel, Shah Alam, Selangor Darul Ehsan, Malaysia

“A Strategy for Addressing Property Rights Issues”, presented to Seminar on Policy Research at the International Islamic University, Malaysia, October, 2008.

With M.Y. Safar, Jennifer Brick and Akram Salam, “Rebuilding the Afghan State: Community-State Cooperation for Documenting Land Tenures”, Book Chapter in Environmental Law Institute, Strengthening Post-Conflict Peace Building through Natural Resource Management, Taylor and Francis, forthcoming, 2011

With M.Y. Safar, Akram Salam and Jennifer Brick, “Land Administration in (Post) Conflict Conditions: The Case of Afghanistan”, chapter in Klaus Deininger, Clarissa Augustinus, Stig Enemark and Paul Munro-Faure (eds), Innovations in Land Rights Recognition, Administration and Governance, Proceedings from the Annual Conference on Land Policy and Administration, Joint Organization Discussion Paper—Issue 2, World Bank, Washington D.C., 2010.

With Bruce Moore and Mark Anthony Rolo, “Building Bridges—Linking Communities and Key Stakeholders”, Terra Institute, Oct. 2010.

“Notes on the History of Menominee Land Tenure and Management”, Terra Institute, May, 2010.

Executive Producer of the video documentary, “Legend Lake: A Talking Circle”, November, 2010. Available through Terra Institute: http://www.terrainstitute.org/building_bridges.html.

“Land Tenure and Wellness of Native Americans”, paper for Avar Consulting and the Native American Center of Excellence, September, 2011

“Report on Mission to Sri Lanka: Land Registration and Land Tenure Security, FAO, February, 2011.

With Jon Unruh, Ingrid Nelson, Matthew Pritchard, Alexandre Corriveau-Bourque, and Elan Spitzberg, “Analytical Framework for the Analysis of Impacts of Large Scale Land Acquisitions in Forestry Settings”, for Center for International Forestry Research (CIFOR), October, 2011.

With Jon Unruh, Ingrid Nelson, Matthew Pritchard, Alexandre Corriveau-Bourque, and Elan Spitzberg, “Literature Review for the Analysis of Large Scale Land Acquisitions in Forestry Settings”, for CIFOR, October, 2011.

With Arnold Chevalier and Lynn Burns, “Building Bridges for Respectful Dialogue”, report on Legend Lake based video and curriculum development about Native American/Non-Native land relations, Dec, 2012.

EDUCATION

Ph.D. Communication, Michigan State University, East Lansing, Michigan, 1966

M.A. International Relations and Organization, American University, Washington, DC, 1963

B.S. Mathematics, The Ohio State University, Columbus, Ohio, 1961

LANGUAGE

	Speaking	Reading	Writing
English	Native	Native	Native
Spanish	Excellent	Excellent	Good
French	Poor	Good	Poor
Portuguese	Poor	Good	Poor
Albanian	Fair	Fair	Poor

ALLEN DECKER
Technical Consultant

Dr. Decker is an experienced team leader with nearly 20 years' experience managing land administration, land reform, and property rights in South and Central Asia. He has extensive experience advising capacity building initiatives, establishing private-public sector partnerships, designing and implementing innovative programs, and conducting trainings. He has worked for both public and private organizations such as IREX, USAID, Chemonics, the CDC, and the Urban Institute of Moscow. Dr. Decker's experience as a Team Leader on multiple other projects for USAID makes him an excellent candidate for this evaluation. Not only does he have the evaluation experience to conduct a strong mid-term performance evaluation, but he also has the professional background in land reform and land administration to make this a successful evaluation. Dr. Decker's previous work in land reform includes work in Ukraine with Chemonics specifically working in land sales and administration, team leader for the Urban Institute's work in Moscow working on trainings for land and real estate taxation, and his work as Chief of Party for the Kyrgyzstan Land Reform Project. Dr. Decker has worked in Afghanistan, Egypt, Kazakhstan, Kyrgyzstan, Mexico, Puerto Rico, Russia, South Africa, and Ukraine.

SELECTED PROFESSIONAL EXPERIENCE

05/2007– 01/2009 **Team Leader, Civil Service Institute, USAID Afghanistan Capacity Development Program. USAID/BearingPoint, Inc., Kabul, Islamic Republic of Afghanistan**

- Team Leader and Lead Advisor to the Afghan Civil Service Training Institute to build the capacity of the national and provincial governments to deliver viable service to Afghan citizens and, thereby, make credible and stabilize all levels of government. The work involved institution building, curriculum development and training of a national cadre of public sector trainers. Work with DFID in Helmand province.

12/1999 – 08/2004 **Chief of Party, Kyrgyzstan Land Reform Project, Chemonics International, Bishkek, Kyrgyz Republic**

- Director of a USAID program with components in rural land law implementation, mortgage underwriting training, establishment of an urban land market, water use and law reform, and agricultural post-privatization. Creation and conduct of Land Rights and Banking workshops, publication of land rights and water law bulletins and website (in Russian, Kyrgyz, and Uzbek), consensus building and research for writing water law and regulations, appraisal standards and training, market-driven land use planning (zoning), enterprise land sales, field research on various aspects relating to the implementation of land reform, design and implementation of mass media campaigns, and small grants design and management. Special emphasis on women's access to the land.

08/1999 – 11/1999 **Consultant, Ukrainian Real Estate and Land Sales (UKRELS) Project. TRG/Chemonics International, Kyiv, Ukraine**

- Advisor to the Land Reform Committee of the *High Rada*; appraisal training in land sales, seminars on establishing independent, indigenous consultancies in the private sector.

05/1996 – 05/1999 **Project Team Leader, “Deepening Urban Real Estate Reform (DURER) Project, Urban Institute, Moscow**

- Team leader for a USAID program in the real property sector. Directed work with 13 Russian private sector associations to joint venture professional seminars in real estate/land taxation, land use, and commercial mortgages; directed Russian-language publications and speakers bureau programs; conducted seminars for development of training programs and training of trainers. Additional responsibilities included proposal writing, as well as special project work concerning proposed university partnership programs for USAID.
- Work setting up the real estate sector programs for the Partnership for Freedom program in Novgorod (August, 1997) and the Regional Investment Initiatives in Samara and the Russian Far East (August-September, 1998)

OTHER PROFESSIONAL EXPERIENCE

12/2004 – 08/2006 **Chief of Party, Egypt Financial Services (EFS) Project. Chemonics International, Cairo, Arab Republic of Egypt**

- Director of an USAID program to establish mortgage finance, registration of real property rights, establishment of a private sector credit bureaus and creation of various commercial instruments to broaden access and lower the cost of capital to households and businesses. The project involved professional training programs and association development for real estate loan underwriters, appraisers and property brokers, as well as design and implementation of extensive public awareness campaigns.

2/2009-2/2011 **Director of Communications and Development, BOTA Foundation. IREX Inc, Republic of Kazakhstan**

- Director of Communications for a Kazakh foundation with the mission of helping very poor children and youth through university scholarships, conditional cash transfers for pregnant women and nursing mothers, pre-school education, home-based care for invalid children and livelihood development for youth at risk. Implementation of such programs was through partner community-based organizations and NGOs, supported by the Foundation’s Social Services Transfer component to encourage best practice models to raise the quality of, and build a sustainable infrastructure for, health and social welfare programs.

1994 – 1996 **Vice President, Eastern European Real Property Foundation (EERPF)**

- Directed Foundation sponsored programs in Russia, Ukraine, and Bulgaria. Director of Training for Eastern Europe and the former Soviet Union. Wrote and conducted workshops for business planning and development of training programs for 28 private sector associations. Hands-on administration of small grants assistance programs supported by USAID. Organized workshops in the US and Eastern Europe to develop association leaders and executive officers, to establish international linkages among the partner associations and build “twinning” relationships with U.S. private sector associations.

1992 – 1994 **Chairman of Faculty, International Operations Section, National Association of Realtors**

- Developed curriculum and cadre for training courses in international real estate for the National Association of Realtors. Various committee chairmanships relating to training, publications, and negotiation of protocols of cooperation with 23 national real estate associations in Europe, Latin America, and Asia.

1987 – 1995 **Senior Instructor; Chairman of the International Education Committee, Commercial Investment Real Estate Institute (CIRES), Chicago, Illinois**

- Directed the international programs of the commercial real estate brokerage association. Conducted brokerage seminars in Russia, South Africa, Puerto Rico, and Mexico.

EDUCATION

Ph.D. — Russian and Eastern European Institute, Indiana University, Bloomington, Indiana

Master of Arts — Russian and Eastern European Institute, Bloomington, Indiana

Bachelor of Arts — Political Science and International Relationships, Columbia, Missouri

LANGUAGES

ENGLISH – Native

RUSSIAN – Fluent

SPANISH – Fluent

KYRGYZ – Elementary

ARABIC – Elementary

FRENCH – Elementary (Reading only)

ADDITIONAL TRAINING

5/1984 **Certified Commercial Investment Member (CCIM), Commercial Investment Real Estate Institute (CIRES), Chicago Illinois**

- Service on Steering, Faculty, Long range Planning, and International Education Committees
- Senior Instructor in the CCIM program, 1989-1996
- Chairman, International Affairs Committee

5/1992 **Certified International Property Specialist (CIPS), International Operations Section, National Association of Realtors, Washington, DC**

- Service on curriculum design and writing committees; faculty and program development
- Chairman, International Operations Committee

COUNTRY WORK

Russia, Ukraine, Central and South Asia (Kyrgyzstan, Kazakhstan and Afghanistan), Central and Southeastern Europe, the Middle East (Egypt), South Africa and Latin America (Mexico, Puerto Rico)

DoB: 5th Sep, 1977, Kabul
Male/Married
Afghan National
taher.nooran@asi.org.af
taherhaqiqatju@hotmail.com
Tel: +93772279317, +93707174024

1. Profile

A highly motivated individual with extensive experience with various international organizations (UNAMA, Adam Smith International, DSCRW (World Bank Project/NSP) Government Agencies (e.g. Office of Administrative Affairs OAA, Ministry of Finance/ Budget Department, MRRD/NSP, Ministry of Information & Culture MoIC), Private Sector BK BMC and a consulting company in Kabul Afghanistan; including working closely on **administrative, public financial management and governance reform**. Extensive experience in the **reform of Government** agencies and **capacity building**. Fluent in **English, Dari and Pashto** languages. Strong interest in public policy and administrative reform.

2. Education

- 1996** Graduated from **Ibn-Sina High School, (High School Diploma)** Kabul, Afghanistan
- 2004 – 05** Completed DBA at **Kardan Institute of Higher Education, Diploma of Business Administration,** Kabul, Afghanistan
- 2008 – 2011** Graduated from Kateb **Institute of Higher Education, Faculty of Law & Political Sciences – Bachelor of International Relations (BIR), House of the Nation (Shora Street), Karte-sae,** Kabul, Afghanistan

3. Work Experience

27th Jan 2013 – 23rd Feb, 2013 Legal Adviser (Sort-term)

Afghanistan Support II Project – Checchi & Company Consulting Inc. LARA Mid-Term Evaluation

Working with Evaluation Team through the Checchi & Company Consulting Inc. improved my skills on M&E knowledge and I was closely working with International Evaluators in terms of preparing the results report. **As part of the Evaluation Team my responsibilities are as follows:**

- Meeting with stakeholders and beneficiaries of LARA Project
- Preparing the annexes for the report
- Contact stakeholders and relevant agencies to collect DATA
- Attending meetings and add notes for meeting notes
- Travel with TEAM to Jalalabad to collect DATA and monitor LARA Project performance
- Helping Team Leader and following directions to analyze DATA
- Any other tasks as directed by TEAM Leader

1st May 2011 – 15th Nov, 2012 Legal and Budget Adviser (O&M)

Strengthening Afghanistan's Budget Project, Adam Smith International ASI (SAB Project/UK DFID)

Working in the Operation and Maintenance Taskforce within the Budget Directorate General (BDG) in the Ministry of Finance (MoF). The Taskforce is based within the Fiscal Policy Unit and focused on developing norm-based costing for operating and maintenance costs. **As part of the O&M Team my responsibilities are as follows:**

- Work with MOF/Properties and Land Management Directorate to identify LMs assets and their assets magnitude
- To liaise with Government senior officials to facilitate land management and titling process and secure land rights and resolve land disputes between the Government and people
- Go through Land Management Law to resolve the disputes accordingly
- Develop templates for land Registration and distribution approaches

- Collect relevant data on land rights and Land Management Law from relevant Line-Ministries and Public Agencies
- Prepare Reports and correspondences for the project and Government Officials on relative Land Reforms
- Support the International Adviser during meetings with Government Senior Level Officials
- Facilitate Translation for the Team in terms of proof reading technical documents translation
- Help on preparing an O&M costing based on the number of factors identified for each ministry (e.g. MOE by number of students)
- Any other tasks as assigned by the Team Leader and Project Manager

1st Nov 09 – 31st Mar, 2011 Legal Translation Team Manager/ Admin-Coordinator

Strengthening Afghanistan's Budget Project, Adam Smith International ASI (SAB Project/UK DFID)

Worked as the manager for the Technical Translation Team in the BGD, managing a daily pipeline of technical translation work for the Minister, Deputy Minister and Director General as well as the technical units of the BGD. **As part of the SAB Project my responsibilities as translation Team Manager included:**

- Ensuring and providing technical translation services to the Project in **Public Financial Management** related Documents
- Supervising and managing the official translation of Budget Circulars, Memos, Guidelines, Instruction Guides, Costing instructions, AFMIS Guide, Preparation of Midterm and Annual quarterly reports of national budget,
- Technical oversight of the translators
- Ensuring accurate communication of KEY Public Financial Management information, so that Ministry of Finance could communicate to its English, Dari and Pashto speaker stakeholders
- Managing the training sessions, workshops, seminars, conferences and other relevant session through providing interpretation services to the team of national and international experts
- Helping project's international consultants and experts in official meetings with high-ranked officials on technical and project related issues,
- Supervising and ensuring tight budget calendar deadlines are met and ensuring the quality and spirit of translation documents are retained
- Performing quality control of all translated documents (**Proof Reading**)
- Keeping staff attendance track and provide report to the main office for pay-roll (manage leaves)
- Maintaining correspondence with relevant departments on deadlines, priorities and our service delivery commitments

1st Apr 08 – 30th Oct, 09 Senior Translator/ Admin-Coordinator

Strengthening Afghanistan's Budget Project, Adam Smith International ASI (SAB Project)

Worked as a translator and administration coordinator at the BGD. The project was focused on supporting the development of budget documentation.

As a translator in SAB project, my responsibilities included:

- Providing technical translation services to the Project in **Public Financial Management** related Documents
- Providing full translation and support services to a team of international consultants
- Providing Official translation of Budget Circulars, Memos, Guidelines, Instruction Guide, Costing instructions, AFMIS Guide, Preparation of Midterm and Annual Reports of Budget & any other documents as required.
- Attending Training sessions, workshops, seminars, conferences and any other relevant session to provide interpretation services to the Project.
- Providing interpretation support to the Project's International Consultants in official meetings
- Translating English>Dari & Dari> English (Memos, reports, letters, forms, policies, Budget procedures, Budget guidelines)

1st Oct 06 – 31st Mar 08 Legal Advisor

British Geological Survey (DFID Project)

Worked as PEA on this project to support capacity building of the Afghanistan Geological Survey. **As Project Executive Assistant to BGS my responsibilities included:**

- Supporting National consultants on drafting the letters, memos and other official issues related to the project.
- Help AGS GD to resolve land disputes to prepare the land for mines extraction mining activities
- Support the international adviser on providing training materials
- Making official appointments with National Departments (Government Agencies) working on PRR

- Providing full translation and support services to a team of international consultants including on Public Admin Reform activities including developing the PRR.
- Providing TECHNICAL-Translation services to the British Geological Survey BGS in translating complicated technical documents related to the geological terms
- Providing interpretation support to the BGS International Consultants in Training Sessions and official meetings
- Translate English>Dari & Dari> English (Memos, reports, letters, forms, policies, PRR procedures, PRR guidelines & etc.)

1 Apr 06 – 30 Sep 2006

Administrative Officer

District School Construction and Rehabilitation Window (DSCRW)- (WB Project)

National Solidarity Program (NSP)- MRRD

Kabul, Afghanistan

Worked as **administrative officer on this project to build and rehabilitate schools in districts across the country. My responsibilities were as follows:**

- Evaluating staff training needs to consider a logic plan to accelerate the project activities
- Providing administrative training to the staff newly appointed staff and ongoing trainings to all staff on particular issues
- Coordinating with the Planning and Survey Coordinators to facilitate the school Identification and work or surveyors and technical engineer in 34 provinces and 99 districts of Afghanistan
- Manage International and National Travels (such as booking flights and manage flight schedules)
- Preparing requisition form for purchase of goods & services, expenditure, mission form, etc and appoint purchasing panel/MONTH
- Maintenance checks and control all office supplies, equipments, office assets and computers etc; and update inventory, also report on DAMAGED equipments
- Reporting monthly activities performed to the Chief Coordinator International or National
- Managing and supervising transport affairs (including staff transportation (pick & drop), fleet-management plan, Journey log-books, Vehicles entry cards to the Government Agencies and others)
- Following up fleet-management plan for vehicles and insure on the performance

1 Jan 05 – 30th Mar 2006

Translator/Budgeting Advisor Assistant

Adam Smith International, Centre of Government Reform Project

Office of Administrative Affairs & Council of Ministers Secretariat, Kabul, Afghanistan

As translator and Budget Adviser Assistant my responsibilities are as follows:

- Provided full translation services to the team of international consultants on Public Administrative Reform
- Help in implementation of a wide ranging of internal budget planning exercise resulting to a detailed and consultative budget being prepared which was highly commended by the Ministry of Finance.
- In coordination with international Finance Adviser, Support the Finance Department on preparing a REALISTIC National Budget Submission for OAA & CM Sec & State Ministry in Parliamentary Affairs
- Help the OAA in filling the New National Budget Forms and attend the Annual Budget Hearing Committee Meeting
- Help on preparing an internal budget needs assessment and draft the Budget submission for OAA

14 Mar – 30 Dec 2004

Project Manager

Bahare Kabul Building Materials & Construction Co.PVT. Ltd. (BKBMCo)

Kabul, Afghanistan

As project manager my responsibilities are:

- Maintain financial files for all accounting records, Vouchers, disbursements, payments and other supporting documents.
- Calculate and prepare payroles, allowances, travel expenses of staff
- Keep regular bank-statement records and report immediately on budget-status.
- Plan and organize the procurement of materials, toolkits, equipment, stationery and furniture required for the project.

- Manage the transportation issues for staff.
- Manage vehicle journey log-books and follow up fleet management
- Keep and update the inventory of all equipment, furniture, properties
- Provide Cell-phones and Top-up cards to the staff

10 Dec 02 -1 Mar 2004

Media Assistant/Acting Secretary to the Minister of MoIC

Media, Culture & Sport Consultation Group UNESCO Office

Ministry of Information and Culture, Kabul, Afghanistan

- Provide support to the Ministry of Information & Culture on Media related issues
- Review daily newspapers and magazines and translate the articles related to the project activities, and other donor activities specially helping on Media Rehabilitation & Development
- Help the planning dept of the Ministry regarding the policy issues in Media and other issues
- Work voluntary as Minister's Secretariat while his official Secretary was on an official trip to overseas.
- Provide secretarial activities to the Minister
- Help in making appointments to the minister and managing minister's diary
- Perform other duties as assigned by the UNESCO International Consultants, Minister and other high ranked Ministry Officials

4. Voluntary Work

1 July –30 Sep 2004

Data Entry Operator – Part time

Joint Election Management Body (JEMB)

United Nations Assistance Mission in Afghanistan (UNAMA) Kabul, Afghanistan

- Entering data related to the Elections
- Help database officer over counting entries and other technical stuff
- Support Data-entry reviewers on checking the entries done twice
- Keep database up-to-date of UN election centre
- Support database officers in collecting and distributing data between Database Entry Operators Team's

5. Languages

6. Vocational Courses & Training

- 3 Months Human Resource (HR) On the Job Training (OJT) UNICEF Organization Peshawar, Pakistan
- 6 Months Management Training Program, Implemented by Afghan NGOs' Coordination Bureau (ANCB) Funded by Canada Fund Organization, Peshawar, Pakistan
- Completed IRC Advanced levels of English Language at Afghan Voice English and Computer Services Institute (AVECI) Peshawar, Pakistan
- Completed (MS Office & IT) Automations and Packages at ELP's Computer Center, Peshawar, Pakistan
- Completed Spoken Program of English at Afghan English Language Centre (AELC) Kabul, Afghanistan
- 2 Months Teacher Training Program (TTP) at United Nations Educational, Scientific and Cultural Organization (UNESCO) Kabul, Afghanistan
- 2 Months Human Rights Special Course at Fredrich Nauman Stiftung (FNS), Training on Liberties & Freedom Kabul, Afghanistan
- Completed a course of English Language at Ministry of Information and Culture MoIC, conducted by Indian Training Team for Afghanistan from Indian Embassy, Kabul, Afghanistan

7. IT Skills

Hardware:

- Initial installation of computer devices (including installation of windows and computer drivers)
- Printer, Scanner, digital Camera and Projector connection settings

Software:

- Updating Windows and MS Office Components
- Installation and repairing Windows, MS Office and other related software

- Ability of using MS Office Packages such as (**MS Office Word, Excel, Out-look, Project, Publisher, PowerPoint and others as required**)

8. *References*

- **Zane Kanderian**, Project Director, Strengthening Afghanistan Budget Project (SAB) Adam Smith International (ASI), Directorate General Budget, Ministry of Finance, Kabul, Afghanistan
Cell London: + 44 7887 442 593
Mobile: +93 (0) 796 580 426
Email: zane.kanderian@adamsmithinternational.com
- **Masood Ferhamand**, Senior Adviser for Zonal Reform, TAP Project, Afghanistan Revenue Department, Ministry of Finance, Kabul, Afghanistan
Cell: 0700254820
Email: masood.ferhamamand@undp.org
Ferhamand1234@yahoo.com
- **Del Singh**, International Senior Consultant (Budgeting & Finance), Adam Smith International (ASI), Centre of Government Reform Project, Office of Administrative Affairs, next to Presidential Palace, Kabul, Afghanistan
Cell London: + 44 7810 330460
Email: Del.singh@gmail.com

Neelab Sai Sarwary

MBA plus more than 9 years experience in program & project management and capacity development

Address:

4th Macrorayon, Kabul, Afghanistan

neelabsarwary@yahoo.com

nee_sai@hotmail.com

0799-320942

My Objective:

The only objective I have is to serve and learn. As a committed body to myself, my family, my society and finally to humanity, I strongly believe in five qualities essential for everyone who wants to attain his/ her objective. They are **honesty, hard work, confidence, creativity and trust.**

Bio Data:

Name:	Neelab Sai Sarwary
F/Name:	Mohammad Ibrahim Sai
Place of Birth:	Kabul
Date of Birth:	1982
Sex:	Female
Marital Status:	Married
Nationality:	Afghan
Native Language:	Dari

Personal Qualities:

- Professional and ethical both personally and in my work life
- Excellent communication skills
- Flexible and reliable
- Self motivated and resourceful
- Punctual and dedicated
- Can work to dead lines
- Can turn obstacles in to opportunities

Skills:

- Program and Project Development
- Program and Project Management
- HRM particularly capacity development
- Work Plan Development
- Budget Development
- Proposal Writing
- Report Writing
- Good analytical skills

Other Skills:

- Exemplary English Language skills both written and oral
- Ability to prioritize and sequence a variety of complex tasks
- Good level communication and organizational skills
- High level translational skills both Dari to English and English to Dari
- Desk Top Publishing skills (Word, Excel , Power Point , In page)
- Internet research skills (Explorer, Browser, Microsoft Outlook Express, Lotus Notes)

Education:

- **Executive Master of Business Administration Degree /Human Resources Management ,** Preston University, Islamabad/Peshawar, Pakistan , 2004-2005
 - Principles of Management
 - Business Communications
 - Human Resources Management
 - Human Resources Development
 - Organizational Behavior
 - Management of Training
 - Motivation
 - Total Quality Management
 - Leadership
 - ISO 9000
- **Bachelor Degree in Dari Literature,** Uma Hatul Momineen University, Peshawar, Pakistan
- **Baccalaureate Certificate 12th Grade,** Sayeeda Um Salama High School, Peshawar, Pakistan, 1998
- **Certificate in English Language,** English Language Program, IRC , Peshawar , May ,96
- **Certificate in Computer,** MS OFFICE, PSD, Peshawar, Pakistan, 1998

Further Professional Development and Training:

- Attended Orphan and Child Welfare Annual gathering in Bogor/ Jakarta Indonesia Feb 2011

- Attended Train net Training USAID Feb 2009
- Attended Cash Flow Training ASMED/USAID 2008
- Attended Business Plan Training ASMED/USAID 2007
- Attended GSP training USAID 2007
- Attended Right Based Approach Workshop in NCA March,07
- Attended “Women Human Rights” NCA. August ,06
- Attended “Gender” NCA July.06
- Attended “Do no Harm”, ded Germany, Kabul, April,04
- Attended Internet, Peshawar, PSD, Mar,03
- Attended Organizational Management, AWRC, Peshawar , April,02
- Attended Business Communication, AWRC , Peshawar, May,02
- Attended “Proposal Writing”, AWRC, Peshawar, June,02
- Attended M and E and needs assessment, AWRC, Peshawar, June,02
- Attended Basic Accounting ,AWRC ,Peshawar, June,02
- Attended Ms PowerPoint 2000,PSD, Peshawar, Dec,01
- Attended In page 1.1 ,PSD, Peshawar , Feb,2000
- Attended Persian Typing, PSD, Peshawar, Feb,2000
- Attended English Typing ,PSD, Peshawar, July ,99
- Attended Foxpro2.5+ Fox Programming, PSD, Peshawar, July,99
- Attended Ms.Excel PSD, Peshawar , Jan,98
- Attended Ms.Word PSD, Peshawar , Sep,98
- Attended Dos and Word Processor PSD, Peshawar , Aug ,97
- Attended English Language Program, IRC , Peshawar , May ,96
- Attended Lesson Preparation, KELC , Peshawar , Oct,97
- Attended English Language Conversational Course , KELC, Peshawar , June,96
- Attended Basic Typing Course, IRC, Peshawar, Oct,95
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Language Skills:

Language	Speaking	Reading	Writing
Dari	Mother Tongue	Excellent	Excellent
Pashto	Excellent	Excellent	Excellent
English	Excellent	Excellent	Excellent
Urdu	Good	Good	Good

Computer and Typing Skills:

Window, Dos, MS Office (Ms Word, Ms Excel, Ms Powerpoint, Ms Access), Internet, English Typing 40 WPM, Dari Typing 30 WPM

Experience:

- **Consultant on Land Reform in Afghanistan Project of USAID , Checchi Consulating USAID, Jan 2013 to present**

- Research Associate
 - Data Analysis
 - Report Writing
 - Meeting and Field visit coordination
 - Focus group meetings conduct
 - Planning
- **Orphan and Child Welfare Program Coordinator, Islamic Relief Worldwide, Afghanistan Program August 2009 to July 2012**
 - In charge of the one to one orphan sponsorship and child welfare programme in Afghanistan
 - Ensuring child protection is mainstreamed into the programme
 - Planning and budgeting for the programme
 - Supervision, monitoring and evaluation of the programme activities and results
 - Maintaining and expanding relations with donors
 - Writing concept notes/ proposals for Orphan projects
 - Doing quarterly reports of the program
 - Reporting to donor based on the request
 - On the job training for the new staff
- **Business Development Services (BDS) and Association Capacity Building Officer Afghanistan Small and Medium Enterprises Development (ASMED), DAI, USAID, Kabul, Afghanistan, Aug 2008- August 2009**
 - Carry out trainings needs analysis of the Small and Medium Enterprises (SMEs)
 - Developing capacity building plans for the SMEs
 - Developing RFPs (Request for Proposal) for different training and development programs
 - Developing training modules
 - Review and analysis of the BDS companies proposals, work plans and budgets with regard to training and development programs
 - Monitoring training programs
 - Providing policy advice to the supervisor referring to SMEs development
 - In charge of the all the capacity development programs at national level
- **Training Coordinator, Afghanistan Small and Medium Enterprises Development (ASMED), DAI, USAID, Kabul, Afghanistan Aug 2007- Aug 2008**
 - In charge of the trainings at national level
 - Coordinating training programs
 - Developing training work plans
 - Review and analysis of the proposals, work plans and budget of the BDS companies
 - Monitoring the training and ensuring timely and quality conduct of the trainings

**Program Officer and In charge, Norwegian Church Aid (NCA), Kabul, Afghanistan
Aug 2005- Aug 2007**

- In charge of NCA's 12 education projects in Afghanistan and Pakistan
 - In charge of Peace Projects (Youth Peace Project)
 - Developing work plan of the program
 - Developing projects log frame
 - Developing budget of the program
 - Reviewing project proposals of the implementing partners, amending them accordingly
 - Compiling the reports, unifying them and submitting them to the line manager
 - Monitoring and evaluation of the projects
-
- **Capacity Building(CB) Manager, Sanayee Development Foundation (SDF) , Sep 2004-July 2005**
 - In Charge of Capacity Building Department
 - Carrying out training needs assessment of the staff
 - Designing and developing the capacity building/ training programs
 - Developing training materials and modules
 - Developing ToRs for the CB staff and the trainers
 - Monitoring and Evaluation of the training workshops
 - Advising the Director on the areas of staff development
-
- **Capacity Building Officer, Sanayee Development Organization (SDO) , Feb 2004-Sep 2004**
 - Assist in establishment and development of the capacity building department
 - Assist in development of the training materials
 - Carrying out training needs assessment
 - Scheduling training programs
 - Assist in conducting training sessions particularly in the field of the management
 - Monitoring and evaluation of the training workshops
-
- **Executive Assistant , SDO, Kabul, Sep 2003 to Feb 2004**
 - Carrying out Admin and HR activities
 - In charge of the filing and record keeping
 - Writing reports and correspondence
 - Translation of documents , English to Dari and vice versa
 - Assist the HR and admin managers in day to day activities
 - Assist in the recruitment process of the candidates for the vacant positions
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- **Coordinator Women Section Kabul English Language Center (WKELC) , SDO, Peshawar, Pakistan, Jan 2000 to Aug 03**

- Human Resources Management
 - Recruitment procedures including advertising the positions, conducting entry level tests, interviewing, conducting test presentations, informing candidates of outcomes, in-house induction and initial training and all relevant documentation processes related to recruitment.
 - Coaching and mentoring to the majority of the staff as well as providing daily supervision.
- **Program Development and Delivery/ Resource Materials Officer, WKELC, SDO, Peshawar, Pakistan**
 - Designing and implementing teaching materials relevant to the target group
 - Assisting staff to design and implement material relevant to their group
 - Developing an open and participatory process with the team that would encourage fresh and innovative ideas as well as engendering a cooperative and outcomes based approach.
 - Designing quizzes and tests and on a monthly bases discussing and amending where necessary staff's lesson plans.
 - Assisting in establishing the WKELC library.
 - Researching and purchasing suitable and relevant resources and books as well as cataloguing, referencing and recording the materials.
- **Train the Trainer In-charge, WKECL, SDO**
 - Designing and implementing TOT courses involved a high level of skill and dedication.
 - Helping of peers design 25 day programs for student teachers that included learning areas such as Teaching Methodologies, Classroom Management, Disciplinary Techniques, Classroom organization, Group work and Presentation Techniques.
- **English Instructor, WEKLC, SDO, Peshawar, Aug 1996 –Aug 2003**
 - Teaching students ranging from 7 to 35 years of age, advanced and intermediate classes which gave me a broad range of experience, taught me to be flexible and innovative in my different approaches.

Cecchi and Company Consulting, Inc.
Afghanistan SUPPORT-II Project
Wazir Akbar Khan
Kabul, Afghanistan