

## **SECTION C – STATEMENT OF WORK**

### **Strengthening Tenure and Resource Rights Indefinite Quantity Contract**

#### **I. Summary**

The Strengthening Tenure and Resource Rights (STARR) program is a multiple-award, five-year Indefinite Quantity Contract (IQC) designed to address resource tenure issues in support of key U.S. Government (USG) strategic objectives, including but not limited to, enhanced food security as articulated in the Feed the Future Initiative; climate change adaptation and mitigation; conflict prevention and mitigation; economic growth; biodiversity protection and natural resource management; and reduction in the spread of infectious diseases (specifically HIV/AIDS). This program will employ a multidisciplinary approach to address complex resource tenure challenges as identified by USAID missions, Bureaus and offices, and by other USG agencies (including but not limited to Department of State, Department of Defense and the Millennium Challenge Corporation). It will provide short and long-term technical assistance that is needed to respond to the needs and opportunities available for improving security of property rights and increasing land access. STARR will advance USAID Forward's Reform Agenda (<http://www.usaid.gov/press/factsheets/2010/fs101118.html>) and best practice by building knowledge, testing hypotheses and implementing innovative approaches to strengthening property rights and resource tenure as a means to advance key USG strategic foreign assistance goals. This contract will be managed by USAID's Land Tenure Unit, Land Resource Management Team, Office of Natural Resource Management, and Bureau for Economic Growth, Agriculture and Trade (EGAT).

#### **II. Background**

##### **A. Problem Statement**

Resource tenure and property rights challenges are present in almost every country where USAID works. In many countries, tenure and property rights problems are so grave that they create political instability, violence, population displacement, famine and environmental destruction, which significantly undermine or prevent successful implementation of many USAID programs. The Agency requires technical assistance to meet this ever increasing demand and the STARR IQC will help meet this objective.

Secure access to and control of land and land-based resources for all private and corporate citizens is critical to supporting many of USAID's strategic objectives including economic growth, gender equality, women's economic empowerment, food and energy security, nutrition, democracy and governance, conflict mitigation, adaptation and mitigation of climate change, global health and natural resource management. The lack of secure and negotiable property rights is one of the most limiting factors in achieving economic growth and democratic governance throughout the developing world. Insecure or weak property rights, limited or inequitable access to resources, and weak institutional structures regulating property rights (including laws and legislation, courts and other dispute resolution mechanisms, and land administration) are debilitating factors which require sustained attention and improvement if USAID is to achieve its strategic objectives.

Despite the importance of land and resource governance, many countries continue to be constrained by the lack of a transparent and effective land tenure and property rights (LTPR) system. In these countries, statutory systems of law and governance often do not protect the property rights of large segments of the population. Their land governance institutions tend to be weak, under resourced and ineffective in serving the needs of the public. At the same time, customary and religious land tenure systems frequently provide the primary means for securing access and rights to natural resources for large segments of rural and urban peoples who live in the developing world. Although customary systems have adapted and

persevered through generations of social, political and environmental upheaval, and tend to be more efficient for managing land and other natural assets, they are often ignored or are not recognized by state authorities and current legislation. Customary institutions, despite all their strengths, also have inherent weaknesses that need to be considered, including biases against women's rights to land and resources and lack of capacity to engage with large-scale private and public investment.

Statutory land tenure and property rights laws often fail to protect people who claim assets under customary rules and norms even though these systems are the most commonly practiced in countries where USAID works. In many countries, customary rights and rules of access are often not recognized by the state or by formal legal systems. That disconnect between customary and statutory systems can allow for social and political manipulation, and rent-seeking, undermining development and generating conflict. For example, when the land rights of customary landholders and users are not formally documented or recognized by the state, more powerful individuals and interest groups can intervene to acquire land at the expense of customary landholders. When resource rights are obtained in this way, the issue often becomes the foundation for long-standing grievances and fuel for conflict.

Frequently, resource tenure challenges result from competition over scarce or valuable natural resources where the property rights are unclear or contested; when policies and institutions are unable to cope with swiftly moving economic and political transformations, or are skewed to favor one identity group; and when donors and host-governments make incorrect assumptions about how people gain access to and control land and productive assets and then make investments that solidify these assumptions even though they may not reflect reality or the true needs of the target populations. Often, the relationships between men and women, and their roles and responsibilities with respect to household security, agricultural production and economic growth, affect access to resources and rights to land. Gender analysis provides the opportunity to identify gender issues impacted by these relationships, and helps donors and host governments make more informed decisions. When wealth is created—or opportunities for wealth or better living conditions are created—without first clarifying and securing resource rights competition often occurs and violence can result. For example, when donors or governments have invested in housing, roads, hospitals, wells, schools, markets and other community improvements without first clarifying who claims which rights to affected land and resources, then the more powerful groups can usurp the rights of others for their own benefit, thus undermining the development objectives of the initial investment, or worse, creating conditions that will lead to violence (e.g. Kenya, Rwanda, Burundi, Kyrgyzstan, Mozambique).

Compounding these domestic societal and institutional challenges are exterior forces from the international public and private community. Over the past decade there have been increasing demands for land and natural resources to feed and fuel the growing economies of the world including China, India, and the Middle East; or to meet resource needs for agricultural-based enterprises (e.g. Madagascar). Since the 2008 global food price shocks, the world has witnessed a new trend in land acquisition in third-party countries by private companies and governments wishing to ensure access to productive agricultural land, forests and other natural assets, and by private equity firms looking for opportunities to invest. Some of these acquisitions have worrying implications for smallholder producers, and for USG objectives in promoting food security, while other acquisitions may create opportunities for broad-based economic growth, and improved food security and food nutrition. The success, or failure, lies in the property rights people hold in the target countries, and their ability to make informed decisions regarding transactions and investments for the property they own.

Furthermore, climate change is accelerating the pace at which land is either abandoned or acquired due to rapid and extreme changes in weather patterns, rising sea levels, and the demand for land to satisfy climate mitigation initiatives including reduced emissions from deforestation and forest degradation in developing countries (REDD). This rapid and sizeable race for the developing world's land and land-

based resources will place great strain on already weak and non-transparent land tenure systems. If left unaddressed, this scenario will result in the property rights of large segments of vulnerable developing world populations being disenfranchised economically and politically and in people being pushed onto more marginal lands. Consequentially, peace and security will be destabilized and human vulnerability increased, which ultimately undermines the strategic objectives of USAID.

## **B. USAID Resource Tenure Conceptual Framework**

The term “property rights” is used to refer to the bundle of rights for use, control and transfer of assets (including natural assets such as land, water, forests, minerals, and fisheries) that are held by individuals, communities, families, firms and other corporate or community institutions. Under this contract, “property” may include buildings and structures (but not intellectual property). Property rights may range from private or semi-private to leasehold, community, group, shareholder, corporate and state-held (such as for parks, reserves and other purposes). Property rights may have both spatial and temporal dimensions, and may be differentially affected by sex, gender, race, ethnicity, class, and political and religious affiliation. “Resource governance,” “land tenure,” and “resource access” are seen as subsets of “property rights.”

While there is a need in every country for government to hold and manage some land (reserves, parks, public space, defense), private rights, whether individual, corporate, community or family, have been shown to be the most robust. Private rights facilitate investment, economic growth, and more sustainable use of natural resources. Private rights can be collective in nature and do not necessarily have to be individual or corporatized. They can be administered and secured through formal systems, including land titling and registration, or through less formal systems, such as customary or “traditional” or other non-statutory systems as seen in many parts of Africa, Latin America and Asia. The degree of formalization needed will depend on markets and the most appropriate sequencing for individual countries depending on cultural, political, economic and other sensitivities.

“Formalization” can mean individualization, and land titling and registration, or it might apply to a more nuanced approach where custom or customary systems are legally recognized by statutory authority and administered by more formal registration systems. Legally recognizing customary rights and institutions, and creating opportunities for individuals to transform these rights into statutory ones, is increasingly seen as a more effective, democratic, and efficient approach to secure property rights than a system that forces people to adopt statutory. USAID refers to this process as the “democratization of property rights,” and will strive to remain a global thought-leader in best-practice in this area. For example, USAID’s work in Kenya has yielded options focused upon a graduated process of regularizing informal land rights, while recognizing and honoring the customary realities that have shaped those rights.

Importantly, USAID does not consider the existence of dual tenure systems (statutory, customary or religious) operating in one country as problematic, and where appropriate, encourages continued operation of more than one system if it creates opportunities for more individuals, communities and firms to benefit from economic opportunities and mitigates negative consequences of potential challenges brought about by social, economic, political and environmental transformation. This IQC will foster the concept and implementation of “secure enough” tenure rights for as many people as possible in order to support broad participation in economic development and improved livelihood options, and to mitigate against the loss of access and rights to land and resources in an increasingly dynamic global economy and under changing environmental conditions. The idea of “secure enough” tenure rights will depend on both the situation and stakeholder; however, the benchmark of tenure security will be when rights to land and natural resources are not contested without reason and that people can invest efforts and reap the benefits of these efforts (Lavigne Delville, 2004).

Where dual systems exist, the challenge is not to eradicate one in favor of the other—the informal in favor of the formal—but to create effective linkages between these two systems that will provide security of property rights and allow individuals, communities and firms to make efficient transactions and optimize economic opportunities. Additionally, creating opportunities that allow men and women, communities and firms to increase security of rights by moving from informal to formal rights status (or to shift back to informality if needed) is also seen as a viable approach.

In countries where USAID has focused on strengthening property rights, there have been measurable successes in improved economic growth and livelihood opportunities, conflict mitigation, natural resource management and protection of biodiversity. Experiences in some countries are demonstrating that improved property rights for women are also improving household nutrition, and reducing the spread of HIV/AIDS and reducing the negative impacts of the disease once people are infected.

USAID views resource tenure and property rights as a fundamental structural requirement in achieving many strategic development objectives (see Section C below). As a result, over the last decade USAID has developed a land tenure and property rights conceptual framework that guides **all** of the Agency’s work in this sector. USAID’s “Framework” (see <http://usaidlandtenure.net/usaidltpproducts>) defines our conceptualization of key concepts, such as land and resource tenure; linkages between resource access and rights, and key strategic objectives such as improved agricultural growth and trade, reduced conflict, and better natural resource management and biodiversity protection.

USAID’s Land Tenure and Property Rights “Matrix” is the heart of the Framework. It condenses the range of tenure challenges to a manageable theoretical construct and offers illustrative programmatic interventions. The Agency has used the Framework and Matrix over the last several years. Field-based experience coupled with increasing new analytical demands has led to the development of a broader, more nuanced Framework and Matrix to identify and address additional natural resource access and rights challenges for other assets such as forests, wildlife, water and minerals.

Nevertheless, the Framework and Matrix will be further refined under STARR. Moreover, under the STARR IQC, the Framework and Matrix will increasingly be called upon to programmatically address tenure challenges as they relate to new USG strategic objectives in promoting food security and adaptation to and mitigation of climate change.

USAID has also developed a set of tools to guide implementation of the Framework, including using them for conducting resource tenure assessments, developing programmatic interventions, and transferring knowledge on best practices and lessons learned to USG staff and host-country decision-makers through briefings, films, and training courses. Illustrative examples of these tools are found at <http://usaidlandtenure.net/usaidltpproducts>. While the Framework and associated tools will continue to be revised to reflect best practice, under this IQC they will continue to serve as the intellectual foundation for all resource tenure work implemented by USAID. Successful firms bidding on this contract must demonstrate technical understanding of and ability to contribute to (rather than replace or work outside of) USAID’s Land Tenure and Property Rights Framework and Matrix (see <http://usaidlandtenure.net/usaidltpproducts>).

### **C. Resource Tenure in Key USG Strategic Objectives and IQC Technical Areas**

This contractual mechanism will provide USAID Missions and operating units and their partners with a broad range of technical assistance in order to address complex tenure challenges. STARR IQC awardees shall utilize innovative and integrative approaches to address the array of challenges described within each of the following USG strategic objectives, as synthesized in III. Technical Areas, described thereafter:

## 1. Food Security, Agriculture, Poverty and Economic Growth

Broadening access to productive natural resources and securing property rights are necessary conditions for achieving food security. These must go hand-in-hand with well-functioning markets, improved technology and affordable access to credit and finance. Tenure security is also necessary for addressing poverty and providing a safety net when markets fail, or when coping with political or environmental disasters. (See Land Tenure, Property Rights and Food Security Issue Brief, <http://usaidlandtenure.net/usaidltp/products/issue-briefs/issue-brief-land-tenure-property-rights-and-food-security-emerging-implications-for-usg-policies-and-programming/view>).

Tenure security creates incentives for producers of all sizes and both sexes to make longer-term investments, to purchase or lease land, and to employ sound resource-use practices. In Africa, programs promoting tenure security have led to increased agricultural productivity, and in some cases, increased household income. A USAID land certification program in Ethiopia reduced land conflicts, promoted small-scale investments by smallholders, opened up more land for leasing to larger commercial enterprises, and reportedly, for male and female smallholders who received certificates, improved income. Remarkably, women also reported that, as a result of receiving land certificates in their names, they were more empowered to say “no” to husbands who they thought had been infected with HIV/AIDS, suggesting that women’s economic and legal empowerment is a powerful tool in reducing the incidence of high-risk behavior and the spread of this disease. This case is illustrative of how increased decision-making power over land and resources can also empower women to take affirmative action on other household matters. This is a departure from many patriarchal systems, where men are the de facto heads of household and play the predominant role in decision-making about household and community level land and resource use. Research from Nepal found that children of mothers who own land are significantly less likely to be severely underweight because those women are more likely to have control over household decisions. Similar evidence is emerging elsewhere (e.g., Uganda and South Africa) indicating secure property rights and property ownership can enhance women’s ability to mitigate the consequences and common interaction between HIV/AIDS and gender-based violence, providing safe recourse and healthy alternatives for livelihoods and accommodation. This suggests the need for greater emphasis on increasing women’s access and decision-making over land and property. In order for this to be successful, men must also be included in this process and educated on the household benefits associated with such reforms.

Land privatization in Ukraine following the collapse of the Soviet Union led to a measurable increase in the number of people leasing out land to medium- and larger-scale producers. In that country, land-lease markets are now functioning and although problems remain with lease payments, landowners have been able to increase household income through renting-out land. At the same time, producers with access to capital and technology have been able to lease-in land and increase agricultural productivity. Ukraine is a good example of a country successfully transitioning from one predominantly characterized by land held by the state to one where land is predominantly held by private interests. However, it remains to be seen if a broad section of the population has benefited from this transition or if most of the benefits have been captured by a few well-placed individuals. In Ukraine, land privatization and tenure security alone may not be enough to achieve greater food security at the household-level. Further legal reforms combined with improved access to markets will likely broaden the benefits of this privatization reform effort. Similar land privatization programs in Moldova and Kyrgyzstan have also given large numbers of people in those two countries access and rights to productive assets.

Tenure constraints challenging improvement in economic growth and food security are not limited to Africa or the former Soviet Union. Similar challenges exist in Latin America, the Near East, Asia and Central Asia.

Increasingly, donors and host-country governments will be pressed to more fully consider differences between theory and practice in achieving food security. Importantly, this includes the potential trade-offs between promoting national food security via investments in commercial production and achieving food security by promoting broader economic participation for larger segments of society. Presently, we are witnessing a remarkable transformation around the world as public and private interests seek to secure land for food and energy security, conservation and to access inputs for commercial products. If conducted halfheartedly, this process may contribute to political instability (e.g. Madagascar) and may not ultimately lead to increases in national food security. Conversely, this process might lead to gross increases in national food security while undermining household food security for specific segments of the population.

USAID expects that work done under this IQC will help the Agency to develop best practices that will foster investment and also broad participation in the benefits of investment by the individuals, communities and states that hold property rights or have access to natural resources.

However, to achieve this goal, USAID will require a better understanding of intra-household land tenure dynamics. Research on the Maragra sugar plantations in Mozambique found that women enjoy equal rights to access land under the law; but they lack decision-making power over land held under customary rules. This has precluded most women from making long-term commercial leases with investors. The STARR IQC will support the Agency's strategy for addressing food security. The US Government's Food Security Strategy (<http://www.feedthefuture.gov/>), "Feed the Future," (FTF) highlights secure property rights and access to land as key factors for increasing agricultural productivity and promoting investment and sustainable resource use. STARR will advance USAID's Way Forward (<http://www.usaid.gov/press/factsheets/2010/fs101118.html>) and best practice by building knowledge in the following areas: (i) the economic trade-offs between land use for carbon sequestration, expansion of agricultural activities and bio-fuel production; (ii) the advantages and disadvantages of existing, new and alternative land tenure models promoting increased food production, in particular "corporate tenure," out-grower schemes, and other group-farmer arrangements; (iii) cross-country analyses of common and interrelated tenure challenges within FTF Focus Countries and within particular regions; and (iv) the interrelationships and impacts of secure property rights on key focus areas within the FTF Strategy including: gender equality, empowerment of women, adoption of specific agricultural practices and inputs, access to rural financial services, engagement in producer organizations and improved water and soil quality. STARR will endeavor to systematically test our hypotheses on the linkages between tenure and economic growth, stabilization, food security, and climate change. The results of the research will then be used to further the development of tools and programmatic interventions in this key priority area.

## **2. Governance, Conflict Mitigation, Stability, Rule of Law, Resettlement**

Land is a strategic socio-economic asset which can be both symbolically and emotionally important, thus making it a central element in both socio-economic and political contests. As such, land issues can be both causal and aggravating factors in conflict and instability. Some of the primary ways that land is linked to conflict include land tenure insecurity, competing claims and uses, land-holding inequities, displacement and return of populations, lack of recognition of customary systems, elite capture of land-related benefits and post-conflict transitional issues. At the same time, it is important to remember that land is frequently a critical element in peace-building and economic reconstruction in post-conflict situations.

When land lacks adequate legal, institutional and traditional/customary protection it becomes a valuable commodity easily subject to manipulation and abuse. Weak governance leads to weak tenure systems, often depriving individuals and communities of essential rights and access to land and other natural assets

and also contributing to poor land and resource management practices, which further degrade the limited resource base. Evidence from Uganda suggests that land conflict and subsequent insecurity results in a 5% - 11% loss in agricultural productivity. Tenure insecurity is generally a result of rights that are overly limited in breadth and scope; too short in duration to recoup investment; conflicting (including competing or overlapping claims); and/or inadequate or unenforceable. When tenure is insecure, resources can be co-opted through illegitimate means and maximized for personal gain at the expense of others thus fomenting competition and conflict. Tenure insecurity discourages investment, undermines sustainable resource use and contributes to tension among those competing for or displaced from access to land and resource benefits.

Competition over land and its resources, whether for the same or different uses, is at the nexus between land and conflict. Competition can occur between any number and type of identity groups, whether based on ethnicity, religion, class, sex, gender or generation. When that competition involves groups of people, rather than individuals, the risk of larger-scale violence increases. Moreover, the risk of violent conflict increases when there are real or perceived gross inequities in land-holding patterns. Grievances over such inequities are often based on a deep sense of injustice and thus aggravate the risk of conflict. Land-holding inequities and the associated grievances of marginalized populations have been a root cause of conflict in Zimbabwe, Brazil, Nepal, Sri Lanka, Colombia and Guatemala.

The eruption of violent conflict, whether episodic or prolonged, usually causes significant changes to land tenure and its administration. In times of conflict, people may be indiscriminately or forcibly removed from their land, often without fair compensation or due process, or they may abandon their land because of fear of violence. Upon their return (sometimes after weeks, months or years of displacement), former owners often find others occupying their property and utilizing their land. The process of displacement and return due to violence (or the threat of violence) can be cyclical and often results in multiple claims to the same parcel of land. Competing claims can then spawn conflict due to weak, biased or nonexistent enforcement of land tenure regimes, whether customary or statutory. Displaced and marginalized populations, especially in a post-crisis context, are then forced to compete among themselves or with newly settled groups for access to land and productive assets for survival. In a post-crisis context, this sort of competition can lead to new rounds of violence and/or environmental destruction, exacerbating and spreading the initial crisis. This “post-conflict conflict” phenomenon has been documented in many countries including Uganda, Sudan, Mozambique, Angola, Kenya, Rwanda, Burundi, Democratic Republic of Congo, Kyrgyzstan, East Timor, Colombia and Sri Lanka.

Women and vulnerable groups’ land and property rights are commonly the most negatively affected by war and displacement. This is due to their already weak status in society and their more limited bundle of rights to property. Women often gain access to land and property through natal and marital affiliations. When this is severed due to the departure or death of the male head of household, women find themselves more vulnerable to having their land taken away by male heirs or other more powerful community members. Research in Uganda has found that households headed by females and widows, who are likely to be highly vulnerable economically, face a higher probability of land conflict than others. Similar evidence has been documented in post-conflict Sri Lanka. This illustrates the need for increased attention to women’s land rights in conflict and post-conflict situations in order to prevent inheritance-related disputes and related asset loss.

Conflict over land and other natural assets – water, forests, minerals, gems and other natural assets – is occurring with greater frequency as global demand for food, energy, fiber and natural resources explodes. The competition for energy resources is pushing many emerging economies, including China and South Korea, to “acquire” access to vast tracts of land in Africa and Asia to extract raw materials and establish large-scale agricultural plantations for bio-fuels and other products. This internationalization of land resources and the associated natural assets (e.g. forest resources, freshwater resources) fuels conflict by

limiting the available use of land for local agriculture and other livelihood activities, which in turn creates additional shortages and intensifies competition among groups for control of these resources. The external involvement in local affairs can also call into question the legitimacy of the host government, thus sowing the seeds of internal and possibly regional discontent. USAID seeks to develop integrated and conflict-sensitive approaches and to creatively apply existing Agency assessment tools and programmatic best practices to proactively identify and address tenure challenges in conflict environments.

For more information see USAID's Land and Conflict Toolkit ([http://www.usaid.gov/our\\_work/cross-cutting\\_programs/conflict/publications/docs/CMM\\_Land\\_and\\_Conflict\\_Toolkit\\_April\\_2005.pdf](http://www.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/CMM_Land_and_Conflict_Toolkit_April_2005.pdf)) and issue brief on land conflict (<http://usaidlandtenure.net/usaidltp/products/issue-briefs/issue-brief-land-disputes-and-land-conflict/view>).

STARR will provide technical assistance to address land and natural resource-based conflict and contribute to USG stabilization efforts. This work may include Afghanistan, Pakistan, Iraq, and Sudan.

### **3. Land Rights and Access for Women and Disadvantaged Groups**

Due to societal norms and legal impediments within both customary and statutory land tenure systems, only a very small percentage of women own or have control over land. Land is a key input into agricultural production, can be used as a source of income from rental or sale, and can provide collateral for credit that can be used for either consumption or investment purposes. Women may not fully participate in these benefits if they do not have legal and socially recognized rights to land, which are either individually or jointly held. Women produce 43% of the food in most developing countries, but they own less than 10% of property in the developed world and 2% in the developing world.

In addition to the short- and medium-term economic gains, women with stronger property rights in land are less likely to become economically vulnerable in their old age, or in the event of the death of or divorce from their spouse. In Ethiopia it was found that women's land rights within marriage may afford them greater claims on the disposition of assets upon divorce or death of their husband. In addition, property rights can increase a woman's bargaining power within the household, and land rights can empower individuals to participate more effectively in their immediate communities and in the larger civil and political aspects of society.

When considering household well-being, studies show that it matters who within the household manages the family's resources, including land. For instance, women are much more likely to spend their income on their children's nutritional and educational needs as compared to men. Data from Central America indicate that greater female landholdings are associated with increases in food expenditures and child educational attainment. Another study indicates a positive relationship between the amount of assets (including land) that a woman possesses at the time of marriage and the shares of household expenditures devoted to food, education, health care, and children's clothing.

Similar to women, there are other social groups which are also commonly deprived access to the economic and social benefits which may be generated from land and other land-based resources. These groups may be disadvantaged due to their ethnic background, language, geographic location, or economic livelihood and may include such groups as pastoralists, forest dwellers, youth, or the disabled. Although possessing weak rights, women and many marginalized peoples, including pastoralists and forest dwellers, play a key role in conservation and sustainability of natural resources. For example, the mobility that is often associated with pastoral communities allows land to regenerate rather than be overgrazed and degraded.

Under this IQC, USAID will continue to address challenges faced by women and other disadvantaged groups in gaining access and securing rights to land and resources. USAID firmly believes that without strengthening women's tenure rights—and by extension economic empowerment—a large segment of the population in the countries where we work will not benefit from investments in food security, and more problematic, might be markedly hurt by these programs as men may capture the benefits of these investments. Experience in many other countries demonstrates that where concern about women's tenure is not integrated into analysis and program design, women frequently do not benefit from our investments. Additionally, new challenges in climate change may also disproportionately negatively impact women and indigenous peoples as wealthy and more influential people may be better positioned to take diminishing land and other resources.

The STARR IQC will be critical in supporting the Agency's efforts to empower women in developing countries. In particular, STARR will further the Agency's updated Automated Directives Systems (ADS) gender programming requirements through integration of gender analysis findings into program design and implementation, and consequently this will be required in all task orders. STARR will also support new areas of collaboration with the Department of State's Office of Global Women's Issues and the Office of the Global AIDS Coordinator (S/OGAC) with regard to strengthening women's property rights to promote their economic empowerment. STARR will promote food security and nutrition by supporting women's access and rights to land and other productive assets. Despite laboring two-thirds of the world's working hours and being the world's major food producers, women only earn 10% of the world's income and own less than 5% of the property. Moreover, research has shown that women with insecure property rights are more likely to be infected with HIV/AIDS and those who are infected are more likely to lose access to natural assets if they do not have secure property rights.

For more information, see USAID's issue brief: Land Tenure, Property Rights, and Gender Challenges and Approaches for Strengthening Women's Land Tenure and Property Rights Governance (<http://usaidlandtenure.net/usaidltpproducts/issue-briefs/challenges-and-approaches-for-strengthening-women2019s-land-tenure-and-property-rights/view>) as well as the following two issues briefs related to indigenous peoples (<http://usaidlandtenure.net/usaidltpproducts/issue-briefs/issue-brief-tenure-and-indigenous-peoples/view>) and pastoral land rights (<http://usaidlandtenure.net/usaidltpproducts/issue-briefs/issue-brief-pastoral-land-rights-and-resource-governance/view>).

#### **4. Global Climate Change**

Global climate change is expected to have a major effect on the way people gain access to and maintain rights to high quality and available land and other natural resources. In some cases, the effects of climate change may happen in rapid and unexpected ways. Tenure will be affected by changes in climate in that high quality land and resources will come under increasing demand altering rules of access and use. Tenure, in turn, will affect land use and environmental conditions by determining who gains access and under what conditions, either incentivizing or discouraging conservation and sustainable land use. Together, climate-related changes in land tenure and use dynamics could result in the illegitimate taking or overexploitation of resources which will have further negative impacts on the environment.

Many of the most significant impacts of climate change are expected to be water related, whether increased drought and freshwater shortages, flooding and intensification of precipitation events or sea level rise; but the implications of each are significant for the quality and availability of arable land and other natural assets, such as forest resources. Women, whose household responsibilities and income sources often include the gathering of water and forest products, are likely to be particularly disadvantaged by decreases in access and supply. Lands suitable for irrigated agriculture will become more limited in water stressed locations and thus more coveted, and as a result, tenure conflicts may arise as different claimants struggle for access to these prime lands. In east and southern Asia, tenure conflicts

may be most severe in low lying coastal areas subject to flooding from storm surges and rising sea levels. In any case, the value of resources may fluctuate wildly as a result of dynamic and possibly abrupt climatic changes, leading to grabbing or conflict over control of valuable natural assets. Climate change may also contribute to population movements, from what may have been historical homelands into new territory already claimed and occupied by other people. These climate-related trends will impact property rights regimes and resource governance. Climate change itself, and the associated investments in mitigation and adaptation measures, could also force rapid adaptation or confrontation between communities, and open the door for powerful and influential actors to expand claims on land and other valuable resources.

Climate variability and change pose the greatest risk where natural systems are severely degraded and governance systems are failing. Climate change is projected to disproportionately impact the poorest of the poor who are the least able to cope with shocks. It is expected that people who are already vulnerable and food insecure are likely to be the first affected through threats to their lives and livelihood systems stability through increasingly unpredictable climatic events. The poor, women, the disabled, the young, indigenous peoples, and other traditionally marginalized groups may suffer disproportionately as policy and programmatic responses to climate change exacerbate their tenure insecurity. For additional information see USAID brief on land tenure and climate change (<http://usaidlandtenure.net/usaidltp/products/issue-briefs/issue-brief-climate-change-property-rights-resource-governance-emerging-implications-for-usg-policies-and-programming/view>).

New and innovative efforts to mitigate global changes in temperature could also positively or negatively affect land tenure and property rights. The international community is promoting payments for conserving forests and reducing emissions from deforestation and degradation (REDD); however, this may be unsuccessful if the property rights of the land and forest users are not first recognized and the benefits appropriately attributed. Of particular importance will be the allocation of rights and responsibilities between national governments and claimants to rights in customary regimes, and the potential for leveraging resources associated with carbon mitigation to modify, clarify, and strengthen tenure regimes. Without first clarifying the rights and responsibilities and putting the appropriate incentive structures in place, it is unclear where payments should be deposited, who benefits and how behavior change will be incentivized. With the focus of REDD+ readiness at the national level, there is a risk that national governments will simplify approaches to addressing land tenure for the sake of expediency. This may result in national governments focusing attention on a systematic titling process, while failing to consider the needs and rights of traditional rights holders, women, and landless and marginalized groups within communities. Women and other marginalized groups, who often rely on seasonal and secondary rights to land and resources, could be negatively impacted by attempts to formalize the land without due consideration to these arrangements. Strategies, tools and social safeguards for addressing these challenges are urgently needed if REDD and other Payments for Ecosystem Service (PES) schemes are going to succeed.

Beyond securing the property rights of the landholder, interventions and technical assistance will be needed to assist weak governments to define and shape the institutional frameworks which will be needed to receive, account for and allocate the benefits from REDD or PES down to the agreed property right owner. Additionally, legal frameworks addressing rights to carbon will need to be modified or developed anew so as to ensure protection and proper attribution of rights to legitimate landholders. Developing and extending legal tools for assuring land tenure and property rights to local populations will be critical to their empowerment and negotiation for benefits stemming from participation in the carbon market. To sufficiently strengthen the tenure of local communities and indigenous peoples to enable effective negotiation for carbon benefits, efforts to strengthen resource tenure may need to go beyond community-based natural resource management to establishing clear, statutorily recognized rights over land and associated forest resources. For additional information see USAID brief on land tenure and REDD+

<http://usaidlandtenure.net/usaidltpproducts/issue-briefs/issue-brief-land-tenure-and-redd-risks-to-property-rights-and-opportunities-for-economic-growth/view>).

In both climate change adaptation and mitigation, contentious struggles for access to and control over natural and financial resources may turn violent unless local and international stakeholders engage in open and transparent processes to negotiate new rules of access to land and other natural resources. USAID recognizes that an array of challenges exist in confronting the nexus of climate change, property rights and resource governance. Through this IQC, USAID will seek to develop new tools and innovative strategies to integrate property rights and resource governance considerations into policies and programs to increase resilience to the impacts of climate change, and at the same time, foster mitigation activities.

STARR will be part of a larger strategy to support the Agency's operational units in designing and implementing innovative approaches to address global climate change. In particular, STARR will support the Agency to define new methods for identifying and securing property rights to carbon (and forests) to promote the reduction of emissions from tropical forest destruction and degradation, commonly called REDD; develop new or improve existing LTPR tools (Framework, Assessment, Impact) to guide interventions to help communities adapt to or mitigate the effects of climate change; develop new or improve existing training courses to address LTPR in climate change; and conduct research on linkages between climate change (including REDD) and tenure to inform programmatic interventions, revisions to tools and course content.

## **5. Global Health, Poverty and Infectious Diseases**

In Africa, women are not only the primary food producers, but they are also the primary caretakers of the ill. Hence, when they become ill or a member of their family does, women's ability to engage in agriculture and other productive activities is reduced, and family food security is often compromised.

Research in Botswana and Swaziland found that women who lack sufficient food are 70% less likely to perceive personal control in sexual relationships, 50% more likely to engage in intergenerational sex, 80% more likely to engage in survival sex, and 70% more likely to have unprotected sex than women receiving adequate nutrition. The link between insecure resource tenure and the inability to cope with the effects of HIV is leading to a vicious cycle of decreased agricultural production, food insecurity, and new infections as women attempt to feed themselves and their families. Similar interaction between insecure resource tenure and incidence of gender-based violence often means that women tolerate abusive situations as a desperate measure to maintain their limited access to resources – a dangerous dynamic that often increases women's risk of HIV infection.

Insecure land tenure indirectly contributes to HIV risk and vulnerability, and it also directly affects families after HIV infection as they experience asset erosion. With little or no asset cushion, women find it difficult to exit a relationship (e.g., due to an unfaithful or abusive partner) or to refuse marriage to one. Women who are asset-deprived with low, unstable incomes or lack of control over their earnings and access to their means of production are also not in a strong position to bargain for safe sex. Men, on the other hand, are typically the household decision-makers for land assets and can leverage this power to a woman's disadvantage. As the primary caretakers of children, women may feel the need to be submissive for the sake of their children's welfare. A study in Kenya and Zambia found young married women to be even more vulnerable to infection than unmarried women of the same age. This was especially so when they were married to older men<sup>1</sup>.

---

<sup>1</sup> Glynn, J.R., M. Carael, B. Auvert, M. Kahindo, J. Chepe, R. Musonda, F. Kaona, and A. Buve. 2001. Why do young women have a much higher prevalence of HIV than young men? AIDS 15 (suppl 4): S51-S60.

Although absence or weakness of rights to land raises all women's vulnerability to HIV/AIDS, the situation is often especially dire for widows. There is now widespread evidence that the AIDS death toll in Africa is contributing to increased evictions of widows and young children from their land and homes.<sup>2</sup> Dispossession of widows from family land is exacerbated by the stigma associated with HIV/AIDS. Widows are frequently blamed for causing the deaths of their husbands. If widows are believed to be infected themselves, their situation can be even worse. The problem is not limited to Africa. A 2006 study on the impact of HIV/AIDS on women and girls in six states in India found that 90% of widows interviewed had either been evicted from the marital home or had left under the pressure of stigma; 79% reported being denied a share of their husband's estate.<sup>3</sup> Other family assets are also at risk. Research in Namibia on HIV/AIDS and agriculture found that 44% of widows interviewed lost cattle, 28% lost small livestock, and 41% lost farm equipment to in-laws after their husbands died; 32% of these deaths were attributed to HIV/AIDS-related illnesses.<sup>4</sup>

Even if women do not lose land or other household assets as a consequence of AIDS, discrimination and a lack of resources can constrain access to the inputs necessary to make land productive. Women are regularly discriminated against when it comes to access to credit, extension, information, networks, and local organizational support. This exclusion is likely to be compounded if they have HIV/AIDS. USAID is particularly concerned with the negative consequences related to women's poor land rights and access, and through this IQC, will seek to strengthen women's property and inheritance rights in order to reduce the spread of female poverty and new HIV infections across the globe.

For additional information see USAID brief on land tenure, property rights and HIV/AIDS (<http://usaidlandtenure.net/usaidltpproducts/issue-briefs/issue-brief-land-tenure-property-rights-and-hiv-aids-approaches-for-reducing-infection-and-enhancing-economic-security/view>).

## **6. Natural Resource Management and Biodiversity Protection**

Over the last two decades, USAID has made substantial investments in improving livelihoods through biodiversity conservation and natural resource management. These efforts have resulted in significant successes including establishing policy frameworks that incorporate sound environmental management and conservation, strengthening the natural resource management capacity of individuals and local institutions, and developing alliances that leverage resources from diverse partners to address common livelihood and conservation objectives.

USAID promotes landscape scale approaches that address ecosystem services across diverse land uses, builds capacity and social capital of local resource users, and partners with industry to promote economically and environmentally sustainable production practices. Land tenure and property rights (LTPR) concerns cut across these land uses. For instance, USAID works with protected area (PA) managers to craft co-management policies and practices that secure rights for local communities to territories and products within the PA. LTPR concerns are critical in the creation or expansion of PAs, where territorial claims of local communities need to be scrutinized and integrated into the planning. In some cases new property rights regimes have to be created, such as for community forestry, carbon or fisheries. LTPR in agricultural areas is also critical to conservation, for instance the development of

---

<sup>2</sup> See for example: 1) Strickland, Richard. 2004. *To Have and to Hold: Women's property and inheritance rights in the context of HIV/AIDS in sub-Saharan Africa*. ICRW; and 2) FAO. 2006. *Reclaiming Our Lives: HIV and AIDS, women's land and property rights, and livelihoods in southern and East Africa*. Capetown: Human Sciences Research Council (HSRC) Press.

<sup>3</sup> National AIDS Control Organisation (NACO), National Council of Applied Economic Research (NCAER) and UNDP. 2006. *Gender Impact of HIV and AIDS in India*, [www.undp.org.in](http://www.undp.org.in).

<sup>4</sup> FAO. 2003. *HIV/AIDS and Agriculture: Impacts and Responses – Case studies from Namibia, Uganda and Zambia*. [ftp://ftp.fao.org/sd/SDW/SDWW/ip\\_summary\\_2003-webversion.pdf](ftp://ftp.fao.org/sd/SDW/SDWW/ip_summary_2003-webversion.pdf).

conservation easements and other incentives for landowners to set aside land and forests for conservation.

There is urgent need for increased attention to LTPR within the conservation domain. Pressure on the global resource base continues to mount. The world's most biologically significant areas are under increasing pressure from human activities, threatening precious biological resources. More than 1.1 billion people live in the world's 25 Biodiversity Hotspots and over 1.6 billion people rely on tropical forests for their livelihood. Three billion people rely on tropical forests for their heating and cooking. At the same time, demand for food is expected to double in the next thirty years thereby increasing competition for land and water for industry, agriculture, domestic use, and maintenance of ecosystem functions. Critical threats to biodiversity and sound natural resource management come from insecure or disputed LTPR. For instance, many forest lands are nominally owned by governments but governments do not have the capacity to manage them. Forest dwellers have customary claims and use rights but not the mandate to exclude trespassers who exploit and degrade the forest. Strengthening local use rights and enforcement capacity can serve not only to conserve forest biodiversity but to improve livelihoods and local governance. This approach has been demonstrated by USAID investments in Senegal, Guinea, Mali, Liberia and Sierra Leone.

The case in Liberia is particularly illustrative. Natural resources such as forests in most African countries, including Liberia, are owned by the state and the state, in principle, controls access to and revenue streams from large-scale forestry. However, millions of rural Africans depend on forests located near them for their livelihoods and they perceive forests where they harvest and collect timber, roofing materials, foods, medicines and the like as belonging to them. Increased understanding of this perception has fueled the decentralization and introduction of co-management strategies for forest resources in the developing world. This process continues to proceed, albeit slowly, in many African countries.

The Liberia Forest Initiative (LFI) originated in early-2004 as a multinational initiative including the Forestry Development Authority (or the Liberian Forest Service), Liberian civil society organizations, international research institutions and donor organizations to promote and assist reforms in the Liberian forestry sector that allow for transparent and sustainable management and more secure property rights for forest resources. A cornerstone of the LFI approach has been the allocation of forest resources among commercial forestry, community forestry, and conservation categories (often referred to as the "three Cs"). Community forestry is the most recent addition to the forestry sector and is defined as a process of increasing community involvement and ownership in the management of forest resources, including natural forests, plantations, and agroforestry systems adjacent to forests, in order to promote sustainable use of these resources, increased revenue generation, increased devolution of authority, improved democratic governance processes and more secure tenure and property rights for communities. Although laudable, research in India and Nepal has found that community forestry groups have not been as inclusive as one might envision. Women were often found to be excluded from decision-making and participation, due to rules, norms and perceptions about women's roles in society. Given these findings, it is important that women's collective bargaining position be enhanced through strengthening of their property rights and decision-making power over resources. This must be coupled with public education for both men and women about rights awareness and inclusiveness. This applies to not only community forestry groups but other decentralized natural resource management bodies as well.

Improving local community's rights to wildlife has also proven to lead to increases in wildlife numbers and, while at the same time, greatly enhanced economic growth. Namibia is a particularly successful example.

Work under this contract will strengthen property rights and promote property rights regimes for community forest and wildlife management as part of an integrated strategy that will foster better

protection of biodiversity and fragile ecosystems, and promote economic development for the communities and individuals that own or claim these resources by strengthening their legal rights to manage them.

## **7. Post-Disaster Response and Recovery**

Land tenure and property rights challenges are not only associated with political violence and instability but also frequently emerge following natural disasters. Following the 2004 Indian Ocean Tsunami, millions of people in several countries (including India, Indonesia, Sri Lanka, and Thailand) were affected and several hundred thousand people were either temporarily or permanently displaced from their land. USAID, the World Bank and Oxfam reported many land disputes in Aceh, Indonesia and Andhra Pradesh, India within a few months following the Tsunami.

These post-Tsunami disputes emerged as a result of increased competition over more limited land and natural resources, insecure property rights and weak institutional structures to relocate people and resolve disputes. Six years after the Tsunami, these tenure problems continue to slow host country and donor attempts to help affected communities recover from the disaster and, in some locations, these impediments have led to violent conflicts over rights to land that did not exist before the Tsunami.

Similar struggles over access to and control of land have been identified in post-earthquake Haiti. The earthquake in Haiti destroyed or damaged an estimated 250,000 houses. An estimated 1-1.5 million people were made homeless and nearly 20 million cubic yards of debris will need to be removed. Validation of claims to land and damaged properties is difficult to prove as a result of deaths, massive displacement, loss of property records, loss and shifting of property boundaries and the weakening of already under resourced land administration institutions. Incidents of gender-based violence, targeted largely at women, have skyrocketed given the insecure conditions of Internally Displaced People (IDP) camps established as a result of the earthquake. As a result of the confusion, land grabbing is rampant and donor agencies are struggling to identify land for resettlement and reconstruction.

Work under this IQC will assist USAID in developing and implementing a sound framework for understanding and addressing tenure challenges in future post-disaster situations.

### **III. Technical Areas**

The USG strategic objectives in Section II.C. above, are synthesized into the following five (5) Technical Areas for this SOW:

A) Securing Resource Rights and Improving Resource Governance; B) Learning and Appraisal C) Training; D) Knowledge Management and Communications; and E) Grant Management. Illustrative activities are identified below.

#### **A. Securing Resource Rights and Improving Resource Governance**

USAID anticipates requiring technical assistance to address a variety of tenure challenges. This technical assistance will cover an array of approaches, techniques and sequencing to strengthen property rights and resource governance institutions. USAID believes the timing of interventions is just as important as the interventions themselves. USAID will look for windows of opportunity which will require contractors to consider innovative approaches to strengthening tenure. Illustrative examples are provided below:

## 1. Securing Property Rights

Secure property rights to land and resources are critical to economic growth, sound resource management, gender equality, conflict mitigation and good governance. Security of tenure can be achieved through a variety of approaches and should result in greater confidence that the property will not be indiscriminately taken, or have onerous restrictions applied (i.e., limitations on types of crops planted) so as to undermine investment or sustainable resource use. Security of tenure also involves greater decision-making power among both women and men over assets including the power to transfer, lease, mortgage, bequeath or use the property for a sufficient duration to allow and encourage investment, manage resources sustainably, and maximize the productive potential from the resource. Securing land and resource rights can be achieved through a variety of legal, administrative and judicial means. It may require legal reform in one context and dispute resolution in another; **however, USAID does not consider land titling or land formalization as the ultimate objective.** (See discussion above on customary, dual tenure systems, and “secure enough” tenure regimes). **The ultimate objective is to secure property rights, that will promote economic growth, food security, natural resource management and stability.**

Illustrative activities to be undertaken by contractors may include:

- Adjudication of land and resource rights
- Strengthening and legalization of equitable customary institutions of resource governance
- Legal recognition of customary law and practice, where equitable and effective
- Documentation and mapping of land claims and supporting evidence
- Certification, titling and registration of land and other natural assets
- Mapping and boundary demarcation
- Legal awareness and public information dissemination
- Resolution of land and resource disputes
- Participatory land use planning

## 2. Policy and Law

Land and natural resource policy and law are a country’s guiding framework for how such assets are to be used, granted, managed, etc. Unfortunately, the statutory policies and legal frameworks governing land and other natural resources in developing countries are often outdated, conflictive, numerous, and not reflective of realities on the ground. Therefore they often do not protect the property rights of large segments of the population, most notably women. This results in many aspects of the law only being partially implemented, implemented inappropriately, or being ignored altogether. This allows individuals or groups with the most influence or money to shape the law to fit their needs or completely ignore them, often displacing people and communities. In some cases, land policies and laws may be well crafted but the knowledge, application, and the enforcement of the laws are weak. The gap between sound law and application of law is often problematic and results in confusion over property rights and rules of access which sets the foundation for resource grabbing and land disputes. Many of these disputes end up with the authorities to be addressed through some judicial or non-judicial process (in many countries land disputes make up the majority of court cases, impeding courts’ ability to address other types of civil and criminal cases) or remain unresolved, and in some cases, erupt into violence.

Illustrative activities to be undertaken by contractors may include:

- Policy, legal and regulatory analyses and research
- Stakeholder consultation workshops
- Drafting of policies, laws and implementing regulations
- Legal and rights awareness
- Training in law and application of the law

- Development of alternative dispute resolution training and certification bodies
- Development of legal reference guides and tools
- Assistance to the judiciary in resolving or addressing land disputes
- Support to the development of land commissions
- Judicial training

### **3. Institution Building and Information Dissemination**

Land administration and resource management institutions are the key entities responsible for applying the rules and regulations governing rights, access and use of land and other land-based resources. They are also responsible for the granting and recording of rights and making that information available to the public. Despite this critical administrative function, land institutions in developing countries tend to be highly centralized, under-resourced and ineffectual in serving the majority of the public. They are also predominantly staffed with men who may not be sensitive to the cultural and social impediments that prevent women from accessing such services. Services may only be available during certain hours or through interaction with male staff which may act as a deterrent to women in more conservative societies. Additionally, accessing such services often takes significant time and financial resources due to burdensome procedures, low levels of skilled personnel, and unrealistic fee structures. In many countries, formal land administrations systems do not function (sometimes despite heavy donor investment), do not represent reality on-the-ground or quickly become out-dated when changes take place in access and rights. Frequently, beneficiaries of land administration systems (including land titling and registration) find the systems too burdensome, costly or dangerous (because it makes them targets of the state) to access. For this reason, USAID focuses on rational use of land administration (including titling and registration) systems.

Because of the many challenges, customary systems of land resource governance and administration continue to predominate in many countries across the globe. Although effective in meeting the immediate resource administration needs of large segments of rural populations, customary land governance institutions also have their limitations. These shortcomings include lack of recognition by the state, inequitable access to resources by women and other disadvantaged groups, lack of capacity to deal with outside entities or investors, and poor record keeping and information dissemination. The challenges across formal and informal land governance and administration institutions present a host of problems for the state, private investors and common people who may seek to secure their rights to land or to obtain information on the availability of such assets. Lack of clear and easily accessible information regarding the rights and boundaries of land discourages good governance, investment and sound resource use, and instead fosters corruption and misallocation of resources. As noted above, USAID seeks to employ best practice in land administration systems and does not support an automatic default to (formal) land titling and registrations systems for communities or countries where these systems are not appropriate or might harm a large proportion of the population. USAID does support dynamic administration mechanisms and approaches that allow legal recognition and recording of equitable customary and statutory rights, systems that permit “upgradable rights” from leases or community ownership to full or individual ownership, and from customary to statutory rights.

Illustrative activities to be undertaken by contractors may include:

- Analyses of institutional roles, fee structures, and staffing for land administration systems
- Modeling new institutions for local land and forest management (i.e., land boards or commissions)
- Development of innovative approaches for recording and mapping complex and layered systems of land and resource rights
- Training and capacity building of land administration staff

- Development of land tenure professions including realtors, appraisers, surveyors, etc.
- Information dissemination on rules and regulations regarding land rights and access
- Institutional reorganization and realignment of incentive structures for administration
- Decentralization of land administration services
- Development of real property cadaster and registry offices
- Establishment of one-stop shops for property registration, land access and related services
- Assistance to improve property tax collection at the local level
- Development of codes of conduct, charters, reference guides, etc.
- Digitization, indexing and publication of land rights information and records
- Computerization and automation of land registration transactions and related processes
- Creation of cadastral maps

#### **4. Participatory Land and Resource Planning**

The availability of productive land and natural resources is decreasing in every region in which USAID works. This can be largely attributed to population growth, unsustainable land use, expanding economic activity, increasing demand for raw materials, and the devastating effects of climate change (i.e., desertification, rising sea levels). The increasing demand for productive land and resources is already placing great strain on formal and informal resource governance institutions. This is evidenced by the increasing number of natural resource related conflicts occurring between land user groups. In the Sahel region, conflicts between sedentary farmers and pastoralists are on the rise due to lengthier seasonal migrations southward in search of water and greener pastures.

Additionally, conflicts between indigenous forest communities, state officials and private investors (e.g., mining, oil, forestry) are becoming more common as economic activities expand into large tracts of forested areas traditionally controlled and occupied by indigenous peoples. Uncontrolled land use and development in urban settings has also been identified as a leading factor resulting in the large number of deaths and destruction which occurred during the earthquake in Haiti. As rural populations migrate to the cities in search of jobs and access to greater social services, clarity regarding access to land for housing and investment is critical.

The absence of proper planning to determine current and future land use often results in confusion and the emergence of unplanned squatter settlements in peri-urban areas where land rights are less clear and enforceable. Common to all these cases is the increasing or sustained pressure on land, the breakdown of land governance institutions, and the resulting uncontrolled use or competition for the land and its resources. To address this, participatory land use planning can be utilized to bring together various state and non-state actors to identify land rights, discuss current and future land use, and to agree amongst stakeholders for how plans can be acted upon. Without open dialog and the inclusion of involved stakeholders, land use planning can inhibit economic investment and sustainable resource use.

Illustrative activities to be undertaken by contractors may include:

- Participatory appraisals and community consultation
- Inventory of land rights
- Land use and environmental mapping and zoning (with low and high-tech tools)
- Assistance for resettlement and repatriation
- Development of land use plans (urban and rural)
- Development of charters and by-laws for managing land use plans
- Establishment of conservation easements

## **5. Dispute Resolution and Mitigation**

Land disputes are often found to be the most common types of court case addressed by the judiciary in developing countries. These disputes can include disagreements over property boundaries, competing claims to the same piece of land, access and use rights, inheritance disputes, and more inflammatory conflicts between communities or with state authorities. The cases that do make it to the courts are often only a fraction of the total number of land disputes which are occurring. The bulk of land disputes tend to be addressed through customary or community mediation mechanisms. Although local level sources of conflict resolution exist, they are not always able to address the array of disputes that come before them or their judgments may not be accepted by all parties. In some countries, the combination of these factors and the sheer number of land disputes which often occur create a sense of land tenure insecurity. This insecurity discourages investment in property and in the worst of cases can lead to destruction and violence. Effective dispute resolution mechanisms are critical to improving land tenure security, encouraging investment and ensuring sustainability of USAID investments.

Illustrative activities to be undertaken by contractors may include:

- Establishment of land tribunals or mediation boards
- Support to stakeholder dialogues
- Support to establishment and professionalization of alternative dispute resolution mechanisms
- Provision of legal aid services
- Training in dispute resolution
- Inventory and recording of land dispute cases
- Public information and education campaigns about land rights and issues
- Capacity building to foster stakeholder participation in decision-making and planning processes
- Strengthening transparency and accountability of land-related institutions
- Judicial training

## **B. Learning and Appraisal**

### **1. Assessments**

USAID anticipates that missions and operating units will require assistance to better understand tenure and property rights challenges, particularly as they impact development objectives in a number of thematic areas. These assessments will vary in breadth, substance, and may be long-term or called upon on an ad hoc basis to inform programmatic design, policy dialogue, and improve the quality of USAID's LTPR Framework and training exercises. These assessments shall use USAID's LTPR tools.

Illustrative tenure assessments to be undertaken by contractors may include:

- Technical Assessments of LTPR (as it pertain to Food Security, agriculture, climate change, natural resource management, conflict, etc.,)
- Country or Regional Assessments (e.g., tenure challenges in southern Sudan; Mano River Union diamond trade)
- Gender Assessments (roles and responsibilities of men and women, women's tenure, economic empowerment; HIV/AIDS)
- Tools and Training Assessments (property rights and resource governance tools; training)
- Impact Assessments (e.g. impact of Ethiopia land certification program; East Timor land claims program; Namibia CBNRM, Ghana and Mozambique's land reform programs, Ukraine land privatization program)

## 2. Monitoring and Evaluation

Monitoring and evaluation implemented under the STARR IQC shall be consistent with USAID's Evaluation Policy [http://www.usaid.gov/evaluation/USAID\\_Evaluation\\_Policy.pdf](http://www.usaid.gov/evaluation/USAID_Evaluation_Policy.pdf) and must be a key component of all programmatic interventions. It is expected that performance monitoring and evaluation shall be integrated into the design of Task Orders and will include managing for results. Where appropriate, impact evaluations that measure the development outcome attributable to specific Task Orders shall be conducted. USAID already integrates indicators into its LTPR programs. These indicators tend to be direct outputs or outcomes of a program intervention and vary from country- to- country. They are most frequently used to inform USAID whether a project is on-track to meet intended results within an agreed upon timeframe, or if mid-course corrections are required. Although the monitoring and evaluation plan will be program- specific, USAID desires formulation of a core set of LTPR indicators to allow communication of key results across the LTPR field to better inform senior management, and make decisions regarding future investments.

Illustrative activities to be undertaken by contractors may include:

- Design project specific performance management plans
- Train government entities or other stakeholders in reporting and analysis of relevant indicators
- Produce progress reports on project outputs and outcomes

## 3. Research

USAID is increasingly researching links between LTPR and key strategic areas including food security, climate change, and science and technology. This research is both retrospective and prospective in that it will conduct impact evaluations of past tenure project interventions as well as gain a greater understanding of how resource tenure impacts the probability of success in achieving development objectives, or how technology can be used to improve tenure security. Impact evaluations of past projects will go beyond analyses of outputs and outcomes captured within project monitoring and evaluation plans and will determine whether higher order objectives have been achieved (such as increased household incomes, changed behavior patterns, increased investment, progress toward gender equality, improved stability, etc.).

Lessons learned from this research will help contribute to a growing body of knowledge on best practice, and on why some interventions fail to deliver. Research results and related information will be integrated into future trainings and tools, and made available through the USAID Land Tenure portal (see <http://USAIDLANDTENURE.NET>). Importantly, STARR will also advance the USAID Forward Agenda and international best practice by building knowledge, testing hypotheses and implementing innovative approaches to strengthening property rights and resource tenure as a means to advance key USG strategic foreign assistance goals.

Illustrative research topics to be undertaken by contractors may include:

- What are the advantages and disadvantages (differentiated by sex where applicable) of new and alternative land tenure models for agricultural production and investments?
- What are the impacts of different tenure models on improved agricultural productivity, household nutrition, poverty alleviation, and reduced stunting?
- What are the interrelationships and impacts of secure property rights on key focus areas within the Feed the Future Strategy including: gender equality, empowerment of women, adoption of specific agricultural practices, access to rural finance, and improved water and soil quality?
- What are the best lessons in tenure reform in post-disaster situations?

- What dispute resolution mechanisms are proving to mitigate conflict and improve tenure security?
- What strategies most effectively enhance women’s rights over land and resources?
- What are the impacts of formal land registration on bank lending?
- What are the economic trade-offs between land use for carbon sequestration, expansion of agricultural activities and bio-fuel production?
- How are new climate mitigation strategies and legislation impacting property rights?
- How are tenure systems within certain climate change-prone countries or regions adapting to climate change?
- What are the impacts of varying tenure models and their impacts on forest conservation?

### **C. Training**

USAID will utilize training programs as a means of transferring knowledge and best practices about land tenure and property rights to both United States government personnel (USAID/Washington, USAID Mission and other USG personnel) as well as partner country decision makers. These trainings will be Washington DC-based as well as regional. Regional courses shall be held in geographical regions, such as in Eastern and Southern Africa, Eurasia, Southeast Asia and Central America, and shall be coordinated, where appropriate with other donor training/education activities.

In addition to DC-based and regional trainings, USAID will also require support in developing additional courses which expose trainees to more in-depth knowledge and continued training on specific topic areas.

Training courses may include topics related to: (1) land policy and law; (2) tenure and food security; (3) institutions for property transactions, registration and dispute resolution; (4) sustainable resource use and biodiversity conservation; (5) strengthening women’s rights and economic empowerment, and addressing other challenges faces by vulnerable populations; (6) climate change mitigation/adaptation and impacts on tenure; and (7) integration of land resource rights in post-conflict and post-disaster scenarios.

Training for USG personnel may include an additional focus on methodologies and tools to assess, address and measure impacts of property rights issues and reforms.

Illustrative activities to be undertaken by contractors may include:

- Development and refinement of land tenure and property rights (LTPR) training materials and modules
- Development of specialty on-line LTPR training courses
- Development of LTPR course for USG partners and NGOs
- Organization of LTPR training announcements and management of course logistics
- Implementation of LTPR training course modules
- Evaluation of existing LTPR training courses
- Development of methodologies for delivery of training courses to larger audiences
- Establishment of centers of excellence for LTPR training and certification programs

### **D. Knowledge Management and Communications**

USAID has developed a significant amount of written documentation on tenure and resource governance issues. This includes methodologies, tools, assessments, briefs, and country profiles which are all integrated into a web-based portal (see <http://usaidlandtenure.net/usaidltpproducts>) that is available for the public to view. These tools have been and will continue to be critical in communicating land tenure and property rights issues, strategies and success stories both within USAID and to outside audiences.

Given that these communication tools have been highly effective, USAID will continue to expand the development and use of them to address current and future issues and programs. The volume of material that is being created also involves a significant amount of time and resources to manage.

Therefore, knowledge management in the form of the web-based portal will continue to be utilized to capture the flow of information developed under the STARR IQC and previous task orders and to make that information available to USAID missions and the public. STARR awardees are required to share knowledge generated under this IQC amongst each other and to incorporate lessons learned and best practice into tools and training.

Illustrative activities to be undertaken by contractors may include:

- Development of land tenure and property rights issues briefs and success stories
- Update and refinement of all land tenure and property rights country profiles
- Manage, update and refinement of the USAID land tenure and property rights web-based portal ([www.USAILANDTENURE.NET](http://www.USAILANDTENURE.NET))
- Development of land tenure and property rights films and videos
- Development and refinement of relevant tools

#### **E. Grant Management (Grants under Contracts “GUCs”)**

Funds may be made available in individual task orders for the award of grants, within the scope of this IQC contract. In this circumstance the contractor shall negotiate, award, and administer grants. These grants will be secondary or minor to the overall work performed under the task order. Funds will be provided on a pass through basis. Profit/fee will not be applied to such funds. Advance approval by the Head of the Contracting Activity (HCA)/Procurement Executive (PE) is required at the Task Order level for all Grants under Contracts. Overall, value of GUCs shall not exceed two percent (2%) of the shared ceiling amount.

The contractor will manage project activities that are carried out via competitive grants programs that engage local, regional and/or international NGOs, universities and/or other entities. The Contractor will be required to develop well-managed and transparent systems for proposal submission, review and selection, and grant award, management and oversight. The contractor shall comply with H.19 below and all ADS 302.3.4.8 requirements, including the following:

USAID will be significantly involved in establishing selection criteria and must approve the recipients. USAID may be less significantly involved when the grants are quite small and are incidental to the contractor’s technical activities.

When US Private Voluntary Organizations (PVOs) are contemplated under a Grant program the contractor shall develop systems which actively promote the use of Minority Serving Institutions as provided under USAID's Automated Directive System (ADS) 321.5.3 as follows:

321.5.3 Minority Serving Institutions (MSIs): The program entitled "Expanding the Participation of Minority Serving Institutions" provides authority to reserve grants or cooperative agreements exclusively for competition among Minority Serving Institutions (MSIs) [consisting of Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs) and Tribal Colleges and Universities (TCUS)]. When Bureaus, Missions, or other operating units identify activities for which grants or cooperative agreements to one or more MSIs would be an appropriate means of implementation, competition may be limited to MSIs without further approval. (See E303.5.5a, Requirements for Competition.) This program does not authorize limited competition to any particular category of MSIs.

#### **IV. Environmental Analysis**

Many activities under this IQC that could be accomplished under STARR fall in one or more categories of exclusion from environmental analysis. Pursuant to 22 CFR 216.2(c), the following classes of activities would normally qualify as Categorical Exclusions:

- 22 CFR 216.2(c)(2)(i), Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);
- 22 CFR 216.2(c)(2)(iii) Analyses, studies, academic or research workshops and meetings;
- 22 CFR 216.2(c)(2)(v) Document and information transfers;
- 22 CFR 216.2(c)(2)(xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment;

Some activities under this IQC may have the potential for environmental impacts but the possible extent of those impacts will not be known until specific task orders are proposed. Therefore, the following actions are required:

- All training will include principles of sustainable land use management.
- All new task orders will require preparation of a separate Initial Environmental Examination (IEE). No activity falling under this requirement will be implemented unless an Environmental Threshold Decision, as defined in 22 CFR 216.3(a)(2), has been reached for that activity and documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) signed by the appropriate Bureau Environmental Officer (BEO) and a signed copy delivered to the STARR IQC COTR.
- The originating/operating unit's COTR will be responsible for working with the appropriate procurement officer to ensure that language implementing threshold decisions and conditions are appropriately reflected in task order agreements.

#### **V. Gender Analysis**

Effective land resource governance takes account of the different knowledge, abilities, and approaches that men and women apply to the use and conservation of land and other natural resources. In most countries where USAID operates, men are the head of household and play the predominant role in decision-making over land rights and access, and receive a disproportionate share of the wealth derived from land-related transactions and output. Men also tend to occupy the majority of positions in land administration institutions.

In contrast, women often have weaker property rights and gain access to land through natal or marital affiliations. This increases women's vulnerability and limits the benefits which they can accrue from the land. Men having stronger land rights and access are able to benefit financially through sub-leasing of property, arrangement of contracts with commercial interests, and through greater return of investments in the land. Women, on the other hand, risk having property expropriated upon divorce or the death of a husband. This has negative repercussions upon women, children and general food security within communities given that women produce 43% of the food in most developing countries.

To ensure USAID programming does not negatively impact women and instead delivers benefits to the full range of stakeholders, STARR task orders shall integrate gender equality and women's empowerment

into program design. This may include legal and institutional reforms that secure women's rights to land and property, the recording of multiple use rights as well as ownership, the inclusion of both husbands and wives names on land documents, legal rights awareness, and assistance through cooperative action via women's groups or associations.

In addition to addressing gender equality and women's empowerment within technical proposals implementation, STARR awardees will also be required to address gender issues within work plans, quarterly reports, and monitoring and evaluation plans. Because gender issues vary greatly across communities and cultures, STARR awardees are required to complete a gender analysis for each task order in order to better understand power dynamics, resource access and control, decision-making, and participation in civil society. This understanding will be applied to the design and management of all STARR activities.

## **VI. The Staffing Plan**

The IQC holder needs to be able to react quickly to Requests for Task Order Proposals (RFTOPs; see further details under section F.5 thru F.8), therefore, ready access to high quality Staffing as described below is required. Most of the functional labor categories required for individual Task Orders will necessitate significant international experience. International experience is defined as devoting the majority of the candidate's primary work time to international activities in developing countries. Overseas experience may include consulting abroad while maintaining a home base in the U.S. or working/living overseas for extended periods.

As specified for individual Task Order proposals, resumes may be required. Individual Task Orders may specify/ require some Staffing with individuals of lesser experience and education (i.e., junior, or mid-level staff). In addition, for staffing Task Orders, experience with longer-term fieldwork is preferable to short-term consultancies for each assignment listed on the resume. Each resume should specify whether the candidate's experience consists of long-term field assignments or short-term consultancies.

### **Labor Categories**

#### **A. Position Title: Land Tenure Specialist**

It is anticipated that TO Managers (Chief of Party) will be **Land Tenure Specialists**.

Minimum Education for Senior Positions: Master's Degree in a tenure-related field, or appropriate social science, with Ph.D. preferred

Position Description: The Land Tenure Specialist will have experience in managing complex projects in related areas including: customary land tenure systems; land use and environmental planning; gender issues in land tenure and property rights; community based adjudication of land disputes; rangeland management; public outreach on land rights issues; and land allocation and land use in sensitive ecological zones. The Land Tenure Specialist must have a detailed knowledge and understanding of pastoral/grazing issues, customary law environments and how customary law impacts land use in rural areas.

#### **B. Position Title: Land Administration Specialist**

Minimum Education for Senior Positions: Master's Degree in land administration, surveying/mapping, GIS, remote sensing, etc.

Position Description: The Land Administration Specialist should be familiar with Land Administration law, with the implementation of procedural regulations and the translation of such regulations into operational procedures. He/she will also have experience with public sector capacity building,

decentralized local government, customary governance systems, land administration, and design and implementation of training programs for national and local public officials. The individual will have demonstrated experience in identifying and implementing strategies for the sustainable improvement of inter-agency coordination, modernization, streamlining of procedures, and appropriate use of technology.

### **C. Position Title: Land Lawyer**

Minimum Education for Senior Positions: JD or LLM law degree

Position Description: The Land Lawyer will have experience in drafting land and resource-related legislation and implementing regulations, procedural documents, local government decisions and protocols, and other legal documents relevant to a given project. The Land Lawyer will have a detailed knowledge of land policy and legislation, demonstrated experience in working with statutory and customary tenure and customary legal frameworks, and defining mechanisms for resolution of land disputes (ex. non-judicial arbitration and mediation mechanisms).

### **D. Position Title: Post-Conflict/Post-Disaster Land Tenure Specialist**

Minimum Education for Senior Positions: Master's Degree in anthropology, political science, geography, economics or other related social sciences.

Position Description: The Post-Conflict/Post-Disaster Land Tenure Specialist will have experience in assessing land tenure issues as they affect post-conflict and post-disaster situations and making recommendations of how best to mitigate conflict and land grabbing and facilitating eventual resettlement and stability. He/she will have detailed knowledge of formal and informal land tenure systems in urban and/or rural settings, familiarity with an array of land disputes and dispute resolution mechanisms, and sensitivity to addressing such challenging issues in post-conflict and post-disaster situations.

### **E. Position Title: Climate Change and Tenure Specialist**

Minimum Education for Senior Positions: Master's Degree in environmental sciences, natural resource management or related field

Position Description: The Climate Change and Tenure Specialist will have experience articulating risks and best practices in addressing resource governance in response to climate change and proposing country relevant strategies for overcoming identified constraints. The candidate will also have demonstrated extensive experience in the field of land tenure and property rights or resource governance, with a specific focus on climate change adaptation and mitigation (REDD), natural resource management, forestry, carbon financing or related fields.

### **F. Position Title: Agricultural Economist**

Minimum Education for Senior Positions: Ph.D. in agricultural economics

Position Description: The Agricultural Economist will be focused on addressing tenure challenges as they relate to food security and economic growth. He/she will have demonstrated extensive experience in the field of land tenure and property rights, with a specific focus on agriculture, food security, economic growth and governance. The candidate will be familiar with the application of qualitative and quantitative methodologies for assessing project impact and be able to apply such methodologies to strengthen knowledge and awareness of the interrelationships of tenure on food security strategies. Knowledge of gender issues in agriculture is highly desirable.

## **G. Position Title: Gender Specialist**

Minimum Education for Senior Positions: Master's Degree in anthropology, economics, or other relevant social science with Ph.D. preferred

Position Description: The Gender Specialist will have a demonstrated understanding of the differential rights, knowledge, abilities, and approaches that men and women apply in the use and conservation of land and other natural resources. Knowledge of gender issues in agriculture is highly desirable. He/she will also have experience in applying such knowledge in the assessment, design, and evaluation of project activities, especially interventions seeking to improve tenure security and access to land.

## **H. Position Title: Public Communications Specialist**

Minimum Education for Senior Positions: Bachelor's Degree in public communications, marketing or similar field

Position Description: The Public Communications Specialist will have experience developing innovative and content sensitive public awareness programs in developing country contexts. The Communications Specialist will demonstrate a detailed knowledge and understanding of the variety of communications and public outreach tools available to convey simple yet highly important messages in challenging environments with low literacy and poor infrastructure. Experience with web-based information systems, multi-media and video production are required.

## **I. Position Title: Monitoring and Evaluation Specialist**

Minimum Education for Senior Positions: Master's Degree or Ph.D. in economics

Position Description: The Monitoring and Evaluation Specialist will be responsible for identifying and tracking appropriate land tenure and property rights indicators for relevant program interventions. He/she will have demonstrated experience in developing monitoring and evaluation systems for a wide variety of land tenure projects. The candidate will be familiar with the application of qualitative and quantitative methodologies for assessing project impact and be able to apply such methodologies to strengthen knowledge and awareness of the land tenure interventions.

## **J. IQC Management**

The Contractor shall provide the central management necessary to fulfill all the requirements of the contract. This includes cost and quality control of all tasks and assignments.

Primary Points of Contact: The (1) IQC Program Manager and (2) Deputy IQC Program Manager shall be the primary points of contact that USAID may contact for procedural and substantive matters. These individuals shall have the primary responsibility for technical aspects of contract performance, as well as procurement, personnel, reporting, and other management related requirements of the contract.

Specifically, the IQC Program Manager and Deputy IQC Program Manager shall:

- Respond to task order requests, and provide central management and oversight of task orders under this award, working collaboratively and often with USAID central and field project managers, technical officers, Contracting Officers, and meet and consult regularly with the STARR - PT IDIQ COTR.
- Select, provide technical and administrative direction and guidance, place and support all technical experts carrying out technical requirements.
- Report to USAID technical and contract personnel in accordance with USAID reporting requirements in Section F.

- Ensure quality and control methods in a consistent and transparent manner for all contracted tasks and functions.

The IQC Program Manager and Deputy IQC Program Manager shall have a minimum of ten (10) years international experience. International experience is defined as devoting the majority of the candidate's primary work time to international activities working in developing countries. Overseas experience may include consulting abroad while maintaining a home base in the U.S. or working/living overseas for extended periods. Preference is given to longer-term fieldwork compared to short-term consultancies.

### **Program Coordination**

The Contractor will be expected to work primarily with host country government institutions (national, provincial, and local) charged with management and decision-making responsibilities in land and natural resources management and/or local NGOs, private sector entities, academic/research institutions and community/civil society organizations.

Host-country stakeholders commonly involved in natural resources management and conservation activities include:

- Government officials at the national, provincial, municipal, and village levels;
- Legislators, including the opposition, with the concurrence of the U.S. Embassy;
- Civil Society Organizations such as: community based natural resource management groups, conservancies, cooperatives, producer organizations, women's organizations, community based tourism groups and operators;
- Non-Governmental Organizations (NGOs) and other interest groups;
- Market Institutions and the private sector including multi-nationals, local industry and small, medium and micro- enterprises;
- Resource users including communities, industry, and government;
- Professional associations (e.g., notaries, professional groups associated with conservation, forestry, and agriculture);
- Natural resource and agricultural research institutions and universities;
- Banks and other financial organizations.

An emphasis will be placed on drawing on and enhancing local capacity. Depending on the specific provisions of individual Task Orders, the Contractor shall hire local consultants and subcontract work with local stakeholder institutions to the greatest extent possible. In most USAID-assisted countries, there are highly capable local experts and institutions that can effectively provide goods and services, enhance local demand for improved natural resource management, and foster appropriate policy reform encouraging the sustainable use and conservation of natural resources. With appropriate capacity building, these individuals and organizations can significantly increase the potential that program impact will be sustained beyond the life of the project.

In many of the countries in which USAID works there are USAID and other donor-funded contractors and cooperators implementing programs in which sound land and resource governance are critical cross-cutting issues. The contractor shall seek direction from the Task Order Cognizant Officer Technical Representative (TO COTR) on how cooperation and coordination with these other programs can best be enhanced to avoid duplication of efforts, and maximize the efficient use of scarce resources.

The Contractor shall work under the technical direction of the Task Order COTR and shall cooperate with him/her to assure that the expertise provided is appropriate to the needs of the activity and that contract resources are used in a cost-effective manner.

## **Monitoring and Evaluation**

Monitoring and evaluation plans with specific output and outcome indicators will be developed for each RFTOP. All indicators will be sex disaggregated where appropriate.

### **(a) External Evaluation**

Mid-term and final external evaluations are anticipated during the life of contract. These external evaluations will be conducted by independent consultants and may include detailed assessment of the contractor organization, management, performance and overall contract and identify possible changes and improvements. Contractors will cooperate fully with the evaluation efforts.

### **(b) Internal Evaluation**

EGAT reserves the right to conduct internal evaluations of the Contractor's overall performance after month 24, in accordance with performance standard/indicators established under task orders and shall be conducted jointly by the COTR and the Contracting Officer. The Task Order COTR and Contracting Officer will undertake an evaluation at the conclusion of each task order and forward a copy to the USAID/W COTR and Contracting Officer.

## **Deliverables**

The Contractor shall submit one (1) original and two (2) copies of reports and plans to the COTR specified in Section G of the contract. In addition, the contractor shall submit one copy of each report or plan to the Contracting Officer identified in Section G of the contract.

### **(a) Reports, Deliverables and Outputs for Task Orders**

The contractor shall be responsible for all results and deliverables to be achieved under each Task Order (as indicated in each Task Order). In addition to the requirements set forth for submission of reports in Section I and J and in AIDAR clause 752.242-70, Periodic Progress Reports, the Contractor shall submit the deliverables or outputs to the COTR specified in Section G of the contract.

### **(b) Reports, Deliverables and Outputs for the Contract**

In addition to the requirements set forth for submission of reports in Section I and J of the contract and in AIDAR clause 752.242-70, Periodic Reports and Progress, the Contractor shall submit the reports, deliverables and outputs to the COTR specified in Section G of the contract.

**Management (Work) Plans:** Within thirty (30) days of award and each year thereafter, the Contractor must submit a draft work plan for USAID approval describing the activities anticipated for the following year.

**Quarterly Progress Reports:** Within thirty days (30) of the end of the contract first quarter and quarterly thereafter, the contractor must submit brief quarterly reports that describe progress, success, shortcomings, and future plans of the project.

**Annual Reports:** Within thirty (30) days after completion of the first year and each year thereafter, the contractor must submit an annual report summarizing activities carried out under the contract during the preceding year, addressing both financial and technical issues. This report may also include the annual work plan for the coming year.

Final Reports: Within ninety (90) days after completion of the contract the contractor must submit a final report describing accomplishments, shortcomings and lessons learned.

Notwithstanding the required reports stated in Section F.6 below, in the event of significant technical problems, the contractor shall immediately notify the COTR of the origin and nature of the problems, and steps/remedies taken to eliminate/minimize adverse delivery/performance.

## **VII. USAID Technical Management of IQC**

The STARR IQC will be managed by the Contracting Officer's Technical Representative (COTR) for the Land Tenure Unit, Land Resource Management Team, Office of Natural Resource Management, Bureau for Economic Growth, Agriculture and Trade.

**- END OF SECTION C -**