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USAID Land Reform And Farm Restructuring Project

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Khatlon



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ACRONYMS AND GLOSSARY

FTF/T	Feed the Future Tajikistan
GoT	Government of Tajikistan
LRFRP	Land Reform and Farm Restructuring Project
USAID	United States Agency for International Development
Working Group	Working Group on Land Framework for Land Reform
Dehkan Farm	Farms that underwent preliminary reorganization, ranging in size from a single member to several hundred members
Hukumat	Local government authority of region (<i>oblast</i>) or district (<i>rayon</i>)
Jamoat	Body of local self-government at sub-district level
Tashabbuskor	Rural land activist or initiator

A. BACKGROUND

Chemonics International signed the USAID Land Reform and Farm Restructuring Project (LRFPR) in Tajikistan on October 1, 2013. LRFPR is designed to continue initiatives implemented by the USAID Land Reform Project in Tajikistan from 2010-2013. LRFPR is a three-year project, with an estimated completion date of September 30, 2016.

The USAID Tajikistan Land Reform and Farm Restructuring Project (LRFPR) consolidates the gains achieved under the previous project and focuses on building the capacity of Government of Tajikistan (GoT) stakeholders to take ownership of the land tenure reform process. Specifically, the project strengthens the capacity of the Tajik Government to introduce progressive land legislation and policies based on “freedom to farm” principles; enhance farmers’ awareness of land-related rights through training, legal assistance, and public outreach efforts; and provide technical training on land rights issues to local government officials, judges, public prosecutors, and defense advocates to promote fair administration of land tenure laws.

B. SUMMARY OF ACCOMPLISHMENTS AND CHALLENGES

ACHIEVEMENTS

- Project representatives presented LRFPR goals and an overview of planned activities at a FTF/T partners meeting.
- The project team established a platform for dialogue through official letters between the project and Presidential Apparatus, Ministry of Justice, Ministry of Agriculture, State Committee on Land Management, and Geodesy.
- Conducted an analysis of TV, radio, and newspaper outlets for LRFPR public outreach activities in the Khatlon Region.
- Conducted a survey of existing training materials related to land reform to ensure consistency and accuracy with respect to current legislation.
- Developed the Year 1 work plan, performance monitoring and evaluation plan (PMEP), and grants manual.
- Established main project office in Dushanbe.

CHALLENGES

The project has not yet received official VAT exemption from the Government of Tajikistan and therefore has had to pay VAT on all procurements and project expenses to date. To address this situation, project leadership has submitted a formal letter to appropriate parties within the Government of Tajikistan and USAID requesting their assistance with resolving the situation. At present (January 2014), the Minister of Justice

had drafted a resolution authorizing the project's VAT exemption and incorporates letters of support from other ministries. LRFPP will need an official letter from the US Embassy of Tajikistan indicating the implementation of the USAID project in order for the Government of Tajikistan to grant VAT exemption.

C. ACCOMPLISHMENTS BY TASK

During the reporting period, the project team focused on administrative start-up, as well as the development of key project deliverables, including the Year 1 Work Plan, the PMEPP, and the grants manual. Moreover, the Project has launched implementation of initial activities under Tasks 1-3.

The following section contains a discussion of activities, results, and upcoming plans by task, as well as crosscutting activities, during the period of October 1, 2013 through December 31, 2013.

Task 1. Land Policy and Legislative Drafting

During this reporting period, LRFPR submitted official letters announcing the start of the project to the Presidential Apparatus, the Ministry of Justice, the Ministry of Agriculture, the State Committee on Land Management, and the Geodesy. In addition to providing a summary of the project, each letter outlined the framework for collaboration and requested support from the government in the following areas:

- Participation and support for the drafting, adoption, and amendments to existing legislation and other bylaws, including the development and adoption of the Law on Dehkan Farms;
- Participation and support to monitor the implementation process of land legislation;
- Participation in the Working Group on Land Reform, which will be tasked with leading policy reform initiatives for land reform and farm restructuring
- Support for the development of sound policies and laws that protect women's rights, promote equality, and reflect small farmers' voices.

Task 2. Build Capacity of Stakeholders to Capitalize on Land Reform

The Project conducted a survey of existing training and informational materials on land reform to ensure consistency with current legislation and to identify necessary updates and revisions to the materials for farmers and government officials during the first year.

Based on the team's review of existing materials, LRFPR will update the following brochures:

1. **Restructuring of dehkan farms.** The previous land reform project developed a brochure in Tajik language for dehkan farms and students in *jamoats* and *makhalla* containing guidance on the process of reorganizing large dehkan farms, as well as information how to obtain land use certificates. LRFPR will update and

distribute the brochures according to amendments to land legislation that have passed since the previous project closed out.

2. **Legal Basis for Land Use.** The brochure is designed to provide information for dehkan farms and students in *jamoats* and *makhalla* about land use rights, land use regulations, and the establishment of dehkan farms. LRFPR will update the brochure according to recent changes to land legislation.
3. **Civil, legal, and other acts related to the Land Code on Land Use.** For three years, the previous land reform project developed a brochure in Tajik language for legal aid centers, *tashabbuskors*, dehkan farms, and students in *jamoats* and *makhalla* containing information on servitudes and authorities of local officials. LRFPR will update and distribute the brochure according to amendments introduced to the Land Code in 2013.
4. **Code of laws on land legislation** for legal aid centers, *tashabbuskors*, dehkan farms, and students in *jamoats* and *makhalla* will be updated according to new amendments introduced to the Land Code in 2013.
5. **Roles and responsibilities of local authorities and land committees on land legislation.** LRFPR will update a brochure that provides information about the roles and responsibilities of local authorities and land committees on land legislation developed by the previous USAID Land Reform Project according to new amendments introduced to the Land Code in 2013.

Over the course of the review process, the project team identified the need for two additional brochures that cover the following topics:

- **Access for women to land and other resources.** Specific information and materials designed for rural women in Tajikistan. LRFPR will develop and distribute “women and land” brochure on issues affecting women, such as inheritance and illegal transfer of tenure rights and title.
- **Land plot registration as immovable property.** A brochure on State Registration of Rights to Immovable Property will be developed on the basis of the Law on State Registration of Rights to Immovable Property of the Republic of Tajikistan and other regulations, and will contain the process of carrying out state registration system. The brochure will be distributed among dehkan farms, land committees, legal aid centers, *tashabbuskors*, state agencies, and students in *jamoats* and *makhallas*.

Task 3. Land Rights and Farm Restructuring Public Information and Awareness

The project's public outreach specialist conducted an analysis of available media outlets in the Khatlon Region to assess media coverage and usage in this area to plan the project's information campaigns in FTF/T districts.

Currently, the main sources of receiving and distributing information for the population in Tajikistan include radio, television, and newspaper, particularly for residents of rural areas where more than 80 percent of the population live. Below we summarize the results of the media assessment.

Radio and Television. In December project staff met with the chairman of the radio and television department of the Khatlon region, Mr. Khamro Salimov, and the director of the commercial department, Mr. Said Masharipov, to discuss media coverage and programs in the region. Regional television airs 8 hours per day and covers only the city and subordinate rayons Bokhtar, Vahsh, and Sarband. There is no television coverage in Kabadiyan, Shaartuz, and Nosiri Khisrav where LRFRP will be working. Radio coverage is limited to Bokhtar, Vahsh, Sarband, and Qurghanteppa. Radio air time lasts 1.5 hours per session and the programs repeat everyday. In terms of media uses by men and women, men generally rely on newspapers and television sources, while women rely more on radio and television sources; however, in the winter when electricity is in short supply, both men and women rely more on print media sources during that time of the year.

Previous USAID land reform projects have collaborated with Radio Tajikistan since 2007, which covers 93 percent of the population. LRFRP's project outreach specialist met with the director of Republican Radio (the First Channel) to discuss technical details of cooperation and plan programs on land issues to be broadcast in conjunction with the agricultural programs that already air twice per day.

Taking into account the regional television and radio stations' coverage gaps in Khatlon region, the project will primarily work with the state-owned national television and radio stations, which cover 99.7 percent of the population, to deliver its public information campaigns.

Newspaper. In December 2013, the project met with the chief editors of the *Farazh*, *SSSR*, *Borgohi suhan*, *Ozodagon*, and *Manu Tu* newspapers to discuss opportunities for joint cooperation on LRFRP public outreach activities. These newspapers circulate weekly editions with a range of six to nine thousand copies.

The Project also met with the director of the private newspaper *Rizkrason*, who has worked with USAID-



funded land reform projects since 2007. During the 6 years of cooperation with USAID projects, *Rizkrason* served as the main source of information for farmers and legal aid centers on land use rights and land legislation. The newspaper comes out once per month for an affordable price (0.80 diram per edition). During the first year of project implementation, the project plans to issue approximately 3,000 copies in the project area that cover land rights issues.

Internet. In rural areas of Khatlon Province where the project will be working, Internet access is minimal to non-existent.

Task 4. Support the provision of legal advice and other assistance to promote farm restructuring and the development of a market in land-use rights

On November 29, the Project submitted the project grants manual for USAID approval. The grants manual will guide many of the activities under Task 4, which relate to the expansion of legal aid services through the establishment of Legal Aid Centers, which will be LRFPR grant recipients. The project grants specialist has drafted terms of reference related to grants so that once the manual is approved, the team will be ready to release solicitations for grant awards.

CROSSCUTTING ACTIVITIES

Opening Event in Qurgonteppe

On November 19, U.S. Ambassador Susan M. Elliott, USAID Central Asian Republics Mission Director Ambassador Jonathan Addleton, Agricultural Unit Head under the Executive Office of the President, Mirzodavlat Saburov, the Minister of Land Reclamation and Water Resources Rakhmat Bobokalonov, and other Government of Tajikistan officials gathered in Qurghonteppe to launch new USAID-funded projects under the US Government's Feed the Future Initiative for Tajikistan.

LRFPR team members presented the main goals of the project and summarized the accomplishments of the predecessor project, the Land Reform Project in Tajikistan. The project distributed LRFPR brochures to USAID staff, representatives of the government of Tajikistan, and other attendees.



Monitoring and Evaluation

The PMEP was submitted on December 2, 2013 for USAID review and approval. The project started to define baselines for some indicators, based on information from Statistic Agency and Gosregistr.

D. GRANTS AND SUBCONTRACTS

During the reporting period, the start-up team developed and submitted the LRFRP Grants Manual on November 29, 2013 for USAID review and approval. As soon as the manual is approved, the project's Grants Manager and technical team will develop grant solicitations to launch the competitive process for identifying potential grantees and awarding grants.

E. ACTIVITIES PLANNED FOR NEXT QUARTER

Below we summarize activities planned for Quarter 2 of FY 2014 under organized by task.

Task 1. Land Policy and Legislative Drafting

- Formation and approval of the Working Group in order to start discussions on Unified Land Policy development
- Conduct analysis of the Mortgage legislation, Valuation legislation, Law on State Registration of Rights to Immovable Property, and Tax law in order to develop land use right market Promote the Law on Dehkan Farm
- Engage universities in legislative drafting process and approach Ministry of Education and Science and several universities (e.g., Tajik State University, Tajik Agrarian University, and Financial Economic Institution) to discuss further steps of cooperation
- Develop four decrees of the Government, specifically:
 - Draft Rules on order of compensated and uncompensated rights to use land plots to natural and legal entities of RT;
 - Draft Rules on the right of acquisition to use land plots in the land use rights market.
 - Draft Resolution on the statement "Features of alienation of land use right within the alongshore, and also the land plots on public territories".
 - Draft Resolution on the statement "Order on establishment of public (compulsory) servitudes on the land plots and Contract Forms on private (voluntary) servitudes.
- In support of the adoption of the Law on Registration, the Project will provide consultative and legal assistance on obtaining title certification documents. The

project will closely collaborate with the World Bank Land Registration and Cadastre System for Sustainable Agriculture Project which is engaged in the delivery of land entitling documents. A memorandum of understanding to establish functions and responsibilities as well as and define and approve joint actions and trainings concerning obtaining the certificate on land use right will be signed.

Task 2. Build Capacity of Government Officials, Farmers Civil Society Organizations, and other Rural Stakeholders to Capitalize on Land Reform

- Organize study tours for GoT officials to demonstrate effective policy and land-tenure governance
- Develop manuals and instructions for Legal Aid Centers and *tashabbuskors*.
- Develop training modules for Legal Aid Centers on a) land relations; b) competence of local authorities and land committees on land legislation; c) access for women to land resources
- Conduct training of trainers for Legal Aid Centers and *tashabbuskors* on providing training for *jamoats* and *makhalla* on land use rights
- Conduct training of trainers for local authorities and land committees on the restructuring of dehkan farms and certificate documentation

Task 3. Land Rights and Farm Restructuring Public Information and Awareness

- Prepare programs for TV, Radio and materials for newspapers

Task 4. Support the Provision of Legal Advice and Other Assistance to Promote Farm Restructuring and the Development of a Market in Land-Use Rights

- Conduct a cost-benefit analysis to evaluate existing models of delivering information and legal assistance
- Select grantee NGOs and create Legal Aid Centers
- Cooperate with the World Bank Land Registration and Cadastre System for Sustainable Agriculture Project to define and approve joint actions and trainings concerning obtaining the certificate on land use right

F. ADMINISTRATIVE ACTIVITIES

Start-up Workshop. LRFRP conducted the first annual work planning workshop in November 2013. At this workshop, LRFRP staff and representatives of the project

management unit (PMU) gathered for a week-long workshop to review the contract scope of work collectively and develop the Year 1 work plan and performance monitoring and evaluation plan (PMEP). The team reached a consensus on work plan objectives, tasks, and resources for Year 1 implementation; reviewed accomplishments and lessons learned from the previous project and other land reform initiatives; and brainstormed ideas for integrating gender issues into all project activities. The team also developed a framework for the PMEP, including data collection forms, and annual reports, deviations in implementation and reports from the predecessor project, learning about key findings from the most recent Feed the Future reports, new skills in planning for results, communications planning, dealing with difficult partners and effective Tajikistan business communications, and identifying possible program areas and activities for the period from October 1, 2013 to October 30, 2013. The PMU also delivered an ethics training to all staff titled “Living our Values.”

Staffing and Recruitment. In November 2013, LRFPR signed employment contracts with nine local long-term professional employees and three support staff members. With the departure of the Legal Drafting Specialist and the M&E specialist, the project has initiated a recruit to identify replacement candidates for these positions. The project is finalizing recruitment for three vacant support staff positions (interpreter, IT specialist, and receptionist).