

# **Responsible and Innovative Land Administration in Ethiopia (REILA)**

---

Mid-term Evaluation Report

## Table of Contents

|  |    |
|--|----|
| Executive Summary.....   | i  |
| 1. Introduction.....   | 1  |
| 2. Background.....   | 2  |
| 2.1. Context of REILA.....   | 2  |
| 2.2. REILA, the Project.....                                       | 3  |
| 2.3. Stakeholders and beneficiaries.....                           | 5  |
| 3. Key Findings.....   | 7  |
| 3.1. Public information and awareness building.....                | 7  |
| 3.2. Capacity building and harmonization.....                      | 9  |
| 3.3. Land administration in Benishangul-Gumuz.....                 | 13 |
| 3.4. Land administration in Amhara.....                            | 18 |
| 3.5. Investment Fund.....  | 21 |
| 4. Conclusions.....  | 22 |
| 4.1. Relevance.....  | 22 |
| 4.2. Effectiveness.....  | 23 |
| 4.3. Efficiency.....   | 25 |
| 4.4. Project Design, Management and Implementation.....            | 26 |
| 4.5. Human Rights Based Approach and Cross-cutting objectives..... | 29 |
| 4.6. Sustainability.....   | 30 |
| 4.7. Impact.....   | 31 |
| 5. Recommendations.....  | 31 |
| 6. Lessons learned.....  | 42 |

## **Annexes**

Annex 1, Terms of Reference

Annex 2, List of interviewees

Annex 3, Evaluation matrix

Annex 4, Stakeholders

Annex 5, Budget utilization up to June 2016

Annex 6, Expenditure paid from TA funds for IF activities

Annex 7, Imagery trials costs

Annex 8, Letter of MoA on per diems

## Abbreviations

|         |   |
|---------|---|
| ANRS    | Amhara National Regional State  |
| BGNRS   | Benishangul-Gumuz National Regional State   |
| BoA     | Regional Bureau of Agriculture  |
| BoARD   | Bureau of Agriculture and Rural Development   |
| BoFED   | Regional Bureau of Finance and Economic Development                                     |
| BoEPLAU | Regional Bureau of Environmental Protection, Land Administration and Use                |
| CIM     | Cadastral Index Map   |
| CORS    | Continuously Operated Reference Stations  |
| CTA     | Chief Technical Advisor   |
| DA      | Development Agent   |
| DAC     | Development Assistance Committee  |
| DFID    | Department for International Development  |
| EIA     | Environmental Impact Assessment   |
| EMA     | Ethiopian Mapping Agency  |
| EPLAU   | Environmental Protection, Land Administration and Use Authority                         |
| ESIF    | Ethiopia Sustainable Land Management Investment Framework                               |
| GEF     | Global Environment Facility   |
| GDP     | Gross Domestic Product  |
| GIS     | Geographic Information System   |
| GIZ     | German Development Cooperation; Deutsche Gesellschaft für Internationale Zusammenarbeit |
| GPS     | Global Positioning System   |
| GSD     | Ground Sample Distance  |
| HRBA    | Human Rights-based Approach to Development  |
| IF      | Investment Fund   |
| INSA    | Information Network Security Agency   |
| IT      | Information Technology  |
| LAUC    | Land Administration and Use Committee   |
| LAUD    | Directorate of Land Administration and Use  |
| LIFT    | Land Investment for Transformation Programme  |
| MDGs    | Millennium Development Goals  |
| M&E     | Monitoring and evaluation   |
| MFA     | Ministry for Foreign Affairs of Finland   |
| MoA     | Ministry of Agriculture   |
| MoARD   | Ministry of Agriculture and Rural Development   |
| MoFED   | Ministry of Finance and Economic Development  |
| MTE     | Mid-term Evaluation   |
| N/A     | Not Applicable  |
| NRLAIS  | National Rural Land Administration and Information System                               |
| NSS     | National Social Scientist   |
| ODA     | Official Development Aid  |
| OECD    | Organisation for Economic Co-operation and Development                                  |
| PASDEP  | Plan for Accelerated and Sustained Development to End Poverty                           |
| PIM     | Project Implementation Manual   |
| PMC     | Project Management Committee  |
| PPPAA   | Public Procurement and Property Administrator Agency                                    |
| REILA   | Responsible and Innovative Land Administration in Ethiopia                              |
| RMSE    | Root-Mean-Square Error  |
| SLM     | Sustainable Land Management   |
| SLMP    | Sustainable Land Management Project   |
| SLM-TC  | Sustainable Land Management Technical Committee   |
| SNNP    | Southern Nations Nationalities and People's Region                                      |
| SVB     | Supervisory Board   |
| TA      | Technical Assistance  |
| ToR     | Terms of Reference  |
| TVET    | Technical, Vocational and Educational Training College                                  |
| UNDP    | United Nations Development Programme  |
| UPIN    | Unique Parcel Identification Number   |
| USAID   | United States Agency for International Development                                      |
| WB      | World Bank  |
| WGS     | World Geodetic System   |

## Executive Summary

Agriculture has been a strong driving force of economic growth in Ethiopia. Agriculture accounts for well over 40% of GDP, 60% of exports, and 80% of total employment. The rapidly growing population still relies largely on subsistence agricultural practices for their livelihoods. Continued agriculture-based growth is therefore a challenge.

Farmers have had low security over their land holdings. Thus they have been reluctant to make investments in order to improve the land and productivity in agriculture. This has also had an effect on land erosion. To address the situation the Government of Ethiopia established a Sustainable Land Management Platform as a mechanism to coordinate all land management investments and an Ethiopia Strategic Investment Framework (ESIF) which provides a holistic and strategic planning approach under which the government and stakeholders and donors can work together.

Finland decided to support ESIF with a long-term commitment and finance the initial Project called Responsible and Innovative Land Administration in Ethiopia (REILA). This first 5-year Project commenced in July 2011. The Finnish contribution to the budget is EUR 12.8 million consisting of technical assistance (TA) (EUR 5.9 million) and financial support (EUR 6.9 million). The direct contribution from the Government of Ethiopia is estimated at about EUR 1.1 million, largely in kind.

REILA's overall development objective is: *improved livelihood and economic well-being of the rural population through promotion of sustainable land management practices*. The purpose of the Project is to contribute towards "an improved, transparent and appropriate land administration system in Ethiopia". The project addresses the interlinked problems of poverty, vulnerability and land degradation at the rural community level by improving Ethiopia's land registration and certification system.

The Project has four components:

- Component 1, Public information and awareness building
- Component 2, Capacity building and harmonization
- Component 3, Developing basic land administration in Benishangul-Gumuz
- Component 4, Land administration in the Tana-Beles Growth Corridor, Amhara part.

The results that are expected to be reached by the components are respectively:

1. Full awareness of the beneficiaries/stakeholders of their rights, obligations and related land administration procedures and enhancement of the participation of all stakeholders in all phases of the registration and certification processes;
2. Improved institutional capacity and harmonized procedures of land administration on the federal level with appropriate legal and technical framework developments supported and competence built for supporting regional operations, in particular, within the SLMP geographical areas;
3. Functioning, efficient and transparent land administration system and services available for all in Benishangul-Gumuz region; and
4. Improved process and increased capacity for responsible land allocation for investments in the Tana-Beles Growth Corridor and for 2<sup>nd</sup> level registration and certification in Amhara side of the Corridor.

The Ministry for Foreign Affairs of Finland (MFA) decided to conduct a mid-term evaluation (MTE) of the Project. The MTE was carried out during April and May 2015. The objective of the MTE is to assess the progress of the REILA Project, its potential to achieve its targets and to make recommendations on corrective measures to improve project implementation. The MTE followed the MFA Evaluation Manual (2013) and adopted a participatory approach. An evaluation matrix prepared by the team provided the framework for the evaluation. A mission to Ethiopia was undertaken between 21 April and 7 May 2015 with field visits also to project sites in Benishangul-Gumuz (BGNRS) and Amhara (ANRS) Regional States.

There were some delays in the commencement of the Project which started with an Inception phase. During the Inception phase some changes to the Project were agreed as the Ministry of Agriculture (MoA) wanted to accelerate the harmonization of the methods of land registration in the country and find technically sound and economically affordable methods to carry out land registration throughout the country in a relatively short period. Thus REILA undertook to carry out trials to that end in Amhara, Oromia, SNNP and Tigray, while the design was to focus REILA activities only to BGNRS and the ANRS side of the Tana-Beles Growth Corridor.

Furthermore, major developments had taken place in BGNRS. BoEPLAU was established and many staff was recruited to the office in Assosa and to the Woreda land offices although the new staff was largely untrained in land administration. This changed the situation drastically and called for changes in the approach of the Project. Therefore, it was decided that in BGNRS the Project will focus on and work in a limited number of Woredas in all the three Zones while the plan had been to focus mainly on Metekel Zone and to build up the Zonal land administration offices.

These decisions fragmented the Project even more than was originally planned which delayed commencement of some elements of the Project because manpower and resources were tied up in the newly decided trial. Now the trials are over and focus is back on BGNRS and ANRS and all components and sub-components are under implementation.

During the interviews the beneficiary organizations and other stakeholders, without an exception, expressed their satisfaction with the work and results of REILA already at this stage and expressed the wish that the Project would continue in the future. The State Minister of MoA and the Director of the Directorate of Land Administration and Use (LAUD) both underlined how REILA has been an eye-opener for decision makers in the land administration sector and how it has changed the mind-set regarding land administration and land registration. The Project has assisted the MoA to develop a basis for a harmonized system for land registration in the country which will assist considerably in fulfilling the ambition of having all the land in the country registered in the coming years. The conclusion of the MTE team is that REILA continues to be very relevant.

Judging by the interviews and by assessing achievements against the indicators in the logical framework of the components the MTE team considers REILA to have shown effectiveness in its implementation, in spite of all the delays in the beginning and on the way and the changes that have taken place in the contents of the Project. In fact, the flexibility that REILA has shown has turned out to be an asset rather than a draw-back.

In terms of purely quantitative efficiency REILA is not likely to reach its targets. There are in fact only two quantitative yardsticks in the project document, or more precisely in the project budget, for measuring REILA's achievements: 100,000 parcels registered in BGNRS<sup>1</sup> and 140,000 in ANRS. Of the Project's life time 70% has passed, almost 45% of the total budget has been spent but only 13% of the quantitative target (19,000 parcels by end of May 2015) has been reached, and much of that in the four trial regions. From this point of view REILA cannot show particular efficiency. However, much of REILA's focus is and has been on capacity building, and the record there seems rather good, although there are no quantitative indicators for measuring those achievements against the spent resources.

Most of the issues that require action in the mind of the MTE team understandably came up in assessing "Project Design, Management and Implementation", which is one feature of the evaluation matrix, as required in the ToR.

The State Minister of the MoA underlined the issue that REILA is and should be seen as an Ethiopian project. The MTE team agrees to this, recognizing however, that the Ethiopian Government provides only a small portion of the financial support. The project document also portrays REILA as an Ethiopian project, although one paragraph in the document in a contradictory manner underlines the importance and active role of the TA team. There is a need to discuss and clarify that matter in the Supervisory Board (SVB).

REILA has been designed to be one of the support structures of ESIF. It is intended to be in close cooperation with SLMP. From the very beginning both governments are contributing also financially to REILA which paves the ground for sustainability. REILA has not been designed in the traditional way that the donor finances all. The government has its own responsibilities. Also this underlines the Ethiopian ownership.

The Information Network Security Agency (INSA) has become a new player in the land administration field. INSA insists that in its Proclamation it has been given exclusive powers over aerial photography and orthophoto production as well as in information management systems. The MTE raises the question has this really been the intention of the Government or is INSA expanding strongly into these fields because they are technically interesting and dynamic areas for the young and talented employees and a lucrative source of income for INSA. Is there really from a security point of view the need for the government to have control of all spatial and other information relating to people's habitat and land holdings?

---

<sup>1</sup> It seems that the target in BGNRS was 100,000 1<sup>st</sup> level registrations, but REILA went straight for 2<sup>nd</sup> level registrations.

If INSA indeed has been given the exclusive role in those fields then the Ethiopian Mapping Agency (EMA) no longer has a role in orthophoto production and support from REILA to EMA to that end should be dropped from the Project. There is an urgent need to clarify the roles of the two agencies before taking such drastic action, but before the roles are cleared Finland should not support EMA in any way in orthophoto production.

Furthermore, Finland as a donor considers it problematic to finance activities of INSA from ODA funds according to the OECD rules<sup>2</sup> because of the nature of INSA as a security agency. However, the matter is not clear and therefore Finland should check from the OECD/DAC Secretariat as soon as possible if it is possible at all to make payments to a security agency like INSA from ODA funds according to OECD rules be it in support of developing INSA or paying for its services.

The fact that land administration experts in the Regions have been paid a low government per diem on REILA assignments while they get a much higher per diem for working with Sustainable Land Management Programme (SLMP) or other projects is hampering REILA implementation. The experts understandably do not want to work for REILA if they can get more than double or almost triple the per diem for other field assignments. The matter has been discussed in the SVB but no solution has been found. SVB has been informed that the per diem issue is being considered at the Ministry of Finance and Economic Development (MoFED) in order to find a harmonized solution. However, there is much delay in the matter and the impasse continues.

According to the project document the per diems are the responsibility of the Ethiopian government. In 2014, the Minister of MoA has, with the approval of the MoFED instructed that all project coordinated by MoA should be paid the higher per diem. However, since one year the BGNRS and ANRS Regions have not implemented the instruction of the Minister as regards the per diems related to REILA. In order to solve the situation while waiting for a MoFED decision, the MTE recommends that the instruction of the Minister of MoA be implemented and MoFED, who has approved the decision, provide the Regions with the additional funds as may be needed. Alternatively, the MTE recommends that negotiations be carried out so that the higher per diem rates would be paid from SLMP funds also for REILA assignments.

In the view of the MTE team, REILA as a project is very much in line with the human rights-based approach to development (HRBA). Already the very logic of the project, increasing the security of farmers to the land they hold and cultivate, follows the essence of HRBA. Land registration has been preceded by wide public awareness raising and information campaigns where people learn about their rights and can demand for them. Also, land registration is carried out in a very participatory way, where all the land holders, including women and even the poorest farmers participate in the process and through that ensure that their rights are respected. In the interviews women expressed their satisfaction about all the information they have received and that they are now participating in a much more equal manner in the land registration process.

Recommendations of the MTE are presented in the following table which also shows the logical connection to the findings and conclusions that are behind the recommendations.

---

<sup>2</sup> See <http://www.oecd.org/dac/stats/officialdevelopmentassisteddefinitionandcoverage.htm>

## Recommendations, together with a summary table of findings and conclusions

| Findings and conclusions  | Recommendations   | Responsible   |
|---|---|---|
| <b>Relevance</b>  |   |   |
| The REILA project remains very much relevant both in terms of the Ethiopian situation and its development policies and sector strategies and in terms of Finland's development policy.  | REILA's support in strengthening Ethiopia's land administration should continue in a subsequent phase provided recommendations of this report are taken into consideration.   | Competent authorities   |
| The only feature which may no longer be relevant is the capacity building support to orthophoto production for EMA if indeed INSA has been given an exclusive role in that field.   | <p>It should be clarified what role EMA in the future has in orthophoto production and what role has been intended for INSA in that field.</p> <p>No support to EMA's orthophoto production should be provided before its role in that field in the future is clarified.</p>                      | <p>The Parliament or the Government of Ethiopia</p> <p>Embassy of Finland</p> |
| <b>Effectiveness</b>  |   |   |
| There is no M&E system in place for REILA. According to the project document M&E should be arranged in close cooperation with SLMP so that it would also serve the sector's nation-wide needs.  | An M&E system should be developed for REILA as soon as possible and plans should be made to expand it to cover the needs of LAUD and the sector. The existing Socio-economic Baseline Study can be used for assessing socio-economic achievements in absence of a baseline survey by the project. | LAUD with the support of TA   |
| It is difficult to get a good picture of progress from the progress reports. They report more on activities than progress and do not give sufficient background to things. The Annual Reports do not provide an analysis of achievements towards the objectives of the Project as they were largely | The format of annual reports should be revised so that the emphasis in the reporting is on progress towards the objective and purpose of the Project and achievement of the intended outcomes and   | LAUD and BoEPLAUs with the support of the TA                                  |



|   |  |  |
|---|--|--|
| reports of outputs and activities. Result-based management requires further enforcing.  | results, rather than the activities and outputs.   |  |
| The overall impression of the MTE team is that the achievements of REILA are good and its achievements were praised by all parties that the team interviewed, but it is difficult to pinpoint the exact achievements as there are few quantitative targets (the number of parcels registered) and no monitoring system which could testify for the qualitative achievements. Progress towards the quantitative targets is unsatisfactory. | N/A  | N/A                                    |
| Agricultural investments in BGNRS are handled both in the Investment office and BoEPLAU. Some of the work such as analysis of the business plan is done in both offices which seems like duplication of work while the analysis could perhaps be done together. The office does not have the project document.  | REILA should analyze the handling process to see what could possibly be done jointly, provide the necessary training to that end and provide office upgrading. | BoEPLAU, Investment office and TA team |
| <b>Efficiency</b>   |  |  |
| Efficiency is good when assessed by the cost of registration per parcel (USD 8.4).  | N/A  | N/A                                    |
| About 70% of the Project's lifetime has elapsed, almost 45% of the available budget has been spent, but only 13% of the intended number of parcels has been registered. However, in terms of capacity building efficiency seems much better but it is difficult to measure in any exact terms.  | N/A  | N/A                                    |
| The budget situation seems confusing from the financial reports because the reports are based on the total figures of <u>allocated funds</u> which do not contain unallocated funds in the budget or contingencies, although they are part of the total budget of the Project presumably are part of the contract signed between MFA and Niras. However, the KPMG performance audit report did not pay attention to this fact.            | The financial reports should be based on the total budget of the Project, including unallocated funds and contingencies.                                       | Niras, MFA                             |

| <b>Programme Design, Management and Implementation</b>  |  |   |
|---|--|---|
| The project document contains contradictions which on one hand state that the Project is supporting ESIF in parallel with SLMP and should follow same systems thus underlining the Ethiopian ownership, but on the other hand portrays a very strong and almost independent position for the TA team, which seems to be supported by the PIM, and this seems to have caused confusion and even some tension. SLM-TC is not used as a forum for coordination of issues where projects have different approaches. | Clarify the role of REILA and correct the discrepancies in the project document and set the Project and its functions, such as M&E in a position that has been agreed between the parties. Record the changes in a document for approval of the SVB. | Discussions between the Embassy, LAUD, BoEPLAUs and the TA team.<br><br>Decision by SVB.                              |
| According to the project document LAUD is responsible for preparation of progress reports according to the Ethiopian system, although there is contradiction in the document in this respect as the TA team has also been given a strong role.  | SVB should decide how progress reports are prepared and who is responsible for their preparation. The reports should indicate to whom the drafts have been sent for comments.  | LAUD to prepare in cooperation with the TA team and in consultation with the BoEPLAUs and the Embassy. SVB to decide. |
| It is difficult to follow issues on the basis of the SVB minutes as all decisions have not been recorded in their final format and there is no record of follow up on the decisions.  | Document all decisions made in the minutes of the SVB and document follow up action also in cases when decisions have not been reached or are pending.   | Secretary of the SVB to prepare, SVB to decide.   |
| The PMCs are not functioning well and the PMC in Assosa has not been functioning for a long time. PMC is a central and important forum for decision making and for settlement of issues. Non-functioning PMC complicates decision making and the absence of the minutes of PMC meetings is making things less clear.  | All efforts should be made to get the PMC to function properly as soon as possible. Composition of PMC should be reviewed if that is making convening of meetings difficult.   | LAUD to discuss with Assosa BoEPLAU. Head of BoEPLAU to take action in convening the meetings.                        |
| Delayed payments of salaries in the BGNRS Woredas have caused strikes and delays among contracted para-surveyors. Payments are delayed because they are made by BoEPLAU rather than the Woreda office because funds have not been transferred to the Woredas. Also financial officers often drive to the Woredas to make payments rather than use the banking system.   | Assosa BoEPLAU should report to the SVB what has caused the problems of delayed financial transactions and how the situation can be improved.<br><br>Decentralizing payment of salaries by transferring  | LAUD as Project coordinator to discuss with BoEPLAU and request the report to the SVB. SVB to                         |

|  |   |  |
|--|---|--|
|  | the payments through banks to Woredas should be considered.   | decide on action.  |
| There are serious delays with procurement for REILA which has caused delays in project activities. Among the reasons for slow and cumbersome procurement are the low procurement thresholds in the government procurement rules that are followed. Other projects are not strictly following the government rules and have decided on more flexible thresholds which has improved the situation to an extent.  | The MoA should decide if more flexible procurement thresholds can be applied also in the case of REILA procurements and instruct LAUD and the BoEPLAUs and other necessary government agencies accordingly.   | LAUD to take the issue up within MoA for decision making.  |
| Land administration experts are paid government per diem when working for REILA activities while they are paid a much higher rate when working for assignments for SLMP and other projects, as approved by MoFED and instructed by MoA. This is hampering the work of REILA. According to the project document the Ethiopian Government is responsible for all per diems. A harmonization proposal is with MoFED for consideration but no decision seems to be forthcoming. In the meantime action needs to be taken to solve the situation. | MoA should instruct the BGNRS and ANRS BoEPLAUs to pay the agreed higher per diem rates also for REILA related work. MoFED should provide the BoEPLAUs with the additional funds.<br><br>or alternatively<br>Negotiations should be undertaken so that SLMP would cover the costs for payment of the higher per diem rates also for REILA related work. | MoA, MoFED<br><br>MoA, SLMP, SLM-TC  |
| <b>Human Rights Based Approach and Cross-cutting objectives</b>  |   |  |
| The Assosa BoEPLAU has not decided how to solve the various situations where people have more land than the maximum of 10 ha allowed by the law. This has delayed the issuance of land certificates to those whose land holding is undisputed and is affecting their land holding rights including that of women, youth and other vulnerable groups.   | The certificate or book of holdings should be provided as soon as possible to all the farmers whose parcels have been registered and whose holdings are not disputed and are within the allowed limits. Related procedures should be defined as soon as possible.   | BoEPLAU to define the procedures with the support of the TA team and instruct the Woredas accordingly. |
| The BGNRS has issued a directive covering also the issue of the maximum 10 ha rule. However detailed instructions have not been prepared and decided upon and Woredas have not been instructed on the matter.  | REILA should offer the BoEPLAU a short term consultancy to help developing alternative solutions for solving the 10 ha rule in the variety of situations. On the basis of the consultancy input BoEPLAU can decide on the various models.   | LAUD to discuss with Assosa BoEPLAU  |
| <b>Sustainability</b>  |   |  |

|   |  |                                    |
|---|--|------------------------------------|
|   |  |                                    |
| <p>Sustainability of the land registry that will be a result of REILA activities will depend partly on how well the system will be able to record the subsequent transactions after the initial 2<sup>nd</sup> level register has been established. It is understood that the LIFT project has agreed to undertake the development of the maintenance system of the registry. However, it is not clear whether LIFT will also provide the wide PIA which is required so that people understand the necessity to register any subsequent transactions.</p> | <p>LAUD should clarify whether LIFT will also be responsible for the related PIA or is there possibly a role for REILA.</p> <p style="text-align: center;">or alternatively</p> <p>REILA, in the potential subsequent phase, should develop the maintenance system of the land register.</p> | <p>LAUD</p>                        |
| <b>Impact</b>   |  |                                    |
| <p>The final impact of the REILA project will be the increased security that the farmers and land holders will gain from the registration and certification of their land holdings. The impact is also dependent on how well the land holders are able to take advantage of their increased land security. According to studies land security is likely to lead to improved livelihood and economic well-being.</p>   | <p>The monitoring system that will be set up has to have a strong element of monitoring the impact on the ultimate beneficiaries, the farmers and the land holders.</p>  | <p>The M&amp;E expert of REILA</p> |

# 1. Introduction

Since 2011, Finland has been supporting land administration in Ethiopia through a Project called *Responsible and Innovative Land Administration in Ethiopia (REILA)*. This is the first phase of a long-term commitment of cooperation in the sector. Finland has earmarked EUR 12.8 million in the first five year Project for technical assistance (TA) and financial support. Initial commitment for total of 15 years was originally made in 2011 by MFA Finland.

As usual, the Ministry for Foreign Affairs of Finland (MFA) decided to conduct a mid-term evaluation (MTE) of the Project. Impact Consulting with SCI was selected to carry out the MTE with a team of Mr. Tauno Kääriä as the Team Leader and Mr. Imeru Tamrat Yigezu and Mr. Tuomo Heinonen as Team Members and Mr. Teemu Mielonen as Junior Team Member. The Terms of Reference (ToR) of the evaluation is attached as Annex 1. The MTE was carried out during April and May 2015.

## Objective

The objective of the MTE is to assess the progress of the REILA Project, its potential to achieve its targets and to make recommendations on corrective measures to improve project implementation. The focus is on the concrete and feasible recommendations for the remaining period of the project with a view to possible project continuation after this first phase has ended.

In more concrete terms the MTE is expected to analyze achievements of the project and assess whether the project activities can be completed within the project period and with the present budget. In this context the evaluation should assess the main operational and structural challenges of the project and the type and quantity of TA needed for the remaining period, and provide recommendations on corrective measures. Linked to this is an assessment of clarity and usefulness of the Project Implementation and Management Manual (PIM) and other user manuals produced by the project.

## Methodology

The MTE followed the MFA Evaluation Manual (2013) and adopted a participatory approach. Mixed evaluation methods were used, which combined qualitative and quantitative data to the extent possible. The MTE took a forward looking approach aiming at improving future implementation while learning from the past performance.

An evaluation matrix was prepared which provided the framework for the evaluation. First, the MTE team made use of the very large amount of documents and information that already exists, including project specific documentation (such as the support strategy, project document, appraisal report, inception report, and the numerous progress reports etc.). The Villagisation Baseline Study was also among the documents studied. The team also took guidance from best practices in similar projects.

The consultative approach was participatory and covered the Finnish authorities and the Ethiopian authorities from the Federal and Regional level down to the Woredas and Kebeles. The list of questions that was prepared provided a rough framework for all the interviews.

A mission to Ethiopia was undertaken between 21 April and 7 May 2015 with field visits also to project sites in Benishangul-Gumuz (BGNRS) and Amhara (ANRS) Regional States. Interviews were held with the competent authorities, the MFA and the Ministry of Finance and Economic Development of Ethiopia (MoFED) and with the key stakeholders in Ethiopia: the Embassy of Finland, the Ministry of Agriculture (MoA, former MoARD), the Ethiopian Mapping Agency (EMA) and the Regional Bureau of Environmental Protection, Land Administration and Use (BoEPLAU) in Assosa and Bahir Dar. The evaluation team also met with the Technical, Vocational and Educational Training College (TVET) in Assosa and the Institute of Land Administration at the University of Bahir Dar. And importantly, that team met with farmers and community members in several Woredas and Kebeles both in BGNRS and ANRS. The MTE team also interviewed the implementing consulting company, NIRAS and the TA staff. A full list of the interviewees is attached as Annex 2.

## Limitations

The REILA project is fragmentary covering several levels and different units of land administration geographically spread out in several parts of two big Regions. This sets limitations, making it impossible to verify the situation of all activities at all locations and in all participating organization of the Project. However, the MTE team made a sufficient number of visits to various sites so as to get a good general picture and crosscutting 'snapshot' of progress made in the Project and a reasonably good basis for making conclusions and recommendations.

It was difficult to get a good picture of developments from the documentation. The very large amount of documentation was arduous to absorb, but perhaps more than that the documentation was not written in a way that would have made it easy to follow developments over time and get a good understanding of the background particularly of the problematic and sometimes controversial issues hindering smooth progress of the Project. Decisions, their reasoning and justification and follow up to decisions has not always been well recorded which makes it difficult to know what has been decided, why and where did it lead. It was on occasions even difficult to get to the bottom of things during interviews. Reports did not provide an analysis of achievements towards the objectives of the Project as they were largely reports of activities. The situation confirmed the need to establish a good monitoring system for the Project – or more generally for the sector.

The REILA project document, or more precisely its budget, contains only two quantitative objectives, i.e. the number of parcels to be registered. As the other indicators are largely qualitative assessing progress and achievements is largely judgmental and it is sometimes difficult to pinpoint the very facts on the basis of which a judgment has been made. Therefore, for instance judgement is made only if there have been more than one source of information or more than one interviewee who have raised an issue. On a qualitative basis it is also often difficult to make a comparison between planned result and actual performance.

### **Contents**

Key findings of the evaluation are discussed in Chapter 3 below under each component of the Project. Chapter 4 addresses the key evaluation issues of relevance; effectiveness; efficiency; project design, management and implementation; human rights based approach and cross-cutting objectives; sustainability; and impact. The evaluation matrix built around these issues is attached as Annex 3. The recommendations and lessons learned are presented in Chapters 5 and 6 respectively.

## **2. Background**

### **2.1. Context of REILA**

Ethiopia has had very robust economic growth over the past ten years or so. Agriculture continues to be the driver of economic growth while the service sector is also expanding. Agriculture accounts for well over 40% of GDP, 60% of exports, and 80% of total employment. The rapidly growing population relies largely on subsistence agricultural practices for their livelihoods. Continued agriculture-based growth is therefore a challenge.

Furthermore, Ethiopia is seriously affected by land degradation. Very high population pressure, particularly in the highland farming areas, has led to a decline in arable area. New legislation also limits the size of land holdings which is another hindrance to effective and more productive farming. Land degradation and recurrent tough weather conditions also challenge crop productivity. Increased human and livestock populations have led to agricultural encroachment to marginal areas, significantly reducing the already dwindling forest and woodland resources of the highlands and again accelerating land degradation. High demand for investment land is further exacerbating the situation, particularly when concessions for investment land affect the small-holders. Increasing demands of the growing population and falling agricultural productivity threaten the country's food security.

Insecurity of land tenure has been an underlying cause for land degradation and declining productivity as farmers are afraid and reluctant to invest in the land they occupy and improve the land they cultivate.

The Ethiopian government has realized the situation and trend, and already in the mid 2000's the country's strategic framework called *Plan for Accelerated and Sustained Development to End Poverty (PASDEP)* included "strengthening tenure security by expanding the on-going land certification programme" as one of its main elements to address land degradation.

In 2006, the government established a mechanism to coordinate all land management investments in Ethiopia by establishing a national Sustainable Land Management (SLM) Platform comprising a national inter-agency Steering Committee and a national Technical Committee. The Steering Committee is chaired by the State Minister of the MoA. Similar SLM platforms are replicated at the regional level.

Furthermore, in 2008 the government established the Ethiopia Strategic Investment Framework (ESIF) which provides a holistic and strategic planning approach under which government and stakeholders

(private sector, civil society, academia, donors) can work together to remove barriers and overcome bottle-necks to promote and to scale up sustainable land management in Ethiopia. ESIF is planned to be implemented in three phases over a fifteen year period. One of its six components is “*improving the land administration and certification system in Ethiopia*”.

The government had been working with a number of development partners<sup>3</sup> to develop best management practices for sustainable land management. To scale up the good practices the WB and GEF initiated the Sustainable Land Management Project (SLMP)<sup>4</sup> which has been operational in MoA since October 2008. SLMP aims at reducing land degradation and protecting and restoring ecosystem functions of agricultural landscapes. In parallel, it provides assistance to smallholder farmers in order to improve their agricultural productivity and income growth. SLMP is designed to promote good watershed management and land administration practices. It also includes a component of land administration and registration. SLMP is the main vehicle of ESIF implementation.

In early 2010, MoARD (now MoA) established a new Directorate of Land Administration and Use (LAUD) which is responsible for coordinating land administration and use. A comprehensive 5-year Action Plan was prepared to that end.

It is against this background that Finland decided to support Ethiopia in land administration and registration. Finland's Development Policy of 2007 was strongly based on sustainable development and support to the land sector was fully in line with the policy. Access to land and security of rights over natural resources are fundamentally linked to the three pillars for achieving the MDGs: development, human rights and security.

In early 2010, Finland had a support strategy paper prepared called *Strategy for the Support of Finland to The Ethiopian Sustainable Land Management Investment Framework (ESIF)*. This Support Strategy outlined the means to best support land administration in Ethiopia. It was decided that Finland's support will focus on rural land registration and certification. The support was to be aligned with ESIF. The WB/GEF's SLMP was identified as a vehicle for the Finnish intervention which was to be an integral part and subcomponent of the SLMP to be implemented fully inside SLMP and start from existing structures.

The strategy indicated a long term commitment of cooperation in the sector, although the first phase would be a five year intervention with technical assistance and financial support. As a separate form of cooperation, twinning cooperation between a university in Finland and the University of Bahir Dar was to be encouraged in the field of land administration.

## **2.2. REILA, the Project**

A draft project document called *Responsible and Innovative Land Administration in Ethiopia (REILA)* was finalized around mid-2010. The initial document was based on the Support Strategy. Accordingly the Finnish financial support was to be channeled through a Trust Fund to be established and administrated by the WB under the SLMP and executed by the Ethiopian government. The joint MFA-WB appraisal report of May 2010 still emphasized that the Project should be “*to maximum extent integrated into the SLMP. Wherever possible, one procedure should be used. In principle, there will be no parallel supervision structures for MFA, as supervision will be conducted under SLMP, jointly with the World Bank in joint six-monthly support missions. The only addition to this will be that MFA will retain a no objection on annual budgets and work plans of the TA consultancy firm.*” However, some fundamental changes occurred before the final project document was prepared in June 2011 and the Project was agreed upon between the two governments.

The WB loan earmarked for implementation of SLMP was reallocated for other purposes and the WB never established the intended Trust Fund. This led to certain changes in the initial project document. It was decided that the Project will be executed as a bilateral project *in parallel with* the ongoing SLMP managed by the WB and executed by the Government, not *channelled through* the SLMP.

The situation resulted also in other changes in the Project design. The SLMP procurement, financial management, disbursement arrangements, monitoring and evaluation, and reporting mechanisms would also no longer cover the Finnish support, as was intended. Moreover, the Project Implementation Manual (PIM) of SLMP, which was to be updated to cover the Finnish input, would no longer apply. Project supervision, monitoring and evaluation (M&E) was no longer to be arranged *jointly with and through* the

<sup>3</sup> Particularly GTZ, Sida, USAID, World Food Programme (WFP), CIDA, and UNDP.

<sup>4</sup> Not to be mixed up with the national Sustainable Land Management Platform.

SLMP, but *in parallel with* it, and separate indicators were to be developed for land administration as appropriate.

Thus, while the Finnish cooperation continued to be in support of ESIF, the Project was distanced from SLMP and it became more of a traditional bilateral Finnish development project rather than an integral part of an Ethiopian and government executed project.

It was decided that the financial support, or the Investment Fund, will be managed by the selected TA consultant. Funds will be disbursed by the consultant to the executing counterpart Ethiopian agencies and utilized (e.g. procurement of goods and services) in collaboration with the TA consultant following Ethiopian Public Procurement rules and regulations.

The Project, which was originally planned to start in December 2010, was delayed partly because of the villagisation programme which had started in BGNRS, and started in fact only in August 2011, after the Chief Technical Adviser (CTA) arrived in Addis Ababa. The Project had a long Inception phase with the first draft Inception Report provided in late May 2012. The final Inception Report is dated October 2012.

The Project consists of technical assistance (TA) and financial support (Investment Fund) and is built on four components:

- Component 1, Public information and awareness building
- Component 2, Capacity building and harmonization
- Component 3, Developing basic land administration in Benishangul-Gumuz
- Component 4, Land administration in the Tana-Beles Growth Corridor, Amhara part.

REILA's overall development objective was adopted from ESIF: *improved livelihood and economic well-being of the rural population through promotion of sustainable land management practices*. The purpose of the Project is to contribute towards *an improved, transparent and appropriate land administration system in Ethiopia*. The project addresses the interlinked problems of poverty, vulnerability and land degradation at the rural community level by improving Ethiopia's land registration and certification system.

The results that are expected to be reached by the components are respectively:

1. Full awareness of the beneficiaries/stakeholders of their rights, obligations and related land administration procedures and enhancement of the participation of all stakeholders in all phases of the registration and certification processes;
2. Improved institutional capacity and harmonized procedures of land administration on the federal level with appropriate legal and technical framework developments supported and competence built for supporting regional operations, in particular, within the SLMP geographical areas;
3. Functioning, efficient and transparent land administration system and services available for all in Benishangul-Gumuz region; and
4. Improved process and increased capacity for responsible land allocation for investments in the Tana-Beles Growth Corridor and for 2<sup>nd</sup> level registration and certification in Amhara side of the Corridor.

The Project is the first phase (2011-2016) of the long-term commitment. Finland has earmarked EUR 12.8 million for the first five years of the Project, approximately EUR 5.9 million for TA and EUR 6.9 million for financial support. The Government of Ethiopia has committed to support the Project with EUR 1.1 million, partly as an in-kind contribution. The Directorate of Land Administration and Use of MoA is responsible for project coordination and implementation. The bilateral TA is implemented by Niras Finland Oy (lead) in consortium with ORGUT Sweden. In BGNRS and ANRS the BoEPLAU's lead and coordinate implementation of the project.

At the federal level support will be provided to the MoA and the EMA. At the regional level and down to the community level assistance will be provided to BGNRS and the Tana-Beles Growth Corridor which partly extends also to Amhara region.

The first component contains a process of information sharing and public awareness building targeted at the project area. These activities take advantage of the experience and lessons learned of such activities in other donor supported projects.



In BGNRS support is provided at the regional level to the BoEPLAU and the Investment Office. Furthermore, at the project design stage it was anticipated that technical assistance will be directed to the three Zonal offices of the region, and in Metekel Zone further to the Woreda and Kebele levels. This was because the capacity of the Woredas was generally so low that it was thought that the activities would best be directed from the zonal offices. It was noted that the number and location of the Woredas to be supported may be reassessed during the Inception phase.

In addition, support and technical assistance will be provided to the Assosa Technical, Vocational and Educational Training College so that the college can start diploma and certificate level training in land administration. Twinning in land administration between a Finnish University and the Bahir Dar University was to be encouraged.

In Amhara technical assistance and support will be provided to the eight Woredas which are on the Amhara side of the Tana-Beles Growth Corridor.

### **Inception phase**

The delays in starting the Project resulted in further changes in it during the Inception phase. That was the very intention of the Inception phase, as indicated in the project document: *"While certain activities will be started, as indicated in the tentative work-plan, the Inception Phase will also be used for reviewing, revising and detailing the Project Document as necessary."*

REILA originally intended to focus on two geographical areas: BGNRS and the ANRS part of the Tana-Beles growth corridor. However, it turned out that the Ethiopian Government had and has very high ambitions about completing land registration countrywide in only 5 years' time. To this end there was a need to develop a low cost methodology for rural land registration surveys which could be used in most areas. This would accelerate implementation of the 2<sup>nd</sup> level land certification first in the four highland regions (Amhara, Oromia, SNNP and Tigray).

Consequently, it was decided in the SVB meeting in January 2012 that REILA will undertake 2<sup>nd</sup> level certification trials using imagery based methods or orthophotos in each of the four regions and in BGNRS. The lessons learnt from these trials were to be the basis for improving and harmonizing land registration. Much of the Project's resources and efforts during the first two and a half years were focused on these trials.

In late February – early March 2012, a group of staff members from the Directorate of Land Administration and Use (LAUD), EMA and the Regions together with senior REILA staff undertook a study tour to Rwanda. The study tour gave the participants a detailed overview of the successful nationwide land registration programme Rwanda had implemented using image-based survey methods. The knowledge gained was very useful in designing procedures for the imagery trials. Furthermore, according to MoA, the study tour was a beginning of a process within REILA that has brought about a change in the mindset in Ethiopia about land administration and certification.

As a result of the Inception phase a number of changes were also made to the project budget, as intended in the project document: *"The budget will be reviewed in detail and finalized during a six-month inception phase of the project. The budget is built up to provide the necessary flexibility and sequencing for effective project implementation. Furthermore, the Project Investment Funds are without a detailed allocation. The detailed allocation will be agreed upon during the Inception period."* The budget is regularly reviewed, updated and revised as needed at the SVB meetings.

### **2.3. Stakeholders and beneficiaries**

The *ultimate beneficiaries* are the current and potential holders of land use rights be that individual, joint or communal land holders, or private sector investors in agriculture. They are expected to enjoy more secure land tenure, certified by a book of holdings, as a result of the project's support to the development of reliable and transparent land administration system and widely accessible land administration services. A particular aim of the Finnish support is that the rights of women and the poorest people as well as the future rights of the youth are also addressed and safeguarded in the development of the systems.

The *immediate beneficiaries* of and implementation partners and stakeholders of the Project are MoA, EMA, BoEPLAU and further the Zone, Woreda and Kebele level administrations as well as TVET in BGNRS, and BoEPLAU and Woreda and Kebele level administrations in ANRS. They are the direct recipients of project support in the form of technical and/or financial assistance. At the Kebele level the LAUCs will be

the immediate as well as ultimate beneficiaries. They are also a channel of information to the land holders at large and an important point of securing that the people as rights-holders can truly enjoy the increased security of their land holdings. Annex 4 describes briefly the key stakeholders of the REILA project.

In BGNRS the Environmental Protection, Land Administration and Use Authority (EPLAUA) was established in 2004. At the time of preparation of the project document in early 2010, it was under the regional Bureau of Agriculture and Rural Development (BoARD). EPLAUA was not a member of the Region's Cabinet and therefore could not directly defend its large needs for resources. It had only three staff members related to land administration. The EPLAUA office was very basic, indeed, and did not have facilities for productive work. There were practically no other land administration officials at any level in the whole region.

The Zonal offices had no land administration staff and no role in land administration. At the Woreda level the office of the administrator carried out what little work there was related to land administration, mainly regarding land taxation. The Development Agents (DA) in the Kebeles assisted as necessary. There was no land administration staff at either the Woreda or Kebele office. And there were no land administration and use committees (LAUC) in the Kebeles, no LAUCs had been elected.

This situation reflected heavily on the project design. It seemed obvious that it would take a considerable effort and long time to have the necessary organization at various levels staffed, trained and working in an orderly manner. The situation was seen as a considerable risk to achieving results in land registration any time soon. Recruitment of a large number of new staff throughout the region was considered a substantial financial burden for BGNRS, not only in terms of salaries but also regarding operational funds and time requirements. It was recommended to start recruitment and training of the required staff and election of LAUC's as soon as possible.

In this situation it was planned that the Project should have a gradual approach and focus first on a limited area in the Metekel Zone while providing support to the three Zonal offices. Experience from the selected area could then be taken advantage of in other parts of the region. The proposal was to provide the Zonal office with a sufficient number of land administration officials so that they could be available in the Woredas part-time to provide land administration services.

It was only later in 2010, after the initial preparation of the project document, when the EPLAUA was established at the Bureau level as BoEPLAU. Also, during the period before REILA started, the BGNRS BoEPLAU recruited many staff to the office in Assosa but also particularly to the Woreda land offices. This changed the situation drastically and called for changes in the approach of the Project.

In the case of ANRS the situation was different. The former EPLAUA had already earlier been upgraded to a BoEPLAU and there were land administration related offices also at the Zonal, Woreda levels and plans for the Kebele level. With the support of donors such as Sida and USAID the BoEPLAU's capacity had been developed. It was practically fully staffed and functioning well and there was reasonably well skilled and trained staff at Zonal and Woreda offices. Rural land registration at the 1<sup>st</sup> level was already advancing and they were able to practically cover the entire region. Land Administration and Use Committees (LAUC) had been elected in the Kebeles during the 1<sup>st</sup> level registration process. It was seen that starting 2<sup>nd</sup> level registration would require some additional support at the Woreda level.

At the federal level the new Directorate of Rural Land Administration and Use of MoARD, which was to have the responsibility for land administration, had been established just recently before the project document preparation started. There were only three staff members while the plan was to have 27. Recruitment was undergoing but it was considered unlikely that the new staff members would have the trained and professional background in land administration as there were very few professionals in the land administration field in the whole country. It was thought to take some time till the Directorate is fully operational which was reflected in the project design.

At the time of project preparation there was a recent SLMP study on human resources and training needs in the land administration sector in Ethiopia (with a focus on the federal level and the more advanced regions of Amhara, Oromia, SNNP and Tigray). The study showed that at the various administrative levels there were very few professionally qualified land administrators and probably less than fifty working for various government agencies, mostly men. In the Regional, Zonal and Woreda offices of the four regions there were only a handful of skilled professionals. The situation was worse in BGNRS. There was also a large gap between existing staff and vacant positions. One conclusion of the study was that the current constraint is not staff numbers as such, but in the rate at which they can be trained, equipped and

efficiently and effectively deployed. There was a huge need for university graduates in land administration and land survey technicians. This situation also reflected on the project design.

## **3. Key Findings**

### **3.1. Public information and awareness building**

#### **Public awareness and participation**

One of the main contributions of the REILA support to land registration and administration has been the creation of wide public awareness of the ultimate beneficiaries (landholders) and other stakeholders of their rights and duties and related land administration procedures particularly in BGNRS and partially in ANRS. Very much related to this has been the insurance and encouragement of effective participation of the landholders and the communities in the procedures and processes, including the participation of women.

In BGNRS the public information and awareness (PIA) activities were planned from the outset by taking into account the very little knowledge and experience that the landholders and the land administration authorities at all levels had about the new legal framework and land registration process planned for or taking place in the Region. Moreover, the existence of different ethnic groups and languages with diverse cultures and methods of farming as well as customary landholding rights necessitated the PIA activities to be tailored to fit the context of the Region. In ANRS the situation was very different.

Major PIA activities were undertaken in BGNRS only after the PIA strategy was prepared by the National Social Scientist (NSS) in September 2013. A PIA team composed of experts from the relevant Regional, Zonal, Woreda and Kebele offices was established to carry out the activities (e.g. public relations expert from BoEPLAU; expert from the Women, Youth and Children Affairs Bureau; and land administration experts; Zonal and Woreda land administration experts and Kebele officials). Various communication channels and PIA materials have been used targeting the general public and relevant Regional, Zonal, Woreda and Kebele officials who are directly or indirectly involved in land registration and administration activities.

More importantly, the farmers in both the trial Kebeles and scale-up project areas who are expected to be the ultimate beneficiaries of the land registration process have been a specific target group. Whereas PIA in other projects and regions rely heavily on written materials, the approach and strategy in REILA, particularly in BGNRS has been to first establish a contact with the farmers and the communities and to provide the information verbally in order to ensure that the basic information has been received and understood. Later that approach has been supported by written materials and radio programmes.

In accordance with the HRBA, the PIA campaign has mainly focused in creating awareness of the rights-holders or the farmers in their land rights, including women, youth and other potentially vulnerable groups. The other focus group has been the duty bearers or the relevant Regional authorities at all levels to ensure that they not only know and understand the rules and regulations and the related processes but also to ensure that such rights are respected by the authorities and enforced for the benefit of the people. The capacity building for the authorities of course basically aims at the same result. Good knowledge and motivation together with practices of good governance are the best guarantees that people can enjoy their rights.

During the interviews made with the relevant Woreda land administration experts, Kebele LAUCs and farmers in the trial areas, there was a general satisfaction of the PIA activities carried out to date. Most respondents stated that the awareness campaigns undertaken prior to the registration process has contributed much to their understanding of their legal rights and why the land demarcation and registration process is being carried out and how it would ensure and strengthen their rights over their land holdings. For example, in one of the first trial areas (Dabus Kebele, Bambasi), some respondents mentioned that initially they were afraid that the objective of the land demarcation and registration process was to take away their land. However, the awareness training had helped them understand that the process was meant to ensure that their legal land holding rights were to be registered and respected.

The role of women in the land related issues was also assessed. According to the rules, the LAUC's that are elected in the sub-Kebeles must have at least two women members. If women are elected as chair or secretary of the LAUC they would also represent the sub-Kebele at the Kebele LAUC. The interview sessions at the Kebele level included also women participants, although as a clear minority (1 to 3

participants). Usually in such an interview session women would not speak up. However, they did speak up in the separate sessions that were arranged only for the women.

Overall women were satisfied in the PIA, the level of information and the opportunity to participate in the various steps of the process, although they seldom participated in the field demarcation activities. The public display gives them a chance to ensure that they have been fully taken into consideration in the process. Some of the women participants stated that "previously women did not have any rights over land but now, our land holding rights have been registered together with our husbands and female-headed households will be given land certificates in their own name".

The PIA had taught the various stakeholders the process and the roles of each party in the process. Perhaps it is against that background, that in one of the trial Kebeles (Bello Didessa Kebele, in Bello Jiganfoy Woreda) both Woreda land administration experts and Kebele LAUC's complained about the lack of support from Woreda and Kebele officials in the land registration process. Although the Kebele LAUCs were reluctant to give the reasons of this lack of support, one of the reasons given by the Woreda land administration experts is the constant staff turnover of the Woreda Administration authorities and lack of commitment on their part to support the on-going land administration activities. The REILA NSS also mentioned that in addition some of the members of the Woreda administration and Kebele officials have land holdings in the trial Kebele and have therefore been reluctant to support the land registration process since the current land law prohibits civil servants from holding land in the rural areas.

There are several challenges related to the PIA activities in the BGNRS. First, REILA is supposed to support the Regional EPLAU and other relevant bureaus at the Regional, Zonal, Woreda and Kebele levels to build their own capacity in undertaking PIA activities in the Region once the project phases out. However, due to constant turnover of government staff who had been engaged in the PIA activities as key information agents, the sustainability of the PIA activities may be in question unless the Regional BoEPLAU can retain them and gradually take over such PIA activities.

The second challenge is that although the PIA activities have been going well up till now, it is difficult at this stage to tell how well the information and messages have been internalized by the farmers, and particularly by the women, youth and other potentially vulnerable groups as well as by other stakeholders in the Region. Although interviewees in all areas that the team visited were generally satisfied with the awareness building and the information received, the interviewees still stated that more PIA activities are needed in the future.

In ANRS, where the actual registration activities have been delayed because the BoEPLAU refused to use satellite imagery as a basis for the process, PIA has started in the 1<sup>st</sup> quarter of 2015 when some aerial photography-based orthophotos were received and some registration activities could commence. In ANRS there is a longer history of land registration and the 1<sup>st</sup> level registration and REILA is focusing even more on informing the land owners and rights holders in the areas to be demarcated, rather than engaging in general public awareness. This is understandable also because the 2<sup>nd</sup> level certification exercise is still more piloting than a continuous and wide-spread process and the administration does not know yet for sure when and where the process will be expanded.

There is a need for more information and public awareness building about the importance of registering all transactions after the general 2<sup>nd</sup> level registration and of the required procedures after the 2<sup>nd</sup> level certification to ensure the sustainability and maintenance of the register in cases of transfers, inheritance etc. According to the ANRS BoEPLAU Director there is presently a "Know your rights" campaign going on among the land holders.

Information to the land holders in the pilot areas is spread through the government representatives in Kebeles, but also through the LAUC's whose role is crucial in spreading the information about the process. Information and announcements are also placed at churches. The demarcation field teams are also in a key role when doing the "boundary walk" with the land owners. It is important that these teams are continuously trained so that they can give the right information to the land owners. This is particularly important because the members in the teams tend to change due to high turnover particularly after the rainy season. Any wrong information at this stage may hinder the progress not only in the Kebele in question but also in the other Kebeles.

The participation of land owners and right holders in the process in the Kebeles visited was intensive and from participation point of view PIA seems to have been successful. There are usually very few absentees in the Kebeles. However, it appears that also their rights are taken care of by the neighbors and LAUC's.

According to the procedures it is important that all land holders participate in the process and without participation the process of demarcation should not be carried through.

LAUC's are elected at the sub-Kebele level by voting and should therefore be trusted by the farmers. However the interviews showed that there are some land owners who doubt the impartiality of the committee and suspect it is governed by the 'political leaders'. There is obviously need for better PIA in this respect. The Chair and Secretary of each sub-Kebele represent their LAUC at the Kebele LAUC level.

The Evaluation Team had a chance to observe the public display stage of the process only in one Kebele in BGNRS and even there the very last days of the display. The team was told that the number of objections and also the cases left "open" because of unsolved disputes were low which would indicate that the process has generally been successful. The majority of unsolved or "open" cases relate to the 10 ha rule in BGNRS. The issue is further discussed below in Chapter 3.3.

### **3.2. Capacity building and harmonization**

#### **The trials and harmonization**

In the interviews MoA cited this component as the most successful and important contribution of the REILA project. Both the State Minister and the Director of LAUD at MoA stated that REILA has immensely contributed to capacity building through training at the land administration offices from the Federal level down to the different levels in the Regions, particularly in the BGNRS but also in ANRS, and in providing support to tertiary and middle level education. The courses now being given at the Bahr Dar University Land Administration Institute and the Agricultural TVET College in Assosa have gone a long way in addressing some of the manpower gaps in land administration in the REILA target regions of BGNRS and ANRS.

REILA has had a much wider impact on the development of the land administration system in Ethiopia than originally envisaged, according to the State Minister. The fact that REILA agreed to undertake the 2<sup>nd</sup> level land registration trials in Amhara, Oromia, SNNP and Tigray laid the basis for developing and introducing a harmonized methodology and cost-effective technology for the registration by using satellite imagery and orthophotos. The different views of the regions were harmonized and the methodology will now be applied countrywide. However, the BoEPLAU of ANRS is still not willing to use satellite imagery as a basis for land registration due to the gross errors it experienced in a trial satellite image-based orthophotos.

The trials and the study tour to Rwanda were an eye-opener for the decision makers in land administration sector in Ethiopia. They helped in developing a new vision for the land administration sector and in developing a road map for rural land administration, the team was told.

An Operations Manual for imagery based land registration was developed during the first two REILA trials in Oromia and SNNP Regions. The manual was further revised during the trials in Amhara and Tigray Regions. The Manual now serves as a basis for a harmonized approach and it is used as a basis also in other projects, such as the DFID supported LIFT project. The latest publication was in September 2013. Further revisions will be made as required. In BGNRS satellite images have been used for land registration, due to the lack of aerial photography. ANRS has refused to use satellite images and this has seriously delayed cadastral surveying in the Region.

The new elements, i.e., the trials, which were taken on board in REILA, occupied both LAUD and the TA team heavily for a year or more, which caused delays in the implementation of the original elements of the Project and the start-up of activities in BGNRS.

#### **EMA**

EMA is a beneficiary and implementation partner of REILA. The expected outputs in the project document related to EMA are:

- Revised geodetic network for Ethiopia based on an international reference frame (e.g. AFREF). Zero order control points (about 30) established in the whole country and points of lower orders in the Tana-Beles Growth Corridor;
- Capacity for production of digital orthophoto improved at EMA and capacity built for preparing specifications for and checking of outputs from contracted companies; and
- Digital orthophotos produced for parts of Benishangul-Gumuz and for the Amhara side of the TB Growth Corridor in the scale required for the specific area to be covered.

### **Zero order geodetic network**

The zero order geodetic network was to be established so as to improve the quality and accuracy of surveying and mapping in Ethiopia. REILA has provided technical support in planning and implementation of the network with technical advice from a REILA international geodetic consultant. Four sets of RTK GPS receivers were delivered to EMA in September 2013, following an international tender in early 2013. Procurement of special 'pillar adapters' which were to be assembled on top of the pillars was completed in May 2014. The design, locating and construction of 30 new concrete geodetic pillars were done in late 2014 and early 2015. Two vehicles were provided to EMA, and EMA constructed and paid for the 30 monuments of the network while REILA provided the adapters for the monuments. The process was delayed, but is now still ongoing and the observation of the new network was to take place within two weeks after the MTE mission.

It will still take some time to complete the revised geodetic network for Ethiopia based on an international reference frame. The establishment of the zero order points in the whole country is at the observation stage. The observation is expected to be completed in June 2015, followed by the computation of the new geodetic datum and the transformation parameters to the Adindan datum.

The establishment of the lower orders control points can start in the REILA project areas after the zero order network is fully functioning. The lower orders control points will enable the production of accurate cadastral index maps based on the international reference frame. Other survey measurements are then easier to tie to the revisited geodetic network with the lower orders control points, which will enable high quality and accuracy survey measurements.

The Adindan coordinate system is used in the Quantum GIS software in ANRS at the moment. The geodesy experts did not expect to face major problems in converting the cadastral index map data to the new coordinate system in ANRS. The shift between the two data is expected to be below the resolution of the aerial photos

### **Aerial photographs and orthophoto production**

The work plan in the project document notes that *"the first tasks needed for implementation of a modernized geodetic network and the subsequent orthophoto production need to start early as many other project activities depend on them"*. Hence the urgent need for orthophotos was recognized early.

In July 2013, specifications for an open international tender on aerial photography were developed. The tender was launched in September 2013. However, after the bids were received the tender was cancelled in December 2013. This was because the Information Network Security Agency (INSA) insisted that only their agency can carry out aerial photography in the country. INSA's interpretation is that Article 6.13 of the Proclamation re-establishing the Agency gives it *"exclusive powers and duty to develop and administer all national spatial data infrastructure"*.

The tender document was professionally prepared and included all the necessary technical details and requirements. The tender covered aerial photography survey, orthophoto production, LiDAR survey and (orthophoto production) training components. Aerial photography survey and the training were mandatory components whereas orthophoto production and LiDAR survey were optional components. When INSA insisted that they do the aerial photography they also insisted that they continue the work by preparing the orthophotos.

Involving INSA in the project in such a way was initially objected by the Embassy of Finland. An international tender had been launched and it was not appropriate to stop the tendering process and give the task to a government agency. Tenders were submitted by private sector companies and the price proposals contain their overhead costs. Therefore a government agency's price structure and proposal is not comparable and cannot be based on the same price and payment conditions. Furthermore, the procedure was especially curious as INSA was part of the international tender evaluation team, practically rendering INSA disqualified to tender in any way itself. In addition, Finland was concerned that INSA is a national security agency and it is questionable whether official development aid (ODA) funds can be used to support such an agency under Finnish or OECD development cooperation principles.

After several rounds of consultations an agreement was reached between MoA, EMA and INSA on the participation of INSA. Contract negotiations with MoA and INSA were concluded in early July 2014, and a contract has been signed. The LiDAR survey and training components were not included in the contract. Eventually also the Embassy of Finland agreed that the aerial photography and production of orthophotos be given to INSA but only on at-cost basis, without any overhead for INSA, and provided that an independent auditor is appointed to audit the services provided.

According to the minutes of the SVB meeting in January 2015, MoA indicated that INSA is a new organization that came to life after REILA. Originally MoA was working with EMA but now INSA is in place and MoA will be working with both institutes and there is also need to provide capacity building for INSA. The Embassy agreed that as the government of Ethiopia has entrusted the roles and responsibilities to INSA and EMA, REILA will accordingly collaborate with INSA in relevant areas.

The LiDAR survey was an optional component in the tender. The survey was expected to be carried out simultaneously with the aerial photography. This option would require the survey aircraft to have dual camera hatches, which is not very common. However, the LiDAR survey is not dependent on daylight, which provides more flexibility to implement the survey flights. The required point densities for the LiDAR survey would have been possible to fulfil through many different methods depending on the LiDAR sensor and the aircraft (for example using a different flying altitude than in the aerial photography survey) if the LiDAR survey would have not been required to be implemented simultaneously with the aerial photography survey.

According to the tender document the accuracy of the orthophoto dataset was to be better than root-mean-square error (RMSE) 0.2 meters (95%). This kind of accuracy requirement was very high given the ground sample distance (GSD) of 25 cm for the aerial photography. The required accuracy is usually approximately 1.5 times the GSD and maximum individual errors are usually allowed up to approximately three times the GSD. Henceforth the orthophoto production needs to be carried out very carefully and probably requiring numerous ground control points in order to fulfil the required accuracy. Quality control of the output data will be done by EMA.

The cancellation of the REILA international tender for aerial photography, and the subsequent problem with poor weather conditions leading up to the main rainy season in June 2014, meant that no aerial photography was available for the target areas at that time. In BGNRS satellite images have been used successfully to do surveying and mapping of land parcel boundaries. As ANRS has refused to use satellite images, due to the very difficult terrain in the region, no cadastral surveys were carried out there based on imagery. After long delays the aerial photographs were finally taken in January 2015. Orthophoto production has not yet started. In early 2015 some aerial photographs were received from another project which partly covered also REILA areas in ANRS and some initial surveys have been done.

There has been no capacity building or training for EMA in the production of digital orthophotos or related matters as planned in the project document. According to the Quarterly Report of the first quarter in 2015 several meetings and technical discussions were held with EMA regarding the maintenance of existing orthophoto production infrastructure and procurement of additional hard- and software.

### **National Rural Land Administration and Information System (NRLAIS)**

The project document did not envisage developing an IT strategy for land administration in Ethiopia or building up the system. However, as *“harmonized procedures of land administration on the federal level with appropriate legal and technical framework developments”* was one of REILA’s objectives, the Director of LAUD requested that a Land Administration IT Strategy be developed within REILA. Without an IT strategy, considerable resources could be wasted on developing different or unsustainable IT systems. REILA provided flexibility and the strategy development was taken on board.

The draft IT Strategy Report proposed that a system is developed and piloted in two Woredas in two Regions. The estimated cost was EUR 400,000. The work was to be overseen by a full-time LAUD Project Manager and 6 months input from an IT consultant. At the REILA SVB meeting on 29 October 2012, it was decided that implementation of the IT pilots of the National Rural Land Administration and Information System (NRLAIS) could be partly funded by REILA and EUR 400,000 was allocated for IT pilot software development and testing. It was noted that in addition, SLM funds of about EUR 192,000 were allocated by the MoA for hardware for the IT pilots.

The purpose of NRLAIS is to create a national parcel based IT system. The IT system will contain the land registration information from all rural areas of Ethiopia and the maintenance (registration of transactions) of the register will be handled within the new IT system in future. At present, ongoing land registration projects are using temporary IT systems for recording the registrations, but the intention is that NRLAIS will be developed so that the data can be transferred in to the new NRLAIS IT system once it is up and running. The ISLA with a link to QGIS’ parcel geometries is the present system in ANRS, and the intention is that it will also be transferred to the new NRLAIS system which will be the one used thereafter.

The NRLAIS IT tender was originally launched in December 2013. The closing date was extended to 20 February 2014. Four bids were received. A technical evaluation committee was appointed by the MoA with members from LAUD and the MoA IT Unit. A REILA short term international consultant provided advice to the committee, as they had limited experience of this kind of technical evaluation. The overall tender evaluation was weighted 50% technical and 50% financial. The REILA consultant raised concerns with such weighing because IT development is technically very demanding and technical qualifications should weigh more. One should avoid awarding the contract to a cheap but low quality bid.

The tender was cancelled by MoA in June 2014. The new tender was launched in July 2014, with 70 % technical and 30 % financial evaluation weighting. The bids were to be opened in September 2014 but opening of financial bids was delayed until December 2014. The procurement committee of MoA wrote combined minutes and recommended a bid to be endorsed by MoA and the REILA SVB in January 2015.

The price tenders far exceeded the amount reserved for NRLAIS in the amended budget. There was a budget gap of EUR 554.000 between the bid endorsed by MoA and the allocated budget. The issue was discussed at length in the SVB meeting in January 2015. The Embassy noted that the price exceeded the budget allocation by 130% and proposed that it be shared by the two governments. MoA did not agree to this and due to the very large difference the Embassy had to consult with the MFA in Helsinki before any decision could be announced. No decision was reached in the SVB meeting. However, an agreement was reached during the first quarter of 2015 and Finland agreed the excess amount could be paid from the REILA budget.

Additionally, there were further delays. The Q1-2015 report indicates that *"Defining the involvement of INSA took some time, however a good solution was found, ensuring that the supplier (Hansa Luftbild) is free to implement its technical proposal while at the same time sharing the knowledge and building the capacity of stakeholders in the country is ensured"*. From the interviews it appears that again INSA insisted that it should take over the preparation of the IT system for NRLAIS or at least have a lion's share of it. While interviewing INSA they referred to Article 6.15 of their Proclamation and interpreted that it gives them *"exclusive powers and duty to develop and implement secured information management infrastructures and systems where domestic capacity has not yet created; charge commensurate fee for products and services it provides"*.

According to the Embassy of Finland an agreement has been reached that INSA in this occasion would not have a share in implementing the NRLAIS contract but would be kept fully informed by participating in the supervising team as a stakeholder which in turn should ensure the desired knowledge sharing and capacity building.

### **Capacity building**

It is fair to say that capacity building is and has been a crosscutting theme in REILA. It has extended to all components and all levels of land administration, from the federal level to the regional level and all the way down to the community level. PIA is also part of the capacity building process. Capacity building has taken place through on-the-job training, during short-term training events and courses and more formal education at the Bahir Dar University and the TVET in Assosa as well as internationally during study tours and formal training. Capacity building has been provided also in the form of new and modern equipment, development of systems, procedures and manuals. All in all, capacity building has been quoted, without an exception, as perhaps the best and most valuable feature of REILA and there is a strong demand from the stakeholders for it to continue.

Examples of different type of training that has been provided include:

- Two weeks intensive training for local officials and contracted para-surveyors before an imagery trial or up-scaling of cadastral mapping starts,
- Workshop for Woreda officials at the start of each trial,
- Study tour for staff from the BGNRS BoEPLAU to the trial in ANRS to learn about procedures,
- On-the-job training on supervision to seven experts from LAUD during the trials in Oromia, SNNP and Tigray Regions,
- A vocational level Land Administration course has been developed and accredited at the Agricultural TVET in Assosa and is on-going,
- Summer module MSc course at Bahir Dar University Institute of Land Administration to fifteen students from various Land Administration organizations, and a new batch has been selected,
- Diploma course in Land Administration at ITC Netherlands to two junior experts from LAUD,
- International Study tours to Rwanda, Germany and Finland.



The representatives of the ANRS BoEPLAU and the Bahir-Dar Zuria Woreda were very satisfied with the training given by REILA. They hope it will continue and more of their staff will be trained. The training of field teams and LAUC's has been successful according to the interviews and there is a need for continuous training due to the turnover of people and the general low level of expertise. There is a particular problem with keeping the trained field team staff available also after the rainy seasons and other breaks of the project as they tend to seek for other jobs during the breaks, and if successful will not return.

REILA has supported also MSc studies of 45 experts from Woredas and other institutions in the Institute of Land Administration of Bahir Dar University (6 from EMA, 9 from MoA, 12 from Amhara, and 18 from Benishangul-Gumuz). In June 2015 the 15 new students will come from different institutions on Federal, Regional and Woreda level. The representatives of the Institute wanted to have support also for students from other Regions of the country.

### **3.3. Land administration in Benishangul-Gumuz**

BGNRS is considered socio-economically one of the least developed regions in Ethiopia. Consequently, there has been no land administration system and no formal land registration or certification prior to the support of REILA as compared to the regions in the highland areas. In Amhara, Oromia, Tigray and SNNP these activities started with 1<sup>st</sup> level land registration and certification already in the early 2000s. Moreover, the legislation on land administration and use as well as the related institutions were still in the very early stages of development when the REILA project was initiated. The land tenure and land rights system in BGNRS is predominantly characterized by different traditional customary land rights often with vast areas of land held by the indigenous communities. It is in such highly diverse and challenging context that the REILA project embarked to support the setting up of a modern, efficient and transparent system of land administration for the Region.

In the absence of adequately trained people and technical equipment at all levels in the Region, REILA has undertaken an extensive capacity building programme of the Regional BoEPLAU as well as at the Zonal, Woreda and Kebele levels to be able to carry out land registration in both the trial and scale-up areas. The interviews with experts at the various levels as well as in the communities have clearly demonstrated that the REILA project has made a significant impact on the capacity of the staff enabling them undertake the on-going land registration process. Also, the LAUC's and the farmers themselves are actively participating in the land registration activity. Broadly speaking, REILA has made a visible impact in jump-starting land administration in the Region.

#### **Villagisation programme**

After the project document was prepared, the Ethiopian government started a villagisation programme in BGNRS (2010-2013) and an almost simultaneous land reform programme. Small holder farmers were being encouraged to move their homesteads from outlying areas within a Kebele to village centers within the same Kebele. According to the government the objective of the villagisation programme was that people settled in the centers would get better access to basic social services such as health, education and water supply.

According to the socio-economic baseline study assigned by MFA and prepared in 2012, the main aim of the programme was to bring the communities together into villages so that they benefit from access to infrastructure, social, economic and modern technology and thus better food security through improved agricultural productivity. Fertility of land and availability of water were the two important criteria that guided in the selection of locations that became villagisation centers. If possible, areas with existing infrastructure, i.e. roads, schools, health care facilities, agricultural and livestock facilities, were selected. If these were not available, the plan was to provide these facilities.

The programme was to move about 52,000 households during the three years to at least 180 villagisation centers. It means that most of the people in almost half of the Kebeles were to be moved to a new location. Changes of such magnitude meant that land registration would also be heavily affected and should probably be delayed until the relocation of households was completed.

Given the large number of Kebeles involved in the programme, the number of available services was very limited compared to what was needed and what people were told and were expecting. Of the about 180 villagisation centers only 19 had schools and only 18 had health centers. There were only 43 farmer training centers and 56 animal health posts. 176 water supply points were installed. The distance to the old fields, which people had to continue to cultivate, would be in the range of 1 – 5 hours away, one way.

This caused new hardships and was massively detrimental to food production according to the socio-economic survey.

Around the same time, the government also started a Land Reform programme in BGNRS. In this programme indigenous groups of people practicing shifting cultivation were being encouraged to farm smaller areas of land, thus pushing them to cease the practice of 'shifting cultivation', which requires larger areas of land per household. Related to this was the new legislation which sets a ceiling of 10 ha as the total area of land a single household can have. Land in excess of that shall be taken to the Region's "land bank" and redistributed to landless households. The land reform process also involved farming fields which are closer to the recipient villages of the villagisation programme. However, the relocation of field location lagged behind the move of homestead. Therefore land registration also in these Kebeles needed to be further delayed until both relocations and the settlement of people had taken place.

The socio-economic baseline survey had not reported any forced resettlement or evictions in relation to the villagisation programme or land reform in BGNRS. Later the Embassy of Finland had heard such reports. According to the REILA Quarterly Report of the first quarter of 2013, the Embassy had received reports of evictions of farmers and their families in BGNRS. At the end of March the Embassy had therefore instructed the REILA CTA to halt preparation of the imagery trials in the Region until further notice. The Embassy wanted to find out more about the matter before allowing work to restart. The Annual Report July 2012 to June 2013 notes that reports of evictions of farmers and their families in BGNRS caused a temporary halt in the preparation for REILA land registration trials in the Region. The Embassy together with the WB studied the matter and as it appeared that there were only a number of cases of forced resettlement, which were later resolved, the matter was settled and the first imagery trial began in June 2013. The Embassy has continued monitoring possible resettlement in BGNRS within the framework of joint DAG monitoring missions, which Finland has chaired. No forced resettlement issues have come up during these yearly monitoring missions.

#### **Staff recruitment and training**

**At the time of designing the project there were hardly any land administration activities in BGNRS. The regional EPLAU was an Agency under BoARD with only 3 staff members dealing with land administration issues. The regional office was in very elementary premises with hardly any computers whereas the Zonal and Woreda offices were in an even worse shape. The plan was to focus TA on Metekel Zone and work through the Zonal office further to the two pilot Woredas and to the Kebele level while developing also the capacity of the two other Zonal offices at the same time. There were hardly any land administration officials in the Zonal offices and practically none in the Woreda levels.**

However, during the period before REILA started, BoEPLAU in Assosa recruited many staff members, particularly for the Woreda land offices. By February 2012 there was a total of about 130 staff at the Regional BoEPLAU and Zonal and Woreda offices related to land administration. Besides that the BoEPLAU had been active in preparing for land registration by establishing LAUCs at the Kebeles and in the creation of awareness of the rather new (2010) Regional land Proclamation.

The new staff was largely untrained in land administration, though they were beginning to implement land registration in the Woredas (including PIA and parcel boundary surveys). This required a different approach for the Project in BGNRS and particularly for capacity building. A decision was taken that REILA would work in all three Zones (Metekel, Assosa and Kamashi). In the new situation there was no longer a need to work through the Zonal offices so REILA would provide support directly at the Woreda level in the pilot Woredas. The planned 'mobile land registration units' based in Zonal offices were no longer required.

As for training, the situation required a two track approach in capacity building: continued professional development in the form of short courses for current staff and more formal education through development of a diploma course at Assosa TVET. REILA urgently designed a number of short courses to achieve quick results at the field level

The main criteria for choosing the three pilot Kebeles was that the land situation was stable in the selected ones; i.e. that either villagisation (including changes to the location of the cultivated land) has been completed or villagisation will not be implemented. A stable land holding environment was considered essential for successfully conducting a land registration campaign. Active areas of villagisation were thus avoided.

#### **Office upgrading**

During the interviews Woreda land administration experts and Kebele LAUC members complained about the poor office facilities they had and which hampered their work. There was lack of office space and necessary office equipment to keep the land registration records in a proper manner.

The REILA project document includes elements for office upgrading. For BGNRS the document envisages as an output *“Appropriate offices for land administration at Regional and Zonal levels with necessary equipment and vehicles, including Zonal mobile land administration units to provide part-time service at the Woreda level”*. The focus was on upgrading the regional office and doing the work in the field through the Zonal offices which therefore had to be upgraded.

The budget for office upgrading was limited as only three Zonal offices were to be upgraded. Computerization seemed to be a rather distant dream in the Woreda level. Furthermore, the joint Finnish – WB appraisal report clearly said that *“An understanding was reached that the construction of buildings and facilities should not be included into the Finnish contribution, but be covered from Ethiopian contributions. Necessary renovations and other improvement work as such may, however, be included in Finnish financing”*.

There has been little action with regard to office upgrading in BGNRS. Plans should be prepared so that potential investments can be included in the investment plan of the last year of the Project.

### **Investment office**

The Investment office has been provided a vehicle as planned, but otherwise the office has not received the intended support for capacity building. They do not even have a copy of the project document. It appears that investment applications are handled both in the Investment office and BoEPLAU and that there is some duplication of work. For instance, both undertake an analysis of the business plan in the application. There should be a possibility of doing the work jointly and upgrading the skills so that the process looks into areas of interest of both sides in a complimentary way. Also there is a need for training on both sides: in BoEPLAU on business analysis and in the Investment office on land administration aspects in the analysis. Training could be provided jointly. Also there is a need to provide office upgrading as planned.

### **The 10 ha rule**

In BGNRS the Regional Government has by law set a limit of 10 ha as the maximum land-holding a farmer can have in BGNRS. This has, to some degree, hampered the land demarcation and registration activities. The law provides that land previously held by any farmer that is in excess of the 10 ha limit will be taken away and will be redistributed to landless farmers or be used for other development activities. The exception provided by law is that the land holder may be permitted to hold the excess land as an “investor” provided that such land holder shows that she/he has the necessary resources and technologies to be considered an investor.

An appreciable number of farmers have traditionally held more than 10 ha in BGNRS and most of them have rented out part of their land to farmers that have moved from the neighboring highland regions. Because of this, there is a concern that farmers who have more than 10 ha of land would be reluctant to participate in the land registration process since they would lose part of their land and also lose their income from the land rental. Those who have been cultivating the rented land will become landless and will be put at the end of the line waiting for land to be allocated to them.

On the other hand, the 10 ha limit is a policy decision of the Regional Government and is intended to ensure equitable allocation of land in the Region also to the landless. According to the Head of the Region BoEPLAU there are only few people in the community who have more than 10 ha of land. During the interviews with the Kebele LAUCs and communities in the trial areas, the MTE team has not seen any major objection to the 10 ha rule although the farmers whose land holdings are more than the limit seem to be waiting how the issue would subsequently be resolved.

The regional BoEPLAU as well as the Woreda land administration staff seem to be ready to address this issue more flexibly. For instance, the Woreda Land Administration Head of Bambasi Woreda told the MTE team that they have currently resolved the issue of the 10 ha limit in four ways in the Dabus Kebele, which is the first REILA trial area in BGNRS.

- Farmers whose land holding is just slightly above 10 ha can retain their holdings as it is;
- Farmers who have polygamous marriages and have more than 10 ha can have an additional 5 ha for each additional wife;

- Farmers whose holdings are above 10 ha and wish to develop the extra land as “investors” will be given temporary land holding rights; and
- Children that have been farming the land with their parents will have an equal share of the extra land which will be registered in their own name.

Some of these solutions to the 10 ha rule are, however ad hoc, and are not likely going to be the right way to resolve the issue permanently as they may create favoritism and a lack of transparency in the land registration process. It is therefore advisable that a clear process be devised in the future to address this issue with the full participation of the farmers.

The MTE noted that the delay in solving the 10 ha limit rule has been given as a reason of not issuing land certificates (book of holdings) even to the farmers with less than 10 ha of land although the land registration has been completed. The farmers are keenly waiting for their book of holdings to be issued promptly. They are questioning as to whether their registered land holdings are secure because of the delay in the issuance of their land holding certificates.

### **Slow procurement causing lack of equipment**

REILA is following the Ethiopian Government procurement rules and regulations. The national procurement system has recently been revised and centralized which has made it more bureaucratic and more than often slow. The slow and cumbersome procurement process (which will be discussed further below under chapter 3.5) is in practice slowing down the cadastral mapping processes.

Also, it is a question of lack of proper planning. Even very small procurement items and consumables that are required in the field demarcation process are often lacking and procurement is delayed. It may take even two months to get things delivered from Addis Ababa when they are not available in the Region. Sometimes small items such as measuring tapes have been ordered and have been delivered to BoEPLAU in Assosa but the items are in the storage and have not been delivered to the field.

BoEPLAU has now decided to separate procurement work from the finance unit and establish a separate procurement unit which hopefully will improve the situation. In the interviews the head of the finance unit expressed a wish for more training in BGNRS on procurement rules and procedures.

### **Delays in payments**

In BGNRS REILA funds are administered at the Regional level. All payments are made from BoEPLAU in Assosa, contrary to the procedures with domestic budgetary resources and payments in other projects such as SLMP where funds are allocated to the Woredas and payments effectively made at that level. In REILA payments made from the regional level are very often delayed or are not clear, which caused for instance a strike with contracted para-surveyors during the visit of the MTE team to a Woreda.

In the interviews Woreda experts also noted that finance officers from BoEPLAU often drive to the Woredas to make payments of salaries and other payments rather than transfer the money through the banking system.

### **Government per diem rate**

The REILA project is so designed that the per diems for government employees and workers are paid from the Government of Ethiopia’s contribution to the Project. The project document notes that *“in addition to the direct contribution, the Ethiopian Government will be responsible for all per diems and other personnel related costs of the Government of Ethiopia personnel as they participate in project implementation”*. Naturally the government follows the government rules and regulations. The per diems in BGNRS are in the range of ETB 85 to 110 depending on the rating of the Woreda. In ANRS the rate is ETB 115.

In the SLMP the Government pays a per diem of ETB 290. Formally the project’s funds have been transferred to the government so the government makes the payment although “technically” the funds come from the project. For comparison, in the DFID supported LIFT project the per diem rate is even much higher the MTE team was told, but that per diem is paid directly from the project funds by the management consultancy company. The project is designed on a totally different basis.

The fact that the land administration experts and other officials related to the projects both in the BoEPLAU’s and Zones and Woredas are paid such highly different per diems depending on which project they work for at different times has caused serious delays for REILA. The experts are reluctant to undertake REILA assignments due to the low rate and rather choose to work for the other projects. It is widely known that the government per diem rates are not sufficient most often even for accommodation,

not to speak about meals on top of that. The MTE team was told that the situation has led to very flexible and rather innovative ways to compensate people on duty travel.

The issue has been known and discussed since the very first SVB meeting, but no solution has been found and REILA implementation is suffering. The Ethiopian Government says they cannot pay higher per diems than the government rate. The Finnish Government says that in the spirit of the Paris Declaration they have to follow the local government rules and regulations and cannot provide topping up to local salaries or per diems. The joint Finnish – WB appraisal report (2010) on REILA stressed that the design of the Project “*must follow the cost-sharing principles which have been systematically developed between the two governments (in other projects) in Amhara and in Benishangul-Gumuz*”. The impasse remains.

The DAG donor group has initiated a process in order to harmonize the rate of per diems paid in different projects. The issue is currently being studied at MoFED. DAG members have committed to harmonize the per diem rates accordingly in projects that they support. It has been agreed in the addendum of the January 2015 SVB minutes that once the decision from MoFED comes out, the new per diem rates shall be applied also to REILA. However, decisions are not forthcoming and there is a pressing need to find a solution to the situation. Furthermore, the SVB minutes do not indicate how the payment of the harmonized per diem rate will in practice be made and by whom and from which resources.

### **Communication and the Project Management Committee**

In the interviews the Deputy Head of BoEPLAU mentioned that there had been difficulties in regular communication with the TA team. There was a requirement that all communication should be through the Team Leader (TL). Also, the BoEPLAU does not always know where the TA team members are, are they on a field mission and where and for how long. On the other hand, the Regional officials are also not always available. For instance, the MTE team had a chance to meet the Head of BoEPLAU only briefly out in the field in Bullen.

On the other hand it was noted that the Project Management Committee (PMC) in Assosa was not functioning and it had not had any meetings for about a year. The Head of BoEPLAU is the Chair of the PMC but he has not called a meeting or has not managed to get the meeting together.

### **Reporting**

The Deputy Head of BoEPLAU also raised the issue of reporting. He said that planning of the work of REILA and preparation of work plans is done very much in a participatory manner and in close cooperation with BoEPLAU. However, the progress reports are prepared by the TL and the TA team and sent to the CTA in Addis Ababa often without BoEPLAU even having a chance to comment on the report. The “version control” box in the beginning of each progress report would seem to confirm this. This was noted and the TA team promised to correct it.

The project document is designed on the basis that REILA is under the SLMP structure and although the financial management part of the document was re-defined after the WB Trust Fund was not established, the M&E and reporting still remained to be linked very much to SLMP systems:

*“A reference and a starting point for the monitoring and evaluation (M&E) system development is the results-based M&E in SLMP i.e. to:*

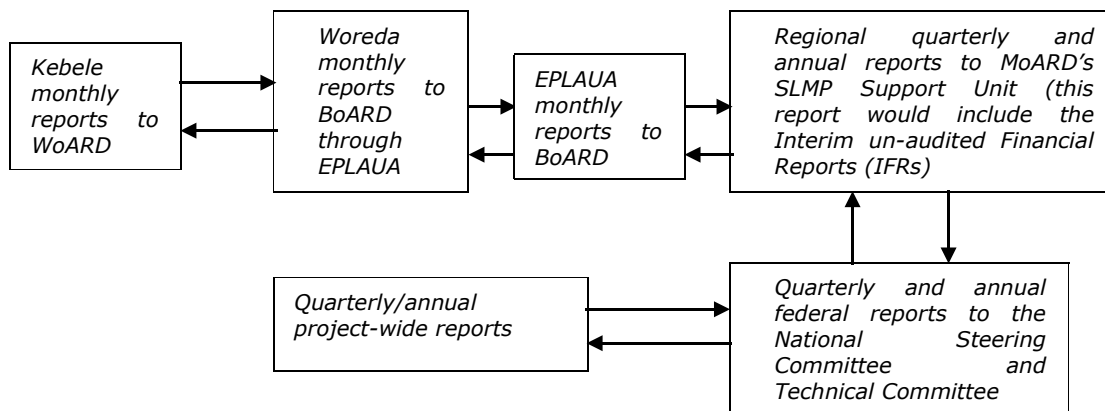
- *assess and document timely progress towards outputs, outcomes, and impacts as agreed in the annual work plans*
- *identify implementation gaps for proactive corrective actions*
- *document and incorporate lessons learned into project implementation.*

*The M&E system will be developed in order to serve not just the project’s but the sector’s nation-wide purpose (including LALUDEP)”.*

Reporting is basically the duty of the Ethiopian land administration system as shown also in the flow chart on reporting:

*“Using existing government systems, the BoEPLAUs of Benishangul-Gumuz and Amhara will prepare quarterly and annual progress reports to MoA LAUD, based on monthly reports they receive from the Zone and Woreda Offices. The National Supervisory Board and the National Project Management Committee will review the reports quarterly. Figure 5 below shows the flow of M&E reports.*

Figure 4: The Flow of M&E Reports



(Note that at that time EPLAUA was under the BoARD in BGNRS and MoA was MoARD.)

*Supervision missions on REILA will be carried out bi-annually. These will be timed in conjunction with SLMP supervisory missions and in the future in conjunction with LALUDEP supervisory missions (or as advised by SLM-TC).*

*In the spirit of the Paris Declaration on Aid Efficiency, reporting will be made to follow jointly agreed, GoE formats and standards, copying to all SVB and SLM-TC members."*

The PIM that has been prepared for REILA describes reporting somewhat differently. While it contains the same flow chart, it sees the CTA as one of the project principal decision making bodies along with the SVB and the PMC, and notes that it is the CTA who assists the PMC in producing progress and monitoring reports. This may explain the difference in thinking. It should also be noted that the reporting in the Ethiopian system is in Amharic.

#### **TVET**

The Assosa TVET College has launched the REILA support level III rural cadaster and land registration course in October 2014. The course design had to comply with Ethiopian Occupational Standards set by the Federal TVET Agency. The curriculum was approved and the course accredited by the Federal TVET Board in May 2014. This is the first course of its kind in Ethiopia, and will complement the degree level courses at Bahir Dar University Institute of Land Administration. Currently, 75 students from twenty Woredas in the BGNRS have been enrolled. Out of these, 11 students are expected to graduate this academic year and the rest in the next academic year.

During the interview the MTE team had with the Vice Dean of the College and one instructor, one of the major problems presented was the delay in procurement of the necessary surveying equipment for use in the practical training of students in the new land administration program. To solve this problem the TVET has, for the time being, borrowed some surveying equipment from the ANRS BoEPLAU with the support of REILA staff.

The college also wants to upgrade the course to level IV training in collaboration with the Land Administration Institute of Bahir Dar University. In this respect, they are thinking of developing a proposal to be submitted for possible REILA support in the subsequent phase. The MTE also visited the classrooms, the computer laboratory and the library that have been provided for this course which seems, more or less, adequately equipped for the current students.

TVET is also considering a possible expansion of the course and increase of the intake. The curriculum and the course are being considered also in other TVETs around the country with possible support of USAID's LAND project.

### **3.4. Land administration in Amhara**

ANRS is one of the socio-economically more developed Regions in Ethiopia. Already at the time of designing the REILA project document it was also considerably more advanced in land administration compared to BGNRS, which had barely started land administration activities at all. Ethiopia had been working on sustainable land management with a number of development partners, such as GIZ, Sida, USAID, World Food Project (WFP), WB etc. ANRS was a region where most of them worked from the outset.

Sweden had supported a rural development programme in the Region since the late 1990s. In 2002 land administration was also taken on board as one focus area. Support for capacity building was provided at the regional level and land registration and certification was implemented in the Woredas supported by Sida. As a result, nearly 730 000 1<sup>st</sup> level land use certificates were issued to almost 80% of the households in the area in 2003/04. The administrative structures for land administration were also developed.

At the time of project design ANRS already had a BoEPLAU with 27 of its 30 land administration staff positions filled. At the Zonal level 93 of the 124 established posts were filled. The Zone was able to provide the required professional support in the required field to the Woreda level. Even at the Woreda level about 50% of the slightly over 1500 posts were filled. Also, the LAUC's had already been elected and established at the Kebele level as they had a key role in the 1<sup>st</sup> level registration and certification process. While REILA was to start from the very beginning in BGNRS and support development of basic land administration, the aim in ANRS, according to the project document, was already much higher: *assist in 2<sup>nd</sup> level certification and improvement of various land administration processes, including the process for allocating investment land*. The focus area was the Amhara side of the Tana-Beles Growth Corridor comprising of 8 Woredas.

### **9th Woreda**

During the Inception phase the ANRS BoEPLAU senior Management requested that a 9<sup>th</sup> Woreda (Jawi Woreda) be added to the list of REILA Woredas so as to provide geographical continuity between the ANRS part of the REILA project and the BGNRS. The office upgrading budget was consequently spread out more thinly but without other changes in the allocation of funds.

### **Office upgrading**

All earlier planned office furniture and equipment, the vehicles and the survey equipment have been procured and delivered and installed in the nine REILA supported Woreda offices on the ANRS side of the Tana-Beles Growth Corridor.

In addition BoEPLAU has been provided with equipment which has further built its capacity:

- Upgrading of software in 12 of Leica 900 GPS instruments (due to a new satellite signal all instruments (worldwide) stopped working and needed a software (firmware) upgrading);,
- A comprehensive manual was developed for Trimble GPS instruments (19 instruments had been procured by BoEPLAU, but were not used as there were no manuals); and
- A full production chain for imagery cadastral mapping was developed (for instance, the parcel map printing system can now print thousands of parcel maps automatically within a few hours with individual scales and attribute information, adapted to the current parcel while the same previously took several weeks).

### **ISLA**

ISLA (Information System for Land Administration) is software developed with the support of Sida and used in ANRS for the initial 1<sup>st</sup> level certification and subsequent updating. The BoEPLAU has requested that REILA resources are made available to upgrade the ISLA software so that it would include a spatial component (i.e. maps) and could be used also for 2<sup>nd</sup> level certification and subsequent updating.

The SVB has decided that the new system to be developed under NRLAIS, which is a parcel-based registration system, will be used nation-wide. Therefore, REILA funds will not be used for upgrading the ISLA system, which is a holder-based system. So far, while NRLAIS is being developed, ISLA is however used as the system for maintaining changes and transactions in the land registry.

### **Parcel IDs**

In the problem analysis of the REILA project document it was noted that the *"ANRS BoEPLAU has designed a unique parcel identification number (UPIN) that is based on the administrative Region, Zone, Woreda and Kebele. These are administrative units that may change and do change. They are not clear now or are uncertain or contested in some areas. When changes take place, the information in the certificates of the farmers is not necessarily changed and after some time it may be difficult for a farmer to prove, using the outdated certificate, that he or she is the true holder of a land use right. In ANRS the holding number is part of the parcel ID. If a parcel is transferred from one holding to another it will change identity and include another holding number. The parcel identity is thus not stable. Changing parcel IDs creates confusion in land administration, whether an analogue or a digital system is used to record parcels and land use rights"*.

The issue has not been addressed in ANRS by REILA. According to the surveying expert who was interviewed during the MTE team's visit, parcel IDs are stable in ANRS. The parcel IDs are still based on administrative areas. Even the Kebele borders are rather stable at the moment and they are planning to tie the land administration areas permanently, he said.

### **Zero order geodetic network**

At the time of the MTE team's visit to ANRS, EMA was working on the new geodetic reference frame. The current (old) coordinate system (Adindan) is still used for the 2<sup>nd</sup> level certification while the new network is completed. The geodesy experts in BoEPLAU did not see any major problems to implement the new geodetic reference frame in the future. They have knowledge how to compute the needed transformation parameters and transform the existing cadastral data to the new coordinate system.

### **Satellite imagery case in Amhara**

There has been a serious delay in the REILA land registration process due to the fact that BoEPLAU refused to use of satellite images as a basis for the 2<sup>nd</sup> level certification process. The imagery trials were arranged in ANRS at an early stage of the REILA project. The idea was to test the use of the orthophotos and satellite imagery as the basis for low cost cadastral surveys of rural land parcel boundaries.

According to a local expert, the accuracy of the satellite based orthophotos were still approximately 10-15 meters on mountainous areas even after the additional corrections were made by an international consultant hired by REILA. The errors are big. Reliable use of the satellite based orthophotos would have required extra control surveys in order to guarantee the acceptable accuracy level. The generation of the digital terrain model is very challenging on sharply varying mountainous areas. The inaccurate digital terrain model might have caused the errors on the orthophotos.

BoEPLAU refused to continue the certification process with the inaccurate satellite imagery based orthophotos because of the extensive control and quality check measures required due to the very difficult terrain. They proposed to use accurate GPS receivers for the 2<sup>nd</sup> level certification while waiting for the accurate aerial photography based orthophotos to be produced. The proposal was refused by the SVB. Satellite images remain out of question in ANRS. After the discussions, it was decided that the ANRS project areas will be covered by aerial photography which will be used as a basis for the registration process. However, there were further delays because and the international tender for aerial photography was cancelled and the task of aerial photography and orthophoto production was given to INSA by a decision of the Ethiopian Government which the REILA stakeholders then agreed to.

The aerial photographs were taken in January 2015 but the production of the orthophotos has been delayed. However, the first aerial photography based orthophotos were delivered to the Regional BoEPLAU office already in early 2015. The orthophotos were obtained from another project, as the areas photographed for that project were partly overlapping with REILA project areas. Preparations were made for starting the certification process with carrying out a large number of trainings:

- 6 day training for 59 Regional, Zonal and Woreda staff on legal land administration issues;
- 2 week technical training for 39 Regional, Zonal and Woreda and Bahir Dar University staff on more advanced cadastral mapping, included theory of basic geodesy, handling of GPS instruments, using of GIS and geodesy software etc.;
- 2 week training for 39 para-surveyors and Woreda and Kebele staff in Mecha and Bahir Dar Zuria,
- 1 day PIA training for 29 decision makers and Woreda staff on awareness building;
- PIA workshops at community level for 46 participants in Wojir Kebele and 66 in Braqat Kebele to ensure that the land holders are aware of the upcoming activities and issues related to them, incl. women's rights; and
- Public awareness campaign with 1356 participants in Braqat Kebele and 571 in Wojir Kebele.

In addition, all nine REILA supported Woreda land administration offices were visited, and the coming registration activities and time plans were discussed, cadastral procedures further developed etc.

The 2<sup>nd</sup> level certification started in two REILA supported Woredas in ANRS during the first quarter of 2015. The process seemed to flow relatively well during the MTE team's visits to the Woreda offices and field survey sites. Small technical problems and misunderstandings that occurred are typical in the beginning of the process and they were corrected on the spot by the land administration advisers. Due to a delayed delivery of the rest of the aerial photography based orthophotos, the registration activities in the other Woredas have been postponed until June 2015.



### **Government per diem rate and slow procurement**

In ANRS there have also been delays because of similar difficulties with the per diem rate for REILA and the slow procurement as have been discussed in BGNRS (see chapter 3.3 above).

### **3.5. Investment Fund**

After it was decided that the WB will not establish the Trust Fund for parallel financing for investments in the REILA project the draft project document was changed. Investment funds were still needed for implementation of the Project so a different set-up and arrangement was devised. It was decided that an Investment Fund would be established by the consultant selected for the implementation of the REILA project (Niras). A separate account would be established by for the funds and disbursed by the consultant. The funds would be utilized by the executing Ethiopian agencies for procurement of goods and services using Ethiopian Public Procurement rules and regulations.

The following principles were set: *“the TA and Ethiopian counterpart at federal and regional levels should jointly prepare the tendering documents including ToRs (services), technical requirements (goods), selection criteria and advertisements. Evaluations and selections should also be made jointly, with the final decision resting with the Ethiopian authorities based on the recommendation of the evaluation team. MFA has the possibility to stop the process if it does not follow the international standards of non-discriminatory treatment, openness and proportionality. The TA team will be responsible for ensuring that all procurement complies with legal standards”.*

Procurement procedures for the Investment Funds (IF) will be in line with the Ethiopian procurement laws and regulations and the respective Regional Proclamations and Directives in BGNRS and ANRS will be used for procurement procedures at the Regional level. A full-time REILA national procurement expert started work in April 2013 and specific IF procurement procedures were devised: *Procurement Procedures for REILA Investment Fund (IF)*.

The REILA Support Unit in LAUD was to develop the project procurement plan specifying the procurement methods that will be used for the procurement of the various items already identified. The plan and its updates will be approved by the SVB.

All fund requests must be based (in terms of timing and content) on the approved annual work plans. At Federal level the requests are developed by either: the LAUD within MoA or EMA. In the Regions, fund requests are to be developed by the Regional BoEPLAU or the EPLAU / WoA offices at the Zonal or Woreda level. Fund requests will be developed by the staff of the Ethiopian institutions with support and advice from the TA team members. The request will also include the procurement method which is to be used, e.g. international open tender, local open tender or direct purchase.

MFA will send funds to a Niras special bank account. Money will be sent from this account to the appropriate account at the Federal, Regional, Zonal or Woreda level. MoA funds will be placed and managed by the SLM support unit, and under the supervision and instruction of the LAUD. Transfer of funds should only be made when both the contractor and the Ethiopian Government have signed the order for transfer.

When the public procurement system of Ethiopia was revised and the Public Procurement and Property Administrator Agency (PPPAA) established, procurement became more centralized which has made procurement particularly at the Regional level slower and more cumbersome. The PPPAA has selected a list of potential suppliers which are used, but some time the suppliers do not have the items readily available with the required specifications, which further delays the procurement.

According to the information received by the MTE team there are certain thresholds for the various procurement methods to be applied, with procurement of:

- Less than USD 100, direct purchase allowed
- Less than USD 2,500, at least three bids required
- More than UDS 2,500, open bidding required.

Thus, even rather small (which exceed USD 100) procurement requests, also from the Regional level, will have to be handled by the PPPAA. To avoid excessive delays some other projects (for instance SLMP) have decided not to follow government procurement rules and have changed the thresholds to USD 4,000 and 50,000 respectively which makes procurement somewhat more flexible and smoother.

According to the REILA IF Procurement Procedures there is also a requirement that:

- Open international bidding shall be used whenever effective competition cannot be obtained in national open bidding; or
- In national bidding for procurements above a threshold level of
  - For goods above birr 10,000,000 or euro 400,000;
  - For services above birr 7,000,000 or euro 300,000; and
  - For consultancy services above birr 2,500,000 or euro 100,000.

The Procurement Procedures also note that:

Although the procurement procedures for the Investment Fund will be in line with Government of Ethiopia laws and regulations, the following basic procurement principles of MFA have to be taken into account:

- Procurement is conducted in a competitive and transparent manner
- The economically most advantageous tender wins the competition
- Payments are in principle performance-based
- The information on service providers is gathered through sourcing.

The KPMG Performance Audit Report (October 2014) noted the very low utilization rate of the IF funds by the end of February 2014. According to the report EUR 869,612 out of a total of EUR 6,853,875 of the IF funds had been utilized. Since then the situation should have improved but in fact only an additional amount of slightly more than EUR 300,000 has been used. As can be seen from the budget utilization report in Annex 5, a total of EUR 1,171,445 has been utilized from the IF funds by the end of April 2015. In addition EUR 516,729 has been provided as advances. The budget utilization report estimates that at the end of the Project in June 2016 there will be a balance of unutilized fund of EUR 370,177. This together with EUR 640,000 as unallocated funds and EUR 326,375 as contingencies will leave an estimated total of EUR 1,336,552 as unutilized IF funds at the end on June 2016. However, according to Niras' bookkeeping EUR 298,087 of the TA funds have been used for IF expenditures (see Annex 6). The TA team is planning to present to the SVB a reallocation of these funds back to the TA budget.

The KPMG Performance Audit Report noted that the fund requests were in practice largely prepared by the TA team members. In order to strengthen the capacity of the implementing partners in this regard, the fund requests should be technically prepared by the implementing partner and reviewed by the TA team and supported as necessary. According to the interviews during the MTE it appears that the situation is still not satisfactory in spite the training that has been provided. The capacity of the Ethiopian counterparts in this activity is still low, particularly in BGNRS, and due to the time pressure, fund requests are still in practice often prepared by the TA team members decreasing sustainability of the IF. The Assosa BoEPLAU has decided to separate procurement from the financial office which may improve the situation although some more training is probably needed.

## **4. Conclusions**

### **4.1. Relevance**

The situation in Ethiopia has not changed since the Project started in the sense that land degradation continues to be a serious threat to the country. A vast majority of the population is tied to the land for their livelihood. The continuing high population growth puts pressure on land and particularly in the highland farming areas the arable area has declined leading to encroachment on marginal areas. The forest areas continue to be taxed which again accelerates land degradation although there are ongoing efforts on managing watersheds better. Farmers are cultivating very small plots and often in very traditional methods which degrades the soil. The high demand for investment land is continuing and the investors are not always utilizing the land well and improving it.

Insecurity of land tenure has been, and continues to be an underlying cause for land degradation and declining productivity. Studies have shown that land security improves the situation because farmers will invest in the land they occupy and improve the land they cultivate when they have increased security of not losing the land and when they can even pass the land over to the next generation. The Project aims particularly at increasing land security by supporting the development of an improved, transparent and appropriate land administration system in Ethiopia. The relevance of the REILA Project is unquestionable.

The development plans of Ethiopia are still largely based on improved and increased agricultural development. Land and increased land security are a high priority in the development plans. The government has shown strong political commitment and resolve in addressing key areas in this respect. The overall sustainable land management platform and ESIF as well as the sustainable land management programme (SLMP) with development partner support continue to address areas of key importance. Land administration and registration have been developed over the last several years but the situation is still far from satisfactory and in some Regions, such as BGNRS, the situation is only beginning to be addressed. In this respect the REILA project is vitally important and relevant.

The Project has managed to change the mindset of decision makers and land administration official in favor of modern and efficient land administration which is well appreciated at the political level. The Project has also assisted the MoA to develop a basis for a harmonized system for land registration in the country which will assist considerably in fulfilling the ambition of having all the land in the country registered in the coming years. The political leadership in MoA sees the REILA project relevant, indeed. Systems and procedures that have been developed in the context of REILA have been taken into use by other Regions and other projects such as SLMP and LIFT and the LAND project is about to extend land administration training also to other regions based on the curriculum developed by REILA in Assosa TVET.

The country has shown political commitment to improving land administration. LAUD has been considerably strengthened and the budgets of the regions for land administration have grown manifold since the Project started. A large number of land administration staff has been recruited, particularly in BGNRS, although largely untrained and without experience in land administration. The capacity building and training of the REILA project in the various offices and the training at the University of Bahir Dar and the TVET in Assosa have been very relevant in supporting the efforts of the government, albeit only a scratch on the surface compared to the overall needs in the country. The project is fully in line with the development policies of Ethiopia and its policies and strategies in the sector.

Finland's Development Policy of 2007, which was in force at the time of project preparation, was strongly based on sustainable development and the achievement of the millennium development goals (MDGs). Support to the land sector was fully in line with the policy. Land security improves the lands and combats land degradation. The Project is expected to have positive environmental impacts because improved land tenure security for smallholder farmers will encourage them to invest in environmentally sound farming practices. It also supports SLMP interventions in watershed management such as terraces, contour bunds, and reforestation which will have positive environmental impacts. In a wider sense the Project will help combat global climate change as increased land security will bring about more sustainable land management which in turn will diminish land degradation.

The 2012 Development Policy of Finland was strongly based on HRBA. Strengthening the land rights of the smallholder farmers is directly addressing their right to land and a secured livelihood. Improved security of tenure of land is a starting point in establishing respect for human rights, including equal rights of women and the rights of indigenous people. Securing access to land for informal settlers, indigenous people or the most vulnerable people will directly improve their security and enable them to survive and engage in livelihoods. Access to land and security of rights over natural resources are fundamentally linked to the three pillars for achieving the MDGs: development, human rights and security. The REILA project is very relevant also from the Finnish development policy viewpoint.

The one area where REILA's relevance may be questioned is the planned support to EMA in the field of building the capacity of EMA for the production of digital orthophoto which is described in the project document. If indeed INSA has been given the exclusive role in that respect in Ethiopia, any support to EMA would turn out to be not relevant and such support could be questioned.

## **4.2. Effectiveness**

The effectiveness of the Project is somewhat difficult to assess. There is no clear cut M&E system in place. The M&E expert has just recently come on board. According to the REILA project document project supervision, monitoring and evaluation (M&E) activities should be arranged in parallel with SLMP but that does not seem to be the case. The M&E system should be developed in order to serve not just the project's but the sector's nation-wide purpose. It should therefore be a M&E system for LAUD. Initial socio-economic baseline can be drawn from the Socio-Economic Baseline Study done in 2012.

The tasks of the M&E are to assess and document timely progress towards outputs, outcomes, and impacts as agreed in the annual work plans; identify implementation gaps for proactive corrective actions; and document and incorporate lessons learned into project implementation. However, as noted

also by the MPMG performance audit report no documented monitoring has been performed in the REILA Project and no monitoring reports have been written. Only the regular progress reports are prepared and they are very much activity based reports.

According to the project document, the Regional BoEPLAUs will prepare quarterly and annual progress reports to the MoA LAUD, using the existing government systems, based on monthly reports they receive from the Zonal and Woreda Offices. The national PMC and SVB are to review the reports. The reporting should follow the jointly agreed Ethiopian Government formats and standards. In practice the progress reports are prepared by the TA team and are not in the government formats. This has caused some friction in BGNRS BoEPLAU.

There are only two quantitative and measurable targets of REILA which are mentioned in the Project budget: 100,000 parcels registered in BGNRS and 140,000 in ANRS. It appears that the target in BGNRS was based on 1<sup>st</sup> level registration as the price per parcel is estimated a EUR 4 whereas in ANRS the parcel price is estimated at EUR 12. However, it was decided that also in BGNRS REILA would aim directly at 2<sup>nd</sup> level registration, which of course has a significant impact on the overall target. In the interviews the MTE team was told that thus far (by end of May 2015) some 19,000 parcels have been surveyed in total in the Regions and farmers provided a certificate for those as a result of the trials and pilots. Presumably a majority of those would be outside the original target areas of REILA as the trials took place in basically in areas that were not originally targeted.

Of course REILA has not particularly focused on the production of parcel registration but rather on capacity building and supporting the establishment and improvement of the land administration system in the country and in BGNRS and parts of ANRS. However, as the target figures have been stated it must be said that effectiveness in that respect is unsatisfactory. The said targets cannot be reached by the end of the project period. Reasons, which are several, have been discussed elsewhere in this report. On the other hand, the process REILA is developing has been presented as one of the "fit-for-purpose land administration" -examples in a recent joint International Federation of Surveyors (FIG) and WB publication, which would indicate reasonable effectiveness in developing the system, although not yet obtaining the results in the field.

Effectiveness judged by the indicators in the logframes of the various components as presented in the project document can be assessed much better, although not perfectly. The fact that new elements were taken on board of the Project at an early stage of course largely occupied the resources which in turn delayed the start-up of the originally planned activities. Also, unexpected delays caused by such factors as the insistence of INSA to get involved in the aerial photography and orthophoto production as well as development of the IT system, insistence of ANRS BoEPLAU on not to use satellite imagery as a basis for orthophotos, difficulties in recruiting TA staff particularly to BGNRS etc. are reasons why the outputs and results at this stage are not as good as expected.

Judging by the indicators in Component 1, it seems that good progress has been made. A socio-economic study has been carried out and PIA strategy prepared. LAUCs have been elected and there are at least two women in each. Legal aids were working in the Kebeles as testified by the MTE team and interviews with the LAUC and community members confirmed their satisfaction with the information they have received on their land rights. From the interviews and the satisfaction expressed both by male and female interviewees it appears that good progress has also been achieved towards the outcome of the component and the awareness of the farmers of their land rights and of the land administration officials of their obligations have increased and improved significantly. The MTE is, however, unable to assess how much progress has been achieved on a scale from 1 to 10. The participation in land administration processes such as land adjudication and registration, which is another indicator, has been achieved practically 100% as the process would not be carried out without everyone's participation. The establishment of the LAUCs of course is a form of encouraging engagement and organization in the communities although the MTE could not assess whether that has had any wider implications.

A similar assessment of Component 2 also seems to bring quite satisfactory results. The State Minister of MoA and the Director of LAUD, who are the key people in this sector, were very pleased in the interviews with the results REILA has already brought about. The capacity at LAUD has clearly increased. There is a strong basis for harmonizing land registration procedures in the country and an operational manual to that end has been prepared. The legal framework for land administration has been reviewed and improvements proposed. The number of staff in land administration has increased markedly and a considerable amount of training has been provided. In this regard one can anticipate also a wider process of change as the State Minister also referee to a change of mind-set with the decision makers in the sector which has already lead to preparation of a road-map for further development. The geodetic

network for Ethiopia has practically been revised but EMA's capacity in orthophoto production has not been supported. That function has been taken over by INSA which is outside the REILA project. Again, it is difficult to give a qualitative mark for the achievements.

As regards Component 3, the situation in BGNRS changed considerably before the Project started and thus the whole approach more or less changed. The government had recruited a large amount of people at different levels for land administration and thus, rather than starting practically from scratch, REILA embarked on a large short-term training campaign to get the people working. The focus was spread out to all the three Zones and because of the available manpower in the Woredas, work started from that level and not from the Zones. Clear land registration processes have been established and land registration has been carried out more widely than expected. The land administration course in TVET has been established and accredited and is running. The achievement in BGNRS is perhaps even slightly better than was expected at this stage if one considers that the REILA was to support establishing basic land administration in the Region. This is of course largely due also to the efforts taken by the Region and BoEPLAU already before REILA.

The one area that has not been paid much attention to is the capacity building at the Investment Office. They do not even have a copy of the project document. There is a need for training and office upgrading as planned. As investment applications are handled both in the Investment office and BoEPLAU there would seem to be a need to build synergies between the offices and provide joint training. Also part of the work, such as assessment of the business applications could be done jointly rather than duplicating the work in both offices.

In ANRS the achievements of Component 4 are mixed, perhaps because the expectations were higher in the Region that had already developed to a more advanced stage. That may also be a reason for some of the mixed results because BoEPLAU, being more advanced, also resisted certain changes or new features which has delayed the activities there. There was strong resistance to moving away from ISLA in the future and adopting a nation-wide system. Using satellite imagery was resisted till the end, although there is little professional reason for that, which has also delayed registration considerably because orthophotos based on aerial photography will actually be available only in the near future. However, office upgrading and training has taken place which has indeed strengthened the capacity in the region.

### **4.3. Efficiency**

There are many ways to assess efficiency of the Project. One is by comparing the cost of land registration in REILA and in other projects. As can be seen from Annex 7, the estimated cost of registration per parcel in REILA is USD 8.4. The calculation is based on the assumption that project management costs are 20% of the total costs. In a project like REILA it is difficult to calculate the exact cost of project management for parcel registration as the project includes so many capacity building aspects.

For instance, in the Finnish supported land administration project in Cambodia the cost of registration per parcel in systematic registration was estimated at USD 10 in 2011 which at that time was considered low. The LIFT project in Ethiopia should be able to have the advantage of economy of scale as the target is to register 14 million parcels and work is done in relatively better off Regions and with very little capacity building activities. LIFT is fully managed by a private consulting company which may have an effect on project management costs. So far LIFT has not made such calculations but it will be interesting to compare the costs once such information is available.

Sometime the amount of TA costs in a project is used as a yardstick for assessing efficiency. In REILA the budget for TA is EUR 5.9 million and for IF 6.9 million. However, only a small portion of the TA funds are spent on project management and the majority of the funds are used for capacity building activities in one way or another. Also some clear investment items have been financed from the TA budget (for instance 19 vehicles).

It would have been difficult to replace international TA with local expertise as there is very limited local knowledge and experience in land administration and all the available expertise is needed in filling the numerous public and private sector posts in the sector. Without the TA it would have been very difficult to achieve the results that REILA so far has achieved because the number of staff working in land administration was very limited, particularly in BGNRS and even when the staff was increased the level of knowledge and expertise was minimal. Therefore, a large number of TA has been required and can be judged justified. As a comparison one should remember that in BGNRS the lack of TA has been a reason for complaints, not vice versa. Also, the TA has largely been for capacity building and only a limited amount of the input can be considered administrative and management costs.

One way of assessing efficiency is to compare the use of funds over a time scale against the achievement of results. The fact that REILA has only two quantitative indicators (the number of registered parcels in BGNRS and ANRS) makes this comparison somewhat difficult and judgmental. At the end of 2014, about 3.5 years (or 70%) of the 5 year project period had been spent.

According to the budget utilization report in Annex 5, by the end of April 2015 REILA has spent EUR 5,746,316<sup>5</sup> (or 44.9%) of the total budget of EUR 12,799,872. Expenditure of TA funds was EUR 4,058,142 (or 68.2%) against the total of EUR 5,945,997 and IF funds respectively EUR 1,688,174<sup>6</sup> (or 24.6%) against EUR 6,853,875. The MTE team did not obtain aggregate figures on the usage of the Ethiopian Government contribution to REILA.

By the end of May 2015 REILA has registered 19,000 parcels (or 13.0%) out of the target of 240,000 parcels, and much of them outside the actual target areas of REILA in BGNRS and ANRS. In terms of this achievement REILA cannot be judged efficient. Admittedly the number of parcels has not been set as a fixed target in the project document itself but rather as a basis for the budget. Also the focus of REILA has been on systems development and capacity building rather than registration of parcels per se. Thus the assessment of achievements against the target of registered parcels needs to be taken with a grain of salt.

Another way to try to assess efficiency is to consider opportunity costs, could the same achievement have been reached by the Ethiopian Government without REILA or could the same or more have been achieved with less costs and inputs with the support of another donor. It is clear that the Government alone could not have done the same. Assessing opportunity cost against another donor is beyond the MTE assignment, and there assessing quality also soon becomes a factor.

The KPMG Performance Audit of 2014 made a number of detailed recommendations. In its commentary notes on the recommendations the TA team responded to all the recommendations. Some had already been implemented or overtaken by events while the notes indicated that action will be taken on others. There are some recommendations where similar issues have been discussed in this MTE report and where somewhat similar recommendations have been made. Overall the MTE cannot assess whether the action taken after the performance audit has improved project management or not. For instance the use of the Investment Fund has improved in the sense that more procurement has been made as the project advances. However, procurement is still slow in spite of the support action that the project has done in terms of training for instance. Overall it can be assessed that the Investment Fund has fulfilled its expected role.

#### **4.4. Project Design, Management and Implementation**

##### **Nature of the Project and role of the TA team**

In practice REILA has remained largely a traditional Finnish supported bilateral development cooperation project. It is not conceived as an Ethiopian project that is part of the SLM and ESIF structure and under the formal guidance of the Sustainable Land Management Technical Committee (SLM-TC), as the spirit of the project document could be interpreted. The project document states that *"project management and coordination responsibilities lie with LAUD in coordination with the Directorate of Agricultural Investment Support and the EMA. At the Regional level BoEPLAUs lead and coordinate implementation of the project. BoEPLAU will approve and consolidate annual work plans and quarterly implementation progress and financial reports submitted by the Woredas."* However, in practice the TA team has been rather independent and has to a large extent prepared work plans and specific subject matters for endorsement of LAUD and approval of the SVB.

Issues have not been brought to the SLM-TC for guidance, even though some thorny issues (such as the per diem rate or procurement threshold) could have been brought to that level for coordination and to seek possible solutions. SLM-TC is a technical committee but REILA has not been represented at that level, not even as an adviser to the Finnish representative from the Embassy.

According to the project document *"project supervision, monitoring and evaluation (M&E) will be arranged in parallel with SLMP, and separate indicators will be developed for land administration as appropriate"*. Monitoring and reporting should be the responsibility of the Ethiopian land administration

---

<sup>5</sup> This amount consists of EUR 4,058,142 spent of the TA funds, EUR 1,171,445 from the IF funds and EUR 516,729 paid as advances from the IF fund.

<sup>6</sup> Including advances of EUR 516,729

organizations and the existing government systems should be used. In practice that has not been the case. Actual monitoring is not arranged and the TA team has also taken the responsibility for preparing progress reports.

The project document does contain contradictions which may have caused the discrepancies. While the spirit of the project document is that the Ethiopian organizations have the primary responsibility and the role of the TA is to advise and support there is a paragraph in the project document which reads: *"The REILA implementation teams comprise the TA and counterpart staff within each of LAUD and the two BoEPLAUs (Benishangul-Gumuz and Amhara). The Team Reports to the LAUD Director (or a delegate). The teams' tasks include: (a) preparation of annual work plans, budgets and progress reports; (b) monitoring and supervising overall implementation progress and evaluation of project impacts; (c) financial administration; and (d) preparation of tender documents and procuring goods and services and using two Procurement Specialists to support procurement management at Region, Zone and Woreda levels."* This may be the cause of the confusion regarding the nature of the Project and the role of TA team.

The PIM that REILA has prepared seems to further strengthen the role of the TA team. It notes for instance that The Project principal decision making bodies are: the SVB, the PMC and the CTA. The CTA also assists the PMC in producing progress and monitoring reports, and supports overall performance of the Project.

### **Project document revision**

The KMPG performance audit report noted that the project document should be updated when the organizational structure or the processes of the Project, or the roles and responsibilities of different parties have significantly changed and the changes have been approved by the SVB. There have been significant changes in REILA from the very early stages of implementation. However, it is questionable whether it would be worth the effort to revise the project document at this late stage when there is only a bit more than a year left before it comes to an end. The issues can still be clarified.

### **Project Management Committee**

Apart from the SLM-TC and SVB the project structure should have Project Management Committees (PMC) at the national level and in BGNRS and ANRS. The PMCs are necessary for operational decision making and effective implementation. They should comprise of senior technical staff from the different relevant ministries and agencies, with two staff will be appointed from TA and Government sides to approve decisions by signing the meeting minutes.

The PMCs are not functioning well and In BGNRS the PMC has not been functioning for a long time. The KPMG performance audit report noted in 2014 that *"The first PMC meeting was held on 2 February, 2012 in Assosa, but later decisions relating mainly to recruitments of short term consultants have been made through emails. The work of the PMC in Assosa has not been smooth as there have been difficulties to make joint decisions on short term recruitments. This has partly delayed the recruitments. According to the PD, the PMCs should meet at least once per quarter"*. According to the information received by the MTE team the PMC has not met for at least a year. It would be important that the PMC would function as many of the delays and difficulties could and should be discussed and decided at that level. The matter should be assessed at the SVB.

### **Monitoring of progress**

REILA has not established an M&E system. It has been difficult for the MTE team to obtain accurate and reliable information and to build a good picture of what has happened, where things stand and what has been achieved. The progress reports portray a rather sketchy picture of issues, mainly of activities that have been undertaken. They do not give a good picture of the background of difficulties and delays or of controversial issues that have hampered progress. Also the minutes of the SVB meetings give only a fragmentary picture of the issues and decisions are not always well recorded, particularly if decisions have not been reached at the meeting and the discussions have continued between the competent authorities outside the SVB. There is no recording of follow up to the decisions.

### **Villagisation programme and land reform**

In the early stage of implementation the villagisation programme and land reform caused an incident that overshadowed the Project to some extent. According to the Embassy of Finland the villagisation programme and the land reform came as a surprise because they had not been discussed or even mentioned during the project preparation although they obviously had and have a direct impact also on land registration. That raised questions about the motivation behind the two campaigns and a question what was the reason for the 'secrecy'.

When there then were reports about eviction and forced resettlement the reaction of the Embassy was strong. The Project was being developed together with the WB and the WB was very sensitive about resettlement issues as it had been questioned and criticized many time about the issue in connection with other projects, such as dams etc. Human rights violations which are related to development cooperation are serious incidents in any donor constituency. A decision was then taken to halt the Project activities in BGNRS until more clarity is obtained about the situation.

On the Ethiopian side the stoppage of Project activities in BGNRS came as a total surprise because no one from the Embassy had consulted with the MoA, or the Ethiopian side in general. It was felt that Finland did not handle the matter in a very diplomatic way. A discussion and consultations would probably have clarified matters without the need for such drastic action as bringing the Project to a stop in BGNRS.

On the positive side, the lesson could be that resettlement and potential human rights issues are most serious issues in development cooperation. There is a need for transparency on such issues on both sides and in general a need to have good and open communication and a spirit of search for constructive solutions.

## **INSA**

The role of INSA in the implementation is problematic from several points of view. First of all, INSA insists that its new proclamation gives it exclusive powers and duties to develop and administer all national spatial data infrastructure based on Article 6.13 of the Proclamation re-establishing the Agency.

Having studied the Proclamation the MTE team's interpretation is that INSA has been established as a security agency and its role is intended to be limited to security related issues with respect to computer based network and information infrastructures. This is very clear from the preambular paragraphs which describe the reasons why the agency has been established and the nature of its role. The definitions in the Proclamation further attest to this.

For instance, the term "*computer based critical infrastructure*" is defined to include both information management systems and geospatial infrastructures (Article 2.3). However, the term "*critical infrastructure*" is itself defined as "*an infrastructure that can have considerable damage to public safety and the national interest, if attacked*" (Article 2.4) The latter clearly shows that INSA's mandate is related to security issues as applied to geospatial infrastructures and national information systems that may endanger public safety and the national interest. It does not extend to all geospatial infrastructures and national information systems that are not security related, such as orthophotos.

Therefore Article 6.13 cannot and does not give INSA exclusive powers "*to develop and administer all national spatial data infrastructure*". Its role also in this is limited to the security aspects. Otherwise the role of EMA will become null and void in many areas of cartography.

Considering the matter from a national security point of view, aerial photography is an area where security aspects may be more prominent and therefore INSA may have a larger role in that. INSA would have the opportunity to blur or disguise any security elements in the photographs. However, the fact that satellite imageries are easily available to anyone in rather detailed accuracy makes even the need to have exclusive powers over aerial photography questionable.

Orthophoto production itself does not contain security risks and therefore it is difficult to see the rational in giving INSA exclusive powers in that area. Of course it has been an interesting technological area of development and a lucrative source of income to INSA, which makes INSA's insistence understandable.

The MTE team learned that the Proclamation of EMA is being reviewed and a new establishment Proclamation for EMA has already been submitted to Parliament. The review could be an opportunity to clarify the roles of EMA and INSA and avoid any overlapping and unnecessary competition.

There are several reasons why it would be problematic if INSA had an exclusive role in orthophoto production:

1. Maps and the spatial information would not be readily and easily available to other parties. The intention of MoA in developing land administration is that the spatial information gathered would be easily available also to other parties that need it for planning roads, land use or for other



- development purposes. Being a security agency INSA would be secretive rather than transparent with the information;
2. It is questionable whether official development aid (ODA) funds can be used to support a security agency under Finnish or OECD development cooperation principles. Therefore it is questionable whether ODA funds can be used for paying INSA for the aerial photography and production of orthophotos; and
  3. If INSA's has been given exclusive powers and duties and EMA's role has become null and void, REILA should no longer support EMA's capacity building in orthophoto production.

If, however, the intention has been to limit INSA's role only to security aspects of, consideration should be given to transferring INSA's present capacity in orthophoto production to EMA (both manpower and technical equipment). INSA has been able to build a reasonably good capacity for itself in this field. They have good quality aerial photography survey equipment in use and INSA's employees have very good technical knowledge to execute aerial photography survey and orthophoto production. Transferring that capacity to EMA will take care of the capacity building of EMA in that field, and will clarify the situation.

Already before that EMA should urgently second 2 or 3 experts to INSA to participate in the production of the REILA supported orthophotos, which would be a step in the direction of capacity building for EMA. When INSA insisted to undertake the aerial photography and the production of orthophotos, the training for EMA was left out and that can be compensated by the possibility of on-the-job training at INSA.

INSA also insists that by Article 6.15 of their Proclamation they have been given "exclusive powers and duty to develop and implement secured information management infrastructures and systems where domestic capacity has not yet created; charge commensurate fee for products and services it provides". The interpretation of the MTE team also here is the same that INSA's role is limited to security aspects and the intention has not been to give INSA exclusive powers. The justification for this interpretation is the same.

#### **Government per diem rate**

The fact that land administration experts are paid only the low government per diem when working for REILA activities while they are paid a much higher rate when working for assignments for other projects is hampering the work of REILA. The issue should be solved as soon as possible.

In an attempt to solve the matter the Minister of Agriculture has already on 9 May 2014 sent a letter instructing that upon approval of MoFED the per diem rates for all projects under the agricultural development program which are coordinated by MoA be adjusted to ETB 290 (see Annex 8).

While other projects, including SLMP, have implemented the order, REILA has not which is causing the problem. In REILA it is the responsibility of the Ethiopian Government to pay for per diems "*in addition to the direct contribution, the Ethiopian Government will be responsible for all per diems and other personnel related costs of the Government of Ethiopia personnel as they participate in project implementation*". The letter of the Minister does not distinguish whether the funds come from the Ethiopian or the development partner's contribution. Therefore, the interpretation of the MTE team is that the BoEPLAUs of BGNRS and ANRS should implement the decision and pay the adjusted per diem rate also on field missions related to REILA's assignments. MoFED, who has approved the adjustment, should provide the Regions with the additional funds as may be required.

Finland is following the agreed project document and is not willing to top up the government per diem rate from development cooperation funds. This would also be against the spirit of the Paris Declaration and Finland's long-term development cooperation policy. Therefore, another possibility is that MoA negotiates with SLMP, who is already topping up the per diems, that SLMP could also cover the costs of per diems for REILA related assignments as they are both parallel projects under ESIF and working largely in the same areas. The issue could also be discussed in the SLM-TC.

#### **4.5. Human Rights Based Approach and Cross-cutting objectives**

In many ways REILA fits perfectly in the human rights based approach to development (HRBA). Land is a vital means for livelihood for the vast majority of people in Ethiopia. Increasing the right of people to the land is directly increasing their human rights. Most of the poorest people live in the countryside and for them security on the land is even more vital. Already, the farmers whose lands have been demarcated and registered are demanding that their land certificates (book of holdings) should be issued to them because they realize that they can legally exercise their land rights once the book of holdings is issued to them.

REILA is in several ways empowering the farmers, the rights-holders to seek for their rights. The wide PIA campaign has informed and increased the awareness of the farmers, and people at large, of the laws and rules and regulations relating to land and their rights related to land. Knowledge already empowers the people. REILA has supported the election of LAUC's to the communities, at the sub-Kebele and Kebele level and LAUC members have been trained in land administration issues and the rights of the people. LAUC members provide the information further in the communities. All LAUC's must have at least two women members, so the position of women is strengthened compared to the preceding situation. Women are also informed particularly of their right on land as stipulated in the law.

The land registration process is very participatory and inclusive. When the parcels are demarcated and adjudicated, all neighbors must be present in the field. In addition there is always participation from the LAUC. LAUC is also the first instance of solving any possible disputes that the neighbors themselves cannot agree upon.

Particularly in BGNRS the ethnic diversity and different traditions regarding land use and farming between the ethnic groups has been a challenge. A socio-economic study was prepared on that which provides the necessary background. The land Proclamation was issued in 2010, prior to REILA but REILA has had a chance to comment on the directive which is the tool of implementing the law. So far REILA has not been involved in registering land in the most controversial areas with a mix of ethnic traditions and land holding systems. The villagisation programme and land reform that the Government carried out in 2010-2013 already had an effect on the ethnic traditions but that was outside the REILA activities.

On the duty-bearer side REILA is supporting capacity building which will enable the authorities to implement the laws properly and deliver the rights that they deserve to the people. PIA activities have covered also the authorities as they have to know the rules and regulations as well as the procedures even better than the farmers. There has also been a wide range of training activities to that end. The regional BoEPLAUs are perhaps the key authorities and they are the key partners of REILA. BoEPLAUs and REILA support the work at the Zonal, Woreda and Kebele levels were the practical responsibility is and who have the main responsibility to deliver what the land proclamation's promise. PIA and training focuses much on the Woreda and Kebele levels. Also LAUD at the Federal level is a key stakeholder and duty bearer in the sense that it should provide the regional states with policy and legal guidance, technical standardization and support as well as procedural harmonization.

The interviews carried out by the MTE team confirmed that the level of knowledge has increased considerably both at the community level and with the authorities as a result of REILA's work. The work continues, is repeated whenever the need is seen and expanded to new areas as the area of work expands. The women interviewed expressed their satisfaction with their generally improved situation regarding land rights and with the information they have received through REILA action and the increased level of knowledge. Gender equality has increased.

#### **4.6. Sustainability**

After a very short period of implementation and taking into account all the delays that have occurred, it is impossible to say much about sustainability of the results achieved. But one thing which is clear, which was also confirmed by the State Minister of MoA and Director of LAUD, is that REILA has been an eye-opener for decision makers in the land sector, it has changed the mind-set and it has induced dynamism and the spirit of enthusiasm to plan and look forward. That is perhaps the best result and impact that REILA could have at this stage as it is the continued political support for the development of the land sector which is need in order to build on the small achievements that have been gained and establish a stronger basis for sustainable results in the future.

The PIA has raised expectations with the farmers and communities. That is the beginning of sustainable results with the farmers, the rights-holders as it is the awareness and knowledge that they will maintain and that will encourage them to seek and demand for their land rights.

The training that has been provided to the officers at the different levels of the land administration is not sustainable particularly due to the very big turnover among the staff. There is a huge continuous need for training and upgrading yet for several years before one can expect to see sustainable results in the provision of knowledgeable and skillful staff throughout the administration.

Some of the more sustainable results may be seen in the harmonization field where the systems and procedures that have been developed and legal advice that has been reflected in the legislation will remain at least as a basis from which things can and should be developed further,

#### **4.7. Impact**

After only three and a half years of implementation, it is impossible to see any impact in the field that can be attributed to activities or early outputs of REILA. The time of outcomes has not come, yet. Impact would have to be measured particularly in the field, among the farmers and land holders, be it increased investments in the land due to increased land security, improved agricultural yields, or counter-effects on land degradation. The ultimate aim is the impact in the field. So far REILA has delivered relatively few certificates, books of holding, so one cannot expect much tangible impact yet in the field. See also Box 1 below.

On the administration level and in the land administration sector REILA has had an influence, if not yet an impact. The theory of change seems to have commenced. The change of mind-set at the decision making level which has been caused by REILA according to the MoA State Minister is the kind of influence which will have much wider repercussions in the sector. The basis that REILA has been able to bring about for harmonizing land registration processes across the country is also an impact which spreads much wider than the Project itself. It has already influenced other projects which have adopted similar processes and have built on the operational manuals etc. developed by REILA and it has influenced other Regions which are also following similar processes.

##### **Box 1**

***The Impact of Land Property Rights Interventions on Investment and Agricultural Productivity in Developing Countries: a Systematic Review***, Steven Lawry, Cyrus Samii, Ruth Hall, Aaron Leopold, Donna Hornby, Farai Mtero, Campbell International Development Group 2.1.2014

##### **BACKGROUND**

Secure and predictable access to land as a productive resource is key to the livelihoods of millions of farmers around the world. Secure land tenure enables farmers to invest in long-term improvements to their farms and soils in the expectation that they will reap the benefits of those investments without fear that their land be confiscated arbitrarily. Formal and informal land rights are therefore seen as key to improving the conditions of the poor in developing countries in terms of economic growth, agricultural production, food security, natural resource management, gender-related inequalities, conflict management and local governance processes more generally.

Existing evidence on the effects of land property rights interventions is mixed and to a considerable degree dependent upon the initial land rights conditions. In many cases where existing rights are already secure through stable informal and customary systems, the formalization of rights through land titling, one form of strengthening rights, may have little impact. In other cases, mechanisms for formalizing property rights where no formal institutions had previously existed are argued to have increased productivity and slowed forest loss.

Much of the literature underscores the complexity of attribution and the importance of context to understanding relationships between security, registration and productivity, and to understanding gender dimensions. They also suggest tenure security alone is not a 'silver bullet' leading directly to higher farmer incomes, or that it is solely attributed to tenure reforms– that is, context matters.

See further: <http://www.campbellcollaboration.org/lib/project/220/>

## **5. Recommendations**

(See table below)

## Recommendations, together with a summary table of findings and conclusions

| Findings and conclusions  | Recommendations   | Responsible   |
|---|---|---|
| <b>Relevance</b>  |   |   |
| The REILA project remains very much relevant both in terms of the Ethiopian situation and its development policies and sector strategies and in terms of Finland's development policy.  | REILA's support in strengthening Ethiopia's land administration should continue in a subsequent phase provided recommendations of this report are taken into consideration.   | Competent authorities   |
| The only feature which may no longer be relevant is the capacity building support to orthophoto production for EMA if indeed INSA has been given an exclusive role in that field.   | <p>It should be clarified what role EMA in the future has in orthophoto production and what role has been intended for INSA in that field.</p> <p>No support to EMA's orthophoto production should be provided before its role in that field in the future is clarified.</p>                      | <p>The Parliament or the Government of Ethiopia</p> <p>Embassy of Finland</p> |
| <b>Effectiveness</b>  |   |   |
| There is no M&E system in place for REILA. According to the project document M&E should be arranged in close cooperation with SLMP so that it would also serve the sector's nation-wide needs.  | An M&E system should be developed for REILA as soon as possible and plans should be made to expand it to cover the needs of LAUD and the sector. The existing Socio-economic Baseline Study can be used for assessing socio-economic achievements in absence of a baseline survey by the project. | LAUD with the support of TA   |
| It is difficult to get a good picture of progress from the progress reports. They report more on activities than progress and do not give sufficient background to things. The Annual Reports do not provide an analysis of achievements towards the objectives of the Project as they were largely | The format of annual reports should be revised so that the emphasis in the reporting is on progress towards the objective and purpose of the Project and achievement of the intended outcomes and   | LAUD and BoEPLAUs with the support of the TA                                  |

|   |  |  |
|---|--|--|
| reports of outputs and activities. Result-based management requires further enforcing.  | results, rather than the activities and outputs.   |  |
| The overall impression of the MTE team is that the achievements of REILA are good and its achievements were praised by all parties that the team interviewed, but it is difficult to pinpoint the exact achievements as there are few quantitative targets (the number of parcels registered) and no monitoring system which could testify for the qualitative achievements. Progress towards the quantitative targets is unsatisfactory. | N/A  | N/A                                    |
| Agricultural investments in BGNRS are handled both in the Investment office and BoEPLAU. Some of the work such as analysis of the business plan is done in both offices which seems like duplication of work while the analysis could perhaps be done together. The office does not have the project document.  | REILA should analyze the handling process to see what could possibly be done jointly, provide the necessary training to that end and provide office upgrading. | BoEPLAU, Investment office and TA team |
| <b>Efficiency</b>   |  |  |
| Efficiency is good when assessed by the cost of registration per parcel (USD 8.4).  | N/A  | N/A                                    |
| About 70% of the Project's lifetime has elapsed, almost 45% of the available budget has been spent, but only 13% of the intended number of parcels has been registered. However, in terms of capacity building efficiency seems much better but it is difficult to measure in any exact terms.  | N/A  | N/A                                    |
| The budget situation seems confusing from the financial reports because the reports are based on the total figures of <u>allocated funds</u> which do not contain unallocated funds in the budget or contingencies, although they are part of the total budget of the Project presumably are part of the contract signed between MFA and Niras. However, the KPMG performance audit report did not pay attention to this fact.            | The financial reports should be based on the total budget of the Project, including unallocated funds and contingencies.                                       | Niras, MFA                             |
| <b>Programme Design, Management and Implementation</b>  |  |  |

|  |   |  |
|--|---|--|
| <p>The project document contains contradictions which on one hand state that the Project is supporting ESIF in parallel with SLMP and should follow same systems thus underlining the Ethiopian ownership, but on the other hand portrays a very strong and almost independent position for the TA team, which seems to be supported by the PIM, and this seems to have caused confusion and even some tension. SLM-TC is not used as a forum for coordination of issues where projects have different approaches.</p> | <p>Clarify the role of REILA and correct the discrepancies in the project document and set the Project and its functions, such as M&amp;E in a position that has been agreed between the parties. Record the changes in a document for approval of the SVB.</p> | <p>Discussions between the Embassy, LAUD, BoEPLAUs and the TA team.<br/>Decision by SVB.</p>                                 |
| <p>According to the project document LAUD is responsible for preparation of progress reports according to the Ethiopian system, although there is contradiction in the document in this respect as the TA team has also been given a strong role.</p>  | <p>SVB should decide how progress reports are prepared and who is responsible for their preparation. The reports should indicate to whom the drafts have been sent for comments.</p>  | <p>LAUD to prepare in cooperation with the TA team and in consultation with the BoEPLAUS and the Embassy. SVB to decide.</p> |
| <p>It is difficult to follow issues on the basis of the SVB minutes as all decisions have not been recorded in their final format and there is no record of follow up on the decisions.</p>  | <p>Document all decisions made in the minutes of the SVB and document follow up action also in cases when decisions have not been reached or are pending.</p>   | <p>Secretary of the SVB to prepare, SVB to decide.</p>   |
| <p>The PMCs are not functioning well and the PMC in Assosa has not been functioning for a long time. PMC is a central and important forum for decision making and for settlement of issues. Non-functioning PMC complicates decision making and the absence of the minutes of PMC meetings is making things less clear.</p>  | <p>All efforts should be made to get the PMC to function properly as soon as possible. Composition of PMC should be reviewed if that is making convening of meetings difficult.</p>   | <p>LAUD to discuss with Assosa BoEPLAU. Head of BoEPLAU to take action in convening the meetings.</p>                        |
| <p>Delayed payments of salaries in the BGNRS Woredas have caused strikes and delays among contracted para-surveyors. Payments are delayed because they are made by BoEPLAU rather than the Woreda office because funds have not been transferred to the Woredas. Also financial officers often drive to the Woredas to make payments rather than use the banking system.</p>   | <p>Assosa BoEPLAU should report to the SVB what has caused the problems of delayed financial transactions and how the situation can be improved.<br/>Decentralizing payment of salaries by transferring the payments through banks to Woredas should be</p>     | <p>LAUD as Project coordinator to discuss with BoEPLAU and request the report to the SVB. SVB to decide on action.</p>       |

|  |   |  |
|--|---|--|
|  | considered.   |  |
| There are serious delays with procurement for REILA which has caused delays in project activities. Among the reasons for slow and cumbersome procurement are the low procurement thresholds in the government procurement rules that are followed. Other projects are not strictly following the government rules and have decided on more flexible thresholds which has improved the situation to an extent.  | The MoA should decide if more flexible procurement thresholds can be applied also in the case of REILA procurements and instruct LAUD and the BoEPLAUs and other necessary government agencies accordingly.   | LAUD to take the issue up within MoA for decision making.  |
| Land administration experts are paid government per diem when working for REILA activities while they are paid a much higher rate when working for assignments for SLMP and other projects, as approved by MoFED and instructed by MoA. This is hampering the work of REILA. According to the project document the Ethiopian Government is responsible for all per diems. A harmonization proposal is with MoFED for consideration but no decision seems to be forthcoming. In the meantime action needs to be taken to solve the situation. | MoA should instruct the BGNRS and ANRS BoEPLAUs to pay the agreed higher per diem rates also for REILA related work. MoFED should provide the BoEPLAUs with the additional funds.<br><br>or alternatively<br><br>Negotiations should be undertaken so that SLMP would cover the costs for payment of the higher per diem rates also for REILA related work. | MoA, MoFED<br><br><br><br>MoA, SLMP, SLM-TC  |
| <b>Human Rights Based Approach and Cross-cutting objectives</b>  |   |  |
| The Assosa BoEPLAU has not decided how to solve the various situations where people have more land than the maximum of 10 ha allowed by the law. This has delayed the issuance of land certificates to those whose land holding is undisputed and is affecting their land holding rights including that of women, youth and other vulnerable groups.   | The certificate or book of holdings should be provided as soon as possible to all the farmers whose parcels have been registered and whose holdings are not disputed and are within the allowed limits. Related procedures should be defined as soon as possible.   | BoEPLAU to define the procedures with the support of the TA team and instruct the Woredas accordingly. |
| The BGNRS has issued a directive covering also the issue of the maximum 10 ha rule. However detailed instructions have not been prepared and decided upon and Woredas have not been instructed on the matter.  | REILA should offer the BoEPLAU a short term consultancy to help developing alternative solutions for solving the 10 ha rule in the variety of situations. On the basis of the consultancy input BoEPLAU can decide on the various models.   | LAUD to discuss with Assosa BoEPLAU  |
| <b>Sustainability</b>  |   |  |

|   |  |                                    |
|---|--|------------------------------------|
|   |  |                                    |
| <p>Sustainability of the land registry that will be a result of REILA activities will depend partly on how well the system will be able to record the subsequent transactions after the initial 2<sup>nd</sup> level register has been established. It is understood that the LIFT project has agreed to undertake the development of the maintenance system of the registry. However, it is not clear whether LIFT will also provide the wide PIA which is required so that people understand the necessity to register any subsequent transactions.</p> | <p>LAUD should clarify whether LIFT will also be responsible for the related PIA or is there possibly a role for REILA.</p> <p style="text-align: center;">or alternatively</p> <p>REILA, in the potential subsequent phase, should develop the maintenance system of the land register.</p> | <p>LAUD</p>                        |
| <b>Impact</b>   |  |                                    |
| <p>The final impact of the REILA project will be the increased security that the farmers and land holders will gain from the registration and certification of their land holdings. The impact is also dependent on how well the land holders are able to take advantage of their increased land security. According to studies land security is likely to lead to improved livelihood and economic well-being.</p>   | <p>The monitoring system that will be set up has to have a strong element of monitoring the impact on the ultimate beneficiaries, the farmers and the land holders.</p>  | <p>The M&amp;E expert of REILA</p> |



## 6. Lessons learned

REILA has addressed the acute existing needs in the land sector in Ethiopia and demonstrated the immediate results that comprehensive capacity building activities can produce. The flexibility that REILA has shown in accommodating new elements and approaches has been required in achieving the results already at this stage. The impact has been wider because REILA has focused largely on developing land administration systems which can be applied and taken into use also by other actors and projects.

It seems clear, particularly when there are only limited financial resources available, that there is a need to make a choice between a) focusing on the development of systems and capacity building and b) the actual registration of plots in the field. Good results cannot be achieved at both fronts simultaneously. The focus of REILA has been on systems development and capacity building with commendable results.

On the other hand, developing land administration systems would not be so effective without the practical experience gained from the field work. This is particularly true in Ethiopia with the considerable differences in traditional land rights practices between the circumstances in the different Regions and between the different ethnic groups. Furthermore, the commitment in taking the new systems into use in the field would be much weaker without the practice of working on them and developing them together in practice in the field. Thus, although the focus is on systems development and capacity building it is beneficial to also have a practical land registration element in the project.

It seems obvious that the system is not ready and there is a need for further development, including a follow up on the legal system review, further policy development and subsequent recommendations for changes. There has been a change in the mind-set at the decision making level, which provides a good basis for further development. In this respect the long-term commitment for cooperation in the land administration and registration sector also provides a firm basis and is dearly needed.

For the future cooperation, there is a need to make strategic choices between focusing on further capacity building and systems development or embarking fully on land registration and certification. At the moment, there are much bigger players with larger resources already in the field in the latter one, which may weigh in the scale.

## **Terms of Reference 24.02.2015**

### **Mid-term Evaluation of Responsible and Innovative Land Administration in Ethiopia (REILA)**

#### **1. BACKGROUND**

Ethiopia's economy is growing fast. The main contributor to the rapid economic growth has been the agricultural sector. Ethiopia's poverty reduction strategy, Growth and Transformation Plan (GTP), assumes that agriculture continues to be the major source of economic growth. Although agriculture has such economic significance, Ethiopia faces also severe problem of land degradation. This challenge is believed to be overcome through promotion of sustainable land management practices which would improve livelihood of the rural population.

Responsible and Innovative Land Administration in Ethiopia (REILA) project's overall development objective is to improve the livelihood and economic well-being of the rural population through promotion of sustainable land management practices. The purpose of REILA is to contribute towards an improved, transparent and appropriate land administration system. The project addresses the interlinked problems of poverty, vulnerability and land degradation at the rural community level by improving Ethiopia's land registration and certification system.

REILA is thought to be the first five year-phase of long-term commitment to achieving significant improvements in land administration. The duration of REILA is 2011 – 2016, it started in July 2011. REILA encompasses four components: Component 1, Public information and awareness – full beneficiary & stakeholder awareness of land rights and obligations; Component 2, Capacity building and harmonization – improved institutional capacity and harmonized procedures of land administration; Component 3, Developing basic land administration in Benishangul Gumuz – functioning, efficient and transparent land administration system; Component 4, Land administration in the Tana Beles Growth Corridor – improved process and increased capacity for responsible land allocation for investments.

Finland provides financial support to REILA with bilateral technical assistance implemented by Niras Finland Oy. The current budget for TA project is maximum of 5 796 000 euros. The project also includes investment fund that finances procurement of goods and services related to the implementation of the project. The budget for investment fund is maximum of 6 854 000 euros. In addition to Finnish support, the Government of Ethiopia has committed the support of 1 106 700 euros to the project (in-kind contribution). Ministry of Agriculture, Directorate of Land Administration and Use, is responsible for project coordination and implementation. In Amhara and Benishangul-Gumuz Regions, Bureaus of Environmental Protection, Land Administration and Use lead and coordinate implementation of the project.

#### **2. OBJECTIVES OF THE MID TERM EVALUATION (MTE)**

The Objective of this MTE is to assess the progress of REILA project, its potential to achieve its targets and to make recommendations on corrective measures to improve project implementation.

This MTE is expected to provide:

- Analysis of the achievements of the project and what can be learnt;
- Assessment of whether the project activities can be completed within the project period and the original budget, recommendations on possible adjustment to the original plan and budget;
- Assessment of outcomes of tenure security of the ultimate project beneficiaries so far. If needed, provide recommendations to improve the situation;
- Analysis of the current main operational and structural challenges of the project and to provide recommendations on how they can be addressed;
- Assessment of whether Project Implementation and Management Manual (PIM) and other user manuals produced by the project include the required information and are clear to the user groups. Also assess distribution of the manuals to the required extent. Provide recommendations in case of needs of improvements;
- Recommendations to the type and quantity of technical assistance needed for the remaining period;
- Answer to the specific questions presented in Chapter 3 of this ToR

The results of the MTE will be utilized by all parties who participate in the project management. Such parties include the competent authorities of Ministry of Finance and Economic Development (MoFED) of Ethiopia and Ministry for Foreign Affairs of Finland (MFA), Ministry of Agriculture, Ethiopian Mapping Agency, Bureaus of Environmental Protection, Land Administration and Use of Amhara and Benishangul-Gumuz Regions, as well as all the members of the decision making and advisory bodies of the project such as Supervisory Board and Project Management Committees.

### **3. ISSUES TO BE ADDRESSED IN THE EVALUATION**

The review should cover the project's design and its implementation since its beginning up to today. Therefore feasible recommendations for the remaining period of the project are needed with a view of possible project continuation after the first phase has ended.

#### **3.1. Human Rights Based Approach and Cross-cutting objectives**

Finland's Development Policy Programme is based on human rights based approach and includes the cross-cutting objectives of gender equality, reduction of inequality and climate sustainability. The main focus of REILA is to establish land tenure security to small holder farmers. Therefore, the key questions MTE would need to find answers are:

- Is the project implementing the most feasible approach to incorporate the HRBA and cross-cutting objectives in REILA? Is there a need to improve the approach somehow, if so, how?
- How well are different right-holders represented in REILA? Who benefits first and foremost from REILA? Who is possibly left behind and why?
- To what extent REILA promotes climate sustainability and resilience? Should the programme promote climate sustainability more? How?

### **3.2. Relevance**

Relevance concerns whether the results, purpose and overall objectives of a programme are in line with the needs and aspirations of the beneficiaries, and with the policy environment of the programme. The MTE should review particularly:

- Is the programme consistent with the needs and priorities of the final beneficiaries and other stakeholders?
- To what extent is REILA aligned to the Ethiopia's national and local level policies, plans and administrative systems. Should it be aligned more? If so, how?

### **3.3. Efficiency and value for money**

The efficiency of a project is defined by how well the various activities transformed the available resources into the intended results in terms of quantity, quality and timeliness. Comparison should be made against what was planned. The MTE should review particularly:

- How effectively and efficiently are resources (financial, human) employed? Are the incurrent costs justified? Is the share of administrative & management costs justified in relation to the actual implementation costs?
- How efficiently has the project management conducted the administrative processes and communicated with government institutions in Ethiopia?
- How has the REILA project incorporated the recommendations from KPMG conducted audit through its management procedures? Has this improved the project efficiency?
- To what extent and in what ways have the project beneficiaries participated in the planning, monitoring and evaluation process?
- Has the Investment Fund reached its set targets? What kind of learning process can be described in the use of IF? Has the efficiency improved when merging PIM guidelines to the fund management procedures of the Government of Ethiopia?

### **3.4. Effectiveness**

Effectiveness describes if the results have furthered the achievement of the purpose of a programme, or are expected to do so in the future. REILA's MTE should review:

- Has progress made so far contributed to the achievement of the Programme objectives?
- Are the results making a contribution towards improved, transparent and appropriate land administration system?

### **3.5. Impact**

Impact describes how a programme has succeeded in the attainment of its overall objective. MTE is expected to review:

- Has the programme improved rural land tenure security through strengthening land administration systems in Ethiopia?

- Is the the programme likely to improve livelihoods of rural households through promotion of sustainable land use practices?

### **3.6. Sustainability**

Sustainability can be described as the degree to which the benefits produced by the project continue after the external support has come to an end. MTE is asked to analyze:

- Are the benefits produced by the programme likely to be maintained after the termination of external support?
- Are the institutional choices sustainable and do they promote good governance in land administration?
- Is the training supported by REILA on land registration relevant and contributing to the sustainability?
- What kind of specific risks REILA faces in the conflict prone areas?

### **3.7. Programme Design, Management and Implementation**

MTE is asked to analyze:

- The quality of REILA reports and its planning (work plans, programme document): Are the reports clear, have they been regular enough and have they included the necessary information? Have they followed the Results Based Management Approach? Are improvements needed? If so, what kinds?
- Are the institutional bodies such as Supervisory Board and Programme Management Committee functioning well and are their roles and responsibilities clear to their members? If not, what should be improved? Are the decisions and recommendations of those committees followed accordingly? How to check?
- Has the coordination and technical collaboration with other donor agencies/ development programmes functioned well? If not, what should be done to improve the coordination?

## **4. METHODOLOGY**

The MTE should be implemented as a participatory, open and transparent process for all stakeholders including the final beneficiaries. The evaluation team should base their observations, analysis and recommendations on relevant documentation and interviews. The Consultant will define the work method in more detail in the technical tender.

## 5. TIMETABLE

Tentative timetable for the evaluation is as follows:

|               |   |
|---------------|---|
| Late February | Tender announcement   |
| March         | Deadline for submission of tenders<br>Tender evaluation   |
| April         | <ul style="list-style-type: none"><li>• Notification of award decision</li><li>• Signing of contract</li><li>• Preparatory phase (1 week): Desk review and preparations, including a tentative work plan with tentative meeting schedule; briefings at MFA in Helsinki and preparation of a short inception report. Submission of the inception report &amp; fieldwork plan at the end of the preparatory phase.</li><li>• Submission of comments to the inception report</li></ul> |
| April-May     | <ul style="list-style-type: none"><li>• In country phase (estimated for 2-3 weeks, second half of the April is optimal):</li><li>• Briefings, interviews, consultations and meetings with key stakeholders and beneficiaries</li><li>• A debriefing meeting including presentation of the First Draft Report with conclusions and suggested recommendations, will be arranged the end of the field mission</li></ul>  |
| + one week    | Submission of Draft Report for comments   |
| + two weeks   | Submission of comments by the relevant authorities  |
| + one week    | Submission of final report in one week after receiving the comments in <b><u>final deadline by 15<sup>st</sup> of June 2015</u></b>   |

## 6. REPORTING

The MTE must provide evidence-based information that is credible, reliable and useful to the implementers and decision-makers involved in the Project. Its conclusions and recommendations shall be formulated so that they will be easily understood by all parties and applicable to the remaining period of Project implementation.

### **Inception report**

The desk study results are included in the inception report as a concise analysis of the policies, guidelines, and other documents studied for the evaluation. The inception report must include detailed work methodologies, a work plan and detailed division of labor within the evaluation team, list of major meetings and interviews, detailed evaluation questions linked to the evaluation criteria in an evaluation matrix, reporting plans including proposals for tables of contents of the reports. The report is submitted before the field work.

### **Draft report**

The draft report merges the desk study and the field findings. It presents findings, conclusions, recommendations and lessons separately. Report shall also include recommendations on the way forward for the remaining programme period.

The Consultant will make a presentation of the **first draft report** with preliminary findings, conclusion and recommendations at the end of the field visit. The aim is to agree on the main findings and recommendation with the participants. It will be presented in the Embassy of Finland in Addis Abeba with a video link to MFA Helsinki. The **final draft report** shall be then prepared and sent to MFA and other relevant stakeholders for comments.

### **Final report**

The final report must be submitted 1 week after receiving the comments for final draft report. The final report must follow the report outline agreed on during the inception phase.

## **7. REQUIRED EXPERTISE**

The evaluation team can include maximum of 4 members. In order to train new professionals, one of the team members has to be a junior expert (whose expertise will not be subject to technical evaluation).

The team should have following expertise:

### **Team leader**

- Experience as a team leader in development cooperation related assignments
- Experience in conducting evaluations of development cooperation programmes against OECD assessment criteria
- Experience in project planning, monitoring and evaluation.
- Experience in rural development programmes

### **Team as a whole**

- Experience in land administration
- Experience in legal processes related to land administration and land use rights, especially in Ethiopia
- Experience in using satellite images and ortophotos in cadastral surveying
- Experience in mainstreaming of gender, vulnerable groups and climate change in development project planning, implementation and monitoring
- Knowledge and experience of human rights based approach
- Knowledge and experience of result-based management

## **8. BUDGET**

The total available budget for this MTE is maximum of 90.000 euros, excluding the Finnish VAT.

## **9. MANDATE**

The evaluation team is entitled and expected to discuss matters relevant to this evaluation with pertinent persons and organizations. However, it is not authorized to make any commitments on the behalf of the Government of Ethiopia or Finland.



## List of interviewees

### Ministry of Agriculture (MoA)

H.E. Ato Shilesi, State Minister  
Ato. Tigistu G. Abza, Director, Rural Land Administration and Use Directorate

### Ethiopian Mapping Agency (EMA)

Mr. Sultan Mohammed Alya, Director General  
Mr. Girma Habtegiorgis, Director of Surveying  
Mr. Ayele Teka, Director of Mapping Directorate

### Information Network Security Agency (INSA)

Mr. Genanaw Alemu, Geospatial Data Acquisition and Processing Team Leader  
Mr. Gezahegn Alemayehu, Project Manager  
Mr. Dawit Haile

### Ministry of Finance and Economic Development (MoFED)

Mr. Kokeb Misrak, Director, Bilateral Cooperation Directorate  
Mr. ...  
Mr. ...

### Amhara Region

#### Regional Bureau of Environmental Protection, Land Administration and Use (BoEPLAU)

Mr. Bayeh Tiruneh, Bureau Head  
Mr. Adane Mehari, Land Administration Process Owner  
Mr. Tesfaye Ashine, Technical Expert  
Dr. Gebeyehu Belay, Technical Expert  
Ms. Lemlem Aragie, Procurement Head  
Mr. Chalie Mulu, Technical Expert and REILA Focal Person

#### Zuriaworeda in Bahir Dar

Mr. Lijalem Amsalu, Land Administration Head

#### Kebele

Mr. Minale Melaku, LAUC Secretary  
Mr. Migayehee Asmore, LAUC Member

Several landholders (including women)

#### Mechaworeda

Mr. Yeniale Dilnesa, Land Administration Head

#### Kebele

Mr. Yermehert Amsaju, LAUC Chairman  
Mr. Meyechel Gebeyehu, LAUC Secretary  
Mr. Aseffa Gedamu, LAUC Member

Large group of landholders (22-30, including women)

## **Bahir Dar University**

Dr. Daniel Weldegebriel, Deputy Head of the Institute of Land Administration (ILA)  
Dr. TadesseAmsalu,  
Dr. BelachewYirsawAlemu,  
Dr. AchamyelehGashu

## **Benishangul-Gumuz Region**

### **Benishangul-Gumuz Region**

Regional Bureau of Environmental Protection, Land Administration and Use(BoEPLAU)

Mr. Temesgen Disassa, Head of BoEPLAU  
Mr. Mebratu Jano, Deputy Head of BoEPLAU  
Mr. Debash Yidersal, Land Administration Department Head and REILA focal person  
Mr. Tarekegn Tasisa, Finance Department Head  
Mr. FekaduMelaku, Planning, Monitoring & Evaluation Department Head

Kamashi Zone, Belo JiganfoyWoreda in Soge

Group of Zone and Woreda LA experts

Mr. Dawit Alem, Kamashi Zone, Land Administration Expert  
Mr. Habtamu, Land Administration Expert and Acting EPLAU Head  
Mr. Zeleke, Land Registration Expert

Group of para-surveyors (contract workers, including women)

Belo Didessa Kebele, Belo JiganfoyWoreda

Kebele LA Committee (LAC, including 2 women)

Assosa Zone, Bambasiworeda

Mr. Ibrahim Mohammed, Head, Woreda EPLAU Office  
Mr. Gebremedhin Sisay, Assosa Zone Land Administration Expert  
Mr. Musa, Land Administration Expert

Dabus kebele, Bambasi woreda (Kebele LAC and community members (including 3 women)

Mr. Issa Ahmed, Kebele LAC Chairperson  
Ms. Shita Reshid, LAC member  
Mr. Gebreegziabher Abreha, LAC secretary  
Mr. Addisu, LAC member  
Mr. Abelgo Yusuf, Kebele Chief Administrator  
Mr. Haron Babiker, Kebele General Manager  
Mrs. Askale Mekuria, Kebele Women, Youth and Children Office  
Mr. Mohammed Abdella, Community member  
Ms. Fatouma Musa, Community member

Metekel Zone, Bullenworeda

Mr. Tsehay Woreda EPLAU Head  
Mr. Girma Minelik, Metekel Zone Land Administration Expert

Mr. Simeneh, Woreda Land Administration Process Coordinator  
Mr. Yehuala, Land Registration Expert  
Mr. Wondasa, Land Administration Expert

Group of para-surveyors (contract workers, including women)

Azemina-Benosh kebele, BullenWoreda)

Kebele LAC (including 4 women)

### **Bureau of Agriculture**

Mr. Habte Woldeyesus, Deputy Bureau Head  
Mr. Takele, SLMP BG Coordinator  
Mr. Bekele Guta, Process Owner for Natural Resources Management

### **Investment Office**

Mr. Gashaw Shumo, Investment Promotion and Marketing Evaluation Expert  
Mr. Kebrewossen Mekuria, Investment Promotion and Marketing Evaluation Expert

### **Agricultural TVET College**

Mr. Tsehaye Adamu, Administration and Development Vice Dean  
Mr. Reshid Taher, Academic Vice Dean  
Mr. Dessalegn Addis, Department Head and Instructor for Land Administration

### **LIFT Project**

Mr. Simon Lapper,CTA

### **GIZ**

Dr. Johannes Schoeneberger, SLM Programme Manager  
Mr. MelakuTadesse, SLM Deputy Programme Manager

### **Embassy of Finland**

Ms. TiinaByring-Ilboudo, Councillor  
Ms. EshetuWorkaferahu, Programme Officer

### **REILA TA Team**

#### Addis Ababa

Mr. Bernd Eversmann, CTA, TL  
Dr.ZerfuHailu, DTL, Land Administration Expert  
Mr. ZemelakZena, Procurement Advisor  
Mr. YoditGebrechirstos, M&E  
Ms. MekedesDigafe, Chief Accountnat (ST)  
Ms. Hanna Getachew, Accountant/Secretary

#### Bahir Dar

Mr. Thomas Dubois, Team Leader

Assosa

Mr. David Harris, Team Leader  
Mr. ShewakenaAytenfisu, DTL, Land Tenure Advisor  
Mr. NegassaDeressa, Social Scientist (ST)  
Mr. Samuel Deneke, Land Law Advisor (ST)  
Mr. LemessaGeleta, Legal Aid Agent, Kemashi Zone  
Mr. DibisaGuto, Legal Aid Agent, Metekel Zone  
Mr. Mohammed Osman, Legal Aid Agent  
Ms. KeneGebeyehu, Accountant

**Evaluation matrix**

| <b>Criteria</b>   | <b>Evaluation question</b>   | <b>Indicator</b>  | <b>Source of information</b>  |
|---|--|---|---|
| <b>Relevance</b>  | Are the objective, purpose and expected results of REILA in line with the Ethiopian policies and sector strategies and Finnish development policy and with the needs and aspirations of the beneficiaries? | <ul style="list-style-type: none"> <li>- GOE land related policies</li> <li>- Land registration legislation</li> <li>- GOF development policies</li> <li>- Needs assessment of immediate beneficiaries</li> </ul>                                   | <ul style="list-style-type: none"> <li>- Background documents</li> <li>- Interviews with national agencies</li> <li>- Interviews with other stakeholders and beneficiaries</li> </ul>     |
| <b>Effectiveness</b>  | Are the achievements of REILA making a contribution towards an improved, transparent and appropriate land administration system?   | <ul style="list-style-type: none"> <li>- Harmonization of landlaws</li> <li>- Harmonization of geodetic network</li> <li>- Improved land administration processes in use</li> <li>- Transparent complaints mechanism in use</li> </ul>              | <ul style="list-style-type: none"> <li>- Progress reports</li> <li>- Interviews with national agencies</li> <li>- Interviews with other stakeholders</li> </ul>                           |
| <b>Efficiency</b>   | Are the financial resources efficiently used and human resources effectively employed and are the costs justified?   | <ul style="list-style-type: none"> <li>- Achievements against plans</li> <li>- Response to KPMG audit</li> <li>- Investment Fund use</li> </ul>   | <ul style="list-style-type: none"> <li>- Financial reports and progress reports</li> <li>- Work plans</li> <li>- KPMG audit</li> </ul>  |
| <b>Programme Design, Management and Implementation</b>          | <p>Is the programme design still valid?</p> <p>Are the governance bodies working well?</p> <p>Is coordination with the government and other donors working well?</p>                                       | <ul style="list-style-type: none"> <li>- Needs assessment of immediate beneficiaries</li> <li>- Do the governance bodies' decisions influence programme implementation</li> <li>- Have there been conflicts, tension with the government</li> </ul> | <ul style="list-style-type: none"> <li>- Interviews with national agencies</li> <li>- Interviews with other stakeholders</li> <li>- Minutes of the governance bodies' meetings</li> </ul> |
| <b>Human Rights Based Approach and Cross-cutting objectives</b> | <p>Are the results of REILA addressing the needs and aspirations of the final beneficiaries and are women and the most vulnerable also benefitting?</p> <p>Does REILA support climate sustainability?</p>  | <ul style="list-style-type: none"> <li>- Participation of final beneficiaries in land registration processes and REILA</li> <li>- Land rights of women and the most vulnerable</li> <li>- REILA's impact on land improvements</li> </ul>            | <ul style="list-style-type: none"> <li>- Land registration processes</li> <li>- Interviews with land registration officials, LACs and final beneficiaries</li> </ul>                      |

|                       |   |  |  |
|-----------------------|---|--|--|
| <b>Sustainability</b> | Are the benefits produced by the programme likely to be maintained after the termination of external support?   | <ul style="list-style-type: none"> <li>- Improved registration processes</li> <li>- Increased capacity of the relevant agencies</li> <li>- Financial prospects for carrying out land registration in the future without donor funds</li> </ul> | <ul style="list-style-type: none"> <li>- Land registration processes</li> <li>- Interviews with national agencies</li> <li>- Interviews with other stakeholders</li> </ul> |
| <b>Impact</b>         | Has REILA strengthening land administration systems in Ethiopia? Do the final beneficiaries feel that their land tenure security has improved and have they been able to benefit from that? | <ul style="list-style-type: none"> <li>- Land holders sentiment and their investments in improvement of their land</li> <li>- Use of land as collateral</li> </ul>   | <ul style="list-style-type: none"> <li>- Interviews with land administration officials and final beneficiaries</li> </ul>  |

### Key Stakeholders in Ethiopian Rural Land Administration

| Name   | Description and responsibilities  |
|--|---|
| Ministry of Agriculture (MoA)  | Responsible on federal level for rural land administration and support projects such as the SLMP, REILA and others. The State Minister chairs the inter-agency steering committee for coordination of land management investments in Ethiopia. The Department of Land Administration and Use is the Department directly responsible for REILA and one of its beneficiaries. |
| Ethiopian Mapping Agency (EMA)   | Under the Ministry of Finance and Economic Development EMA is responsible for geodetic network and small scale mapping. Establishes survey and mapping standards. Is responsible for satellite images and orthophotos for Ethiopia.   |
| Ministry of Finance and Economic Development (MoFED)   | Economic planning and financing of government activities. Competent Authority for REILA on the Ethiopian side (with MFA on the Finnish side).   |
| National Revenue Agency  | Tax collection, including land tax. Regional administration and Woredas have similarly a Revenue office for tax and land tax collection.  |
| Courts and judges at woreda and higher levels  | Dealing with land disputes.   |
| Bureau of Environmental Protection, Land Administration and Use (BoEPLAU) in Benishangul-Gumuz and in Amhara | In charge of regional land administration and proper land use, soil conservation, water and forest resource management; biodiversity utilization and conservation. REILA's closest counterpart at the Regional level and chairs the regional PMC.   |
| Bureau of Finance and Economic Development (BoFED)   | Financing of regional activities.   |
| Micro and Small Enterprises and Industry Promotion Agency in Amhara Region                                   | Supporting investors in finding land suitably located for businesses in Amhara.   |
| The Investment Office of the Benishangul-Gumuz Region.   | Supporting investors in finding land suitably located for businesses in Benishangul-Gumuz.  |
| Zonal offices  | Provide professional back-stopping to Woreda offices.   |
| Woreda offices   | Responsible for registration of land rights after certification, and publicizing of information. Land tax collection.   |
| Kebele offices   | The Development Agents (DA) perform some land administration work.  |
| Land Administration Committees (LACs)  | Community based elected land committees for facilitation of systematic certification of land use rights.  |
| Bahir Dar University, Institute of Land Administration (ILA)   | Educating land administrators to Bachelor level.  |
| Assosa Technical, Vocational and Educational Training College  | Land administration training for diploma and certificate levels.  |
| Information Network Security Agency (INSA)   | Provides services for aerial photography and digital orthophoto production, as well as for computer based land register.  |

## Reimbursables vs. Fees

Remaining June 2016

|              | Fees (Experts)    | Reimbursable + Project Costs |                    |
|--------------|-------------------|------------------------------|--------------------|
| PM           | 14,010.00         | -114,907.00                  |                    |
| C1           | 26,484.00         | -34,458.04                   |                    |
| C2           | 0.00              | 21,008.50                    |                    |
| C3           | 43,988.00         | -53,689.00                   |                    |
| C4           | -170,443.00       | 4,667.00                     |                    |
| <b>Total</b> | <b>-85,961.00</b> | <b>-177,378.54</b>           | <b>-263,339.54</b> |





| REILA IMAGERY TRIALS ESTIMATED COSTS |                 |                |                       |                |                 |               |            |                      |             |               |  |
|--------------------------------------|-----------------|----------------|-----------------------|----------------|-----------------|---------------|------------|----------------------|-------------|---------------|--|
|                                      | TOTAL COST      |                | COMMENTS              | Average Kebele |                 |               |            | WHOLE OF ETHIOPIA    |             |               |  |
|                                      | per Kebele      |                |                       | Kebele         |                 | Per parcel    |            | COST                 | %           | KEBELES       |  |
|                                      | \$              | ETB            |                       | Parcels        | \$              | \$            | ETB        |                      |             |               |  |
| CONTRACT SALARIES                    | \$12,424        | 248,471        | efficiency            |                |                 |               |            | \$172,016,188        | 41%         |               |  |
| LACs                                 | \$504           | 10,080         |                       |                |                 |               |            | \$6,978,384          | 2%          |               |  |
| CONSUMABLES                          | \$3,035         | 60,702         |                       |                |                 |               |            | \$42,024,000         | 10%         |               |  |
| IMAGERY & ORTHOPHOTOS                | \$1,547         | 30,940         |                       |                |                 |               |            | \$21,420,000         | 5%          |               |  |
| EQUIPMENT                            | \$4,425         | 88,500         | one set per 8 Kebeles |                |                 |               |            | \$61,268,550         | 15%         |               |  |
|                                      | \$1,432         | 28,635         | one set per Woreda    |                |                 |               |            | \$19,824,000         | 5%          |               |  |
| TRAINING / WORKSHOPS                 | \$800           | 16,000         |                       |                |                 |               |            | \$11,076,800         | 3%          |               |  |
| MANAGEMENT                           | \$6,000         | 120,000        | 20% of total costs    |                |                 |               |            | \$83,076,000         | 20%         |               |  |
| SOFTWARE                             |                 | 0              | QGIS, FOSS software   |                |                 |               |            | \$0                  | 0%          |               |  |
| <b>TOTAL</b>                         | <b>\$30,166</b> | <b>603,328</b> |                       | <b>3,588</b>   | <b>\$30,166</b> | <b>\$ 8.4</b> | <b>168</b> | <b>\$417,683,922</b> | <b>100%</b> | <b>13,846</b> |  |

Rate USD to ETB

20.00

**Notes:**

- 1) 'Management' is set at 20% of the total. I did not calculate what was actually spent on management.
- 2) 'Equipment' assumes one set for office processing can be used for 8 Kebeles, but I do not really know how long the equipment will last, probably for more than 8 Kebeles.

ማስታወሻ

- ለ : ክቡር የአደጋ መ/ዘ/ እና የም/ዋ/ ዘርፍ ሚ/ር ዴኤታ
  - : ክቡር የግብርና ልማት ዘርፍ ሚኒስትር ዴኤታ
  - ሃ : ክቡር የተፈጥሮ ሀብት ዘርፍ ሚኒስትር ዴኤታ
  - : ክቡር የእንስሳት ልማት ዘርፍ ሚኒስትር ዴኤታ
  - : ህዝብ ግንኙነት ቢሮ ሀላፊ
  - : ሚኒስትሩ ጽ/ቤት ዳይሬክተር
- h *[Signature]* ተፈራ ደርበው ሚኒስትር

ቀን : 25/09/06

ጉዳይ : የፕጀክቶች የቀን የውሎ አበል ተመንን ይመለከታል።

የግብርና ዕድገት ፕሮግራም በመ/ቤቱ ሥር በመካሄድ ላይ ያሉ ፕሮጀክቶች ለመስክ ሥራ ሲወጡ ሲከፈል የነበረው ብር 208 ቀን ውሎ አበል በገንዘብና ኢኮኖሚ ልማት ሚኒስቴር በተላለፈ መመሪያ የቀን ውሎ አበሉ ወደ ብር 290 የተሻሻለ በመሆኑ እና የግብርና ዕድገት ፕሮግራም በተባበሩት መንግሥታት የልማት ድርጅት እና በዓለም ባንክና በሌሎች አጋር ድርጅቶችም ድጋፍ የሚካሄድ በመሆኑ በማስተባበሪያ ዩኒቲ ሥር ያለው ሀሰት ዓይነት አበል አከፋፈል ወጥ እንዲደረግ ባቀረበው ማስታወሻ መነሻነት ማኔጅመንቱ ውይይት በማካሄድ የገንዘብና ኢኮኖሚ ልማት ሚኒስቴር በተባበሩት መንግሥታት የልማት ድርጅት እርዳታ በመካሄድ ላይ ላሉ ፕሮጀክቶች እንዲከፈል የፈቀደው የብር 290 የቀን ውሎ አበል ለሁሉም ፕሮጀክቶች ከግንቦት 1 ቀን 2006 ዓ.ም. ጀምሮ እንዲሆን የተወሰነ መሆኑን እየገለፅኩ አፈፃፀሙን በተመለከተ በሚመለከታቸው ተገቢው ክትትልና ቁጥጥር እንዲደረግበት አሳስባለሁ።

ከሰላምታ ጋር

ገልጻል:- ለአዲት ዳይሬክቶሬት ግብርና ሚኒስቴር

① ከላይ ለገለጸው ስራ ላይ ለሚገኙት ፕሮጀክቶች የቀን የውሎ አበል ተመንን ይመለከታል።

② ከላይ ለገለጸው ስራ ላይ ለሚገኙት ፕሮጀክቶች የቀን የውሎ አበል ተመንን ይመለከታል።

26/09/2006

## MEMO

TO:

- Honorable State Minister for Disaster Prevention, Preparedness and Food Security Main Department
- Honorable State Minister for Agricultural Development Main Department
- Honorable State Minister for Natural Resource Main Department
- Honorable State Minister for Livestock Development Main Department
- Public Relations Head
- Director for the Office of the Minister

From:

- Tererra Deribew, Minister of Agriculture

Date: May 09,2014

Subject: **Per diem payments made within the projects**

According to the directive passed by the Ministry of Finance and Economic Development (MOFED) the daily per diem rate of 208.00 ETB, which has been paid to staff of the projects who travels on field work for the assignments under agricultural development programs supported by UNDP, is adjusted to 290.00 ETB. In reference to the approval of the MOFED to pay 290.00 ETB for projects supported by UNDP; and the need for harmonizing the two types of per diem rate payments for the projects supported by UNDP, World Bank and other Partner Organizations under the agricultural development program which is coordinated by the Ministry, the Management Staff of the Ministry of Agriculture has discussed on the issue and decided that daily per diem rate for all projects be adjusted to 290.00 ETB as of May 09, 2014. I, therefore notify that the implementation of this decision by all concerned bodies be followed up and controlled.

sincerely,

CC:

- To Directorate of Audit, Ministry of Agriculture