



Draft Design and Monitoring Framework

Project Number: 37234
March 2006

SAM: Promoting Economic Use of Customary Land

A design and monitoring framework is an active document, progressively updated and revised as necessary, particularly following any changes in project design and implementation. In accordance with ADB's public communications policy (2005), it is disclosed before appraisal of the project or program. This draft framework may change during processing of the project or program, and the revised version will be disclosed as an appendix to the report and recommendation of the President.

Asian Development Bank

DESIGN AND MONITORING FRAMEWORK

Design Summary	Performance Targets / Indicators	Data Sources / Reporting Mechanisms	Assumptions and Risks
<p>Impact Increased levels of economic activity (investment and production) on customary land.</p>	<p>1. Trend increases in contribution of tourism and commercial agriculture to GDP (proxy indicator).</p> <p>2. Number and value of commercial investments on leased customary land.</p>	<p>National accounts from Ministry of Finance</p> <p>Analysis by TA consultant of investment data from Ministry of Commerce, Industry and Labor</p>	
<p>Outcome Increased efficiency and effectiveness with which landowners and investors (domestic and foreign) implement agreements to utilize customary land for economic purposes.</p>	<p>1. Reduced time from proposal to registration of formal lease on customary land.</p> <p>2. Efficient resolution of disputes through Samoan Land and Titles Court.</p>	<p>Surveys by TA consultant of new lease holders on the land registry held at the Ministry of Natural Resources</p> <p>Assessments by private sector stakeholders and practicing lawyers surveyed during ADB review missions</p> <p>Analysis by TA consultant of caseload records of Land and Titles Court</p>	<p>Assumptions</p> <ul style="list-style-type: none"> • "Bankable" projects exist and can be assisted by greater clarity and efficiency of leasehold tenure. • Samoa's financial sector will, over time, increase credit provision in response to greater clarity of leasehold arrangements. <p>Risk</p> <ul style="list-style-type: none"> • Clarity and certainty over leasehold arrangements does not lead to improved compliance with rule of law or, consequently, reduced credit risk.
<p>Outputs</p> <p>1. Amended Alienation of Customary Land Act 1965 (the Act) so that it better promotes economic use of customary land.</p> <p>2. Streamlined administrative processes for entering into leases on customary land.</p> <p>3. Public information materials disseminated and public education processes conducted on key issues and processes for landowners and investors proposing to enter into leases on customary land.</p> <p>4. Improved registration, mapping and availability of information on customary land titles and boundaries.</p>	<p>Amendments submitted to Government by July 2006.</p> <p>Report on lessons learned under revised Act, by February 2008.</p> <p>Clear information on revised administrative procedures, responsibilities, and performance standards, readily accessible to the public by March 2007.</p> <p>Accessible materials and information programs (in Samoan and English) widely available and effectively disseminated, by December 2006</p> <p>Central database, with geographic information, of leases granted and Land and Titles Court decisions established, maintained and accessible to the public, by</p>	<p>TA and ADB monitoring</p> <p>TA reporting—including client feedback surveys—and ADB monitoring</p> <p>TA reporting—including client feedback surveys—and ADB monitoring</p> <p>TA reporting—including client feedback surveys—and ADB monitoring</p>	<p>Assumptions:</p> <ul style="list-style-type: none"> • The current Alienation of Customary Land Act, with minor amendments, provides a workable legal framework for the achievement of priority outputs and the TA outcome. • Public information and education activities will be sustained by relevant Executing Agency. • Executing Agency able to maintain database and geographic information. <p>Risk</p> <ul style="list-style-type: none"> • Interface between Ministry of Natural Resources and Land and Titles Court remains unclear or ineffective.

Design Summary	Performance Targets / Indicators	Data Sources / Reporting Mechanisms	Assumptions and Risks
<p>5. Revised institutional arrangements in place that reflect appropriate Government involvement in matters related to economic use of customary land.</p>	<p>June 2007.</p> <p>Review submitted by September 2007</p> <p>Revised institutional arrangements in place by March 2008.</p>	<p>TA and ADB monitoring</p>	
<p>Activities with Milestones</p> <p>1.1 Amendments to <i>Alienation of Customary Land Act 1965</i>, based on WG recommendations, submitted for Government consideration, by July 2006.</p> <p>2.1 Review of administrative processes for entering into leases on customary land completed by July 2006.</p> <p>3.1 Public information and education plan, addressing key audiences, topics, and proposed media, submitted for WG approval by September 2006.</p> <p>4.1 All Land and Titles Court decisions recorded in an electronic database, and accessible to the public, by December 2006.</p> <p>5.1 Review of institutional arrangements and appropriate role of the Government, by September 2007.</p> <p>1.2 Review of lessons learned under new legal framework, by February 2008.</p> <p>2.2 Revised administrative processes implemented by December 2006.</p> <p>3.2 A range of public information materials disseminated by March 2007.</p> <p>4.2 Upgraded land registry extended to include all leases on customary land, by December 2006.</p> <p>5.2 Government reorganization, reflecting agreed review findings, in place by March 2008.</p> <p>1.3 (If necessary) Further amendments to the Act submitted for Government consideration, by June 2008.</p> <p>2.3 Clear information on administrative processes readily available to the public by December 2006.</p> <p>3.3 A series of public education programs operating by March 2007.</p> <p>4.3 Records of all surveys of customary land digitized and placed on a geographic information system, by June 2007.</p> <p>5.3 Staff training, capacity development on new functions and roles.</p>			<p>Inputs</p> <p>ADB</p> <ul style="list-style-type: none"> • Long-term domestic consultant (24 person-months). • Short-term specialist international (4 person-months) and domestic (10 person-months) consultants. • IT hardware and software and training for database and GIS. • Information materials and education programs. • Government staff training. • Office supplies and consumables. <p>Government</p> <ul style="list-style-type: none"> • Counterpart staff in Executing Agency and WG. • Office space and facilities. • Access to land registry and Land and Titles Court records. <p>Cofinancing (Parallel) IDA loan 3193-WSO "Infrastructure Asset Management Project":</p> <ul style="list-style-type: none"> (i) updated cadastre (Samoa Integrated Grid); (ii) strengthened systems for freehold and public land administration and registration (which can also be applied to customary land).

ADB = Asian Development Bank, GDP = gross domestic product, GIS = geographic information systems, IDA = International Development Association (of the World Bank), IT = information technology, TA = technical assistance, WG = working group on economic use of customary land.