

Technical Assistance

TAR: AFG 38221

**Technical Assistance to the
Islamic Republic of Afghanistan
for Capacity Building in Land
Policy and Administration Reform
(Cofinanced by the Government
of the United Kingdom)**

December 2004

Asian Development Bank

CURRENCY EQUIVALENTS

(as of 30 November 2004)

Currency Unit	–	afghani/s (AF)
AF1.00	=	\$0.0211104
\$1.00	=	AF47.37

ABBREVIATIONS

ADB	–	Asian Development Bank
ANRM	–	agriculture and natural resource management
AREU	–	Afghanistan Research and Evaluation Unit
ASPL	–	Agriculture Sector Program Loan
DCS	–	Department of Cadastral Survey
DFID	–	Department for International Development
GDP	–	gross domestic product
MAAH	–	Ministry of Agriculture and Animal Husbandry
MIWRE	–	Ministry of Irrigation, Water Resources, and Environment
MMI	–	Ministry of Mines and Industry
MOF	–	Ministry of Finance
MRRD	–	Ministry of Rural Rehabilitation and Development
SOE	–	state-owned enterprise
TA	–	technical assistance

TA CLASSIFICATION

Targeting	–	Targeted intervention
Classification		
Sector	–	Agriculture and natural resources
Subsector	–	Agriculture sector development
Themes	–	Sustainable economic growth, governance, and private sector development
Subthemes	–	Promoting economic efficiency and enabling markets, civil society participation, and policy, institutional, legal, and regulatory reforms

NOTE

In this report, "\$" refers to US dollars.

This report was prepared by P. Heytens (Team Leader) and A. Kelly

I. INTRODUCTION

1. In support of the Government's efforts to initiate a comprehensive reform program in the agriculture and natural resource management (ANRM) sector, the Asian Development Bank (ADB) approved a \$55 million Agriculture Sector Program Loan on 4 May 2004. The Program includes actions to (i) develop a sound policy framework and establish efficient sector institutions, (ii) introduce management systems for sustainable use of natural resources, (iii) formulate sound programs for sector investment, (iv) improve the efficiency of sector support services, (v) improve the efficiency of agricultural commodity markets, and (vi) restructure state-owned enterprises (SOEs). In this context, the Government initiated development of a comprehensive national land policy and administration system. The Government requested ADB assistance to support its work in this area, and technical assistance (TA) in this regard was included in ADB's Country Strategy and Program Update for 2004-2006.¹ A Mission was fielded in June 2004 to consult with the Ministry of Finance (MOF), Ministry of Agriculture and Animal Husbandry (MAAH), and other relevant agencies. Following subsequent meetings, an Aide Memoire was issued setting out the goals, purpose, scope, implementation arrangements, cost, financing arrangements, and terms of reference of the TA. The TA framework is in Appendix 1.

II. ISSUES

2. A new opportunity for the peaceful development of Afghanistan emerged with the fall of the Taliban regime in late 2001 and the subsequent political agreement on transitional arrangements for governing the country that the various Afghan factions reached in Bonn. The economy has shown strong signs of recovery since then under the leadership of the transitional Government. Real gross domestic product (GDP), excluding opium production, is estimated to have grown by about 30% in 2002/03² and by 23% in 2003/04. This recovery is most visible in agriculture, reflecting the end of a prolonged drought, and in the construction and services sectors, where rapid expansion is being driven by large aid inflows. Notwithstanding the strong economic recovery, the necessary reforms and financial requirements for continued progress are vast. With a per capita GDP (excluding opium) of only \$210, serious inroads into poverty reduction or even attaining the income levels of neighboring countries will require strong economic growth for many years to come.

3. Following the recent progress in economic recovery, the Government has begun to broaden implementation of its National Development Framework, particularly Pillar II relating to physical reconstruction and natural resource management. In this context, the Government has taken the initiative to introduce policy, institutional and organizational reforms to rehabilitate the agriculture sector and strengthen its capacity for natural resource management. With sound water resource management and sustainable resource management practices in other areas, the Government believes that the ANRM sector can be revitalized to its former strength and be put on a path of accelerated growth. More than any other sector, agriculture is at the core of economic recovery and poverty reduction, given that the majority of the Afghan people depend on farming and other rural-based activities for their livelihoods. The sector has suffered badly as a result of conflict and drought, but it must be revived rapidly and in a sustainable manner if deeper inroads are to be made into poverty reduction.

¹ The TA first appeared in *ADB Business Opportunities* (Internet edition) on 28 May 2004.

² This corresponds to the Afghan solar year 1381, which ran from 21 March 2002 to 20 March 2003. The solar year 1382 runs from 21 March 2003 to 19 March 2004.

4. Although most Afghans depend at least in part on agriculture for their livelihood, a significant proportion of the rural population either are landless, or farm plots that are too small to generate adequate incomes. A large part of the rural population therefore engage in agricultural activity as sharecroppers, laborers, or tenants; or must find work in rural nonfarm activities to supplement farm incomes, which may include migration. Apart from its negative impact on governance and security, the rapidly growing opium economy is also exacerbating the inequitable pattern of land distribution, in part by driving up land prices beyond the means of small farmers. As the opium economy expands, there is an increasing tendency for land values in producing areas to be determined by opium yields, and toward exploitative relations between landowners and sharecroppers. The current confusion in land ownership and access rights is worsening the situation.

5. Another striking feature of land tenure in Afghanistan is the high degree of uncertainty in landownership, despite there being only three basic categories of landowners (the state, private entities, and the general public). The uncertainty is particularly great in sharecropping and the closely related practice of land mortgaging, which involves a number of complex relationships in which it is difficult to distinguish creditors/debtors from owners/sharecroppers, or to identify the legal or accepted right-holder over the property. Nevertheless, Afghanistan has a long history of land ownership record-keeping, dating back to land grants issued in the 1880s with documents relating to land transfer according to customary, religious or civil, and state legal precepts. This historical tradition is the foundation on which a national land titling and registration system could be constructed. However, land records are spread across a range of institutions (the land directorate in MAAH, Department of Cadastral Survey [DCS]) under the office of the President, and municipal governments, among others), which have been largely dormant for more than two decades, and thus are ill-equipped in their current capacity to administer and manage such information.

6. At present, there is no clear regime for managing land rights and by default many management functions have fallen to the courts, which also handle most land disputes. With instability and coercion by warlords, land rights management and dispute resolution have lost credibility in many areas. For example, most rural Afghans regulate their landownership relations customarily, without using officials or courts. Customary management offers a strong foundation, but favors wealthier elites, men, and dominant ethnic groups. Land rights are also governed by more than one legal regime, i.e., customary law, civil law, Islamic law, and state law. While important differences exist, there is also an unusual degree of commonality in these regimes' treatment of land rights. Nonetheless, a key challenge will be to develop a sound and widely accepted legal basis for land rights management.

7. There is also no policy or legal system in place to regulate the use and transfer of state landholdings. Large unused tracts of government land in urban and peri-urban areas could be sold or leased out to the private sector for investment in commercial enterprises once appropriate land transfer systems are put in place. The lack of a clear land policy also complicates the process for privatizing SOEs, which collectively own large tracts of land. Land sales in the context of SOE privatization could also potentially generate substantial revenue for the state budget. In rural areas, there is immense scope for enhancing livelihoods and promoting the production of legal crops (as opposed to poppy) through redistribution of state land, for example, of currently fallow land in areas where irrigation infrastructure will be rehabilitated or developed. Enhanced land tenure security would also encourage greater on-farm investment, for example in terracing, field channels, and other on-farm water management practices, and facilitate adoption of more remunerative cropping alternatives to poppy.

8. While policy intentions have been discernible both through the terms of state law and, more generally, in the tenure-related strategies that have been adopted over the years, the absence of a formal land policy is a key constraint. This gap has resulted in a deeply unequal system of landownership relations among ethnic groups, between agricultural and pastoral systems, and among feudally arranged segments of society. These problems have been compounded by conflict, insecurity, corruption, and land grabbing. While implementation will have to be phased, particularly in the countryside where the security situation remains difficult, it is essential for the Government to begin formulating a more explicit and comprehensive policy and strategy to tackle landownership and tenure issues. In doing so, due consideration must be given to equity and achieving a fair distribution of arable land, given the importance of farming to rural livelihoods and income generation. It is also important that the land rights, interests, and needs of rural women and ethnic minorities be given special attention in this process. Practical and cost-effective systems must also be developed to give private entrepreneurs access to land to develop commercial enterprises in urban and peri-urban areas.

9. International experience suggests that the introduction of a comprehensive system of land administration within a sound land policy framework can generate a broad range of benefits that will accelerate economic growth and development. In particular, appropriate land titling and registration programs will create secure, clearly defined, and easily transferable landownership rights that ensure benefits to recipients and owners and improve incentives for long-term investment. Formal land titles also increase credit availability by enabling loans to be secured through a lien on land, which serves as collateral in both formal and informal credit markets. The presence of formal land titles also facilitates the collection of land taxes and taxes from land transactions, thus increasing government revenue. The existence of well-documented, transferable property rights and institutional arrangements that facilitate low-cost transfer of land titles is also likely to contribute to development of financial markets.

10. The Government has initiated preparation of a national land policy and administrative framework, including a land titling and registration system. The Government has expressed its commitment to creating a policy and institutional framework for land administration that is fair, efficient, and sustainable. As such, the system will seek to (i) increase tenure security for farmers, share tenants, women, and other land users; (ii) facilitate efficient land transactions and administration; (iii) provide farmers and other land users with greater control over land management through a full range of market choices; (iv) define rights of access to common property resources, such as rangelands and forests; and (v) provide the private sector, including foreign investors, with access to land to establish commercial enterprises. Submission of a draft land policy to Cabinet and development of a strategy and time-bound action plan to introduce an appropriate framework for land administration are second-tranche conditions under the ASPL.

11. A high-level land commission has been appointed to prepare such a land policy and administrative framework. The commission, which comprises MAAH as the chair; MOF; Ministry of Mines and Industry (MMI); Ministry of Rural Rehabilitation and Development (MRRD); Ministry of Irrigation, Water Resources, and Environment (MIWRE); and DCS will prepare a draft land policy for submission to Cabinet within the next twelve months. In parallel, an interministerial working group has initiated studies to identify an appropriate institutional framework for land administration. The working group will also formulate a strategy and time-bound action plan to introduce a land titling/registration system and land database.

12. The Government has sought ADB assistance to bring international best practice to bear on land policy and administration. Land tenure problems arise in many countries and there is much to be learned from their experiences in reform and institution building, particularly in post-

conflict cases (e.g., Cambodia). Issues of particular concern to Afghanistan include how customary and statutory land tenure regimes have been integrated; how a cost-effective, decentralized, participatory, and community-based system of land administration can be established; how appropriate environmental and social safeguards can be incorporated; and the proper role of the state in land administration and landownership.

III. THE TECHNICAL ASSISTANCE

A. Purpose and Output

13. The TA will assist the Government in establishing a national land policy, land titling and registration system, and an associated institutional framework for land administration that are cost effective, fair, and sustainable. The policy and institutional framework will encourage private investment while simultaneously protecting the rights of the poor. The key outputs from the TA will be (i) a map of the existing institutional structure and technical capacity for land administration; (ii) a draft of a comprehensive national land policy; (iii) options for a system of land titling and registration; (iv) an appropriate institutional framework for land administration with improved capacity; and (v) a time-bound action plan for implementing the recommended framework, including the land titling and registration system, land database, and a clearly defined program to address capacity building needs.

B. Methodology and Key Activities

14. The TA will be provided in a collaborative manner to maximize capacity building within the relevant government institutions. The key activities of the TA will include the following:

- (i) An assessment of the technical and administrative capacity of existing government institutions involved in land policy and administration to carry out their functions, including their training and institutional development needs.
- (ii) Support for the establishment of a secretariat within the land commission to help it to undertake its required functions and facilitate interministerial coordination.
- (iii) Support for the establishment of technical working groups within the relevant government agencies to facilitate active and broad-based government participation in the policy formulation and institutional design process.
- (iv) A consultative process involving rural communities and other stakeholders to identify problems, constraints, and effective approaches to land relations.
- (v) Implementation of technical training programs for government staff to initiate the capacity building within the relevant government institutions at an early stage.
- (vi) Research at the community level on common property resource issues and land relations in irrigated areas, to draw lessons and identify effective community-based land administration systems, and dispute resolution mechanisms.
- (vii) Support for the establishment of a national land database, including assistance to facilitate access to satellite imagery gathered for military surveillance purposes, and to identify institutional needs to reestablish cadastral land surveys.
- (viii) Support for the formulation and design of land transfer and land titling components for ADB-financed irrigation investment projects.

C. Cost and Financing

15. The total cost of the TA is estimated at \$1,025,000 equivalent with \$705,000 in foreign exchange and \$320,000 equivalent in local currency. ADB and the Government of the United

Kingdom's Department for International Development (DFID) will provide a grant of \$850,000 to cover foreign currency costs of \$705,000 and local currency costs of \$145,000. The amount of \$250,000 will be financed from ADB's TA funding program and \$600,000 will be financed by DFID. The Government will finance the balance of the local currency costs, equivalent to \$175,000 primarily in kind, through provision of office facilities, staff, and services. ADB and DFID will cover remuneration and per diem, international and local travel, reports and communications, contract administration services, vehicles, office equipment, furniture and office supplies, training and seminar costs. Detailed cost estimates are in Appendix 2.

D. Implementation Arrangements

16. International and domestic consultants will implement the TA. The consultants will be recruited by ADB in accordance with ADB's *Guidelines on the Use of Consultants* and other arrangements satisfactory to ADB for engaging domestic consultants. MAAH, as the chair of the high-level commission, will be the Executing Agency for the TA. MAAH and the DCS will nominate a core group of counterpart staff to work directly with the consultants. The active participation of MOF, MMI, MIWRE, MRRD, the Land Claims Court, and other stakeholders will also be essential, as the TA will address a broad spectrum of issues that cut across many disciplines. Outline terms of reference for the consultants are in Appendix 3.

17. The TA will comprise 32 person-months of international and 24 person-months of domestic consulting services. The international consultants will consist of two long-term specialists (a land policy and land administration/titling specialist for 12 person-months each), and a rural land tenure specialist for 4 person-months. International expertise of 4 person-months is unallocated to accommodate needs identified during TA implementation. The domestic consultants will comprise one long-term specialist in rural land tenure systems for 12 person-months, and short-term experts in areas such as land surveys and mapping, dispute resolution mechanisms, local land titling and registration systems, and legal issues relating to land tenure and sharecropping arrangements. The TA consultants will be recruited through a firm. Equipment will be procured in accordance with ADB's *Guidelines for Procurement*.

18. The TA will be implemented over 12 months and is expected to be completed in December 2005. An inception report will be prepared within 1 month of TA commencement, a summary progress report after 6 months, and a final report including the key outputs in para. 13. A draft final report will be submitted 1 month before TA completion. Tripartite meetings between representatives of the Government and ADB will review the consultants' inception report, progress report, and draft final report. The active involvement of stakeholders will be achieved through national and regional workshops.

IV. THE PRESIDENT'S DECISION

19. The President, acting under the authority delegated by the Board, has approved (i) ADB administering a portion of technical assistance not exceeding the equivalent of \$600,000 to be financed on a grant basis by the Government of the United Kingdom and (ii) ADB providing the balance not exceeding the equivalent of \$250,000 on a grant basis, to the Government of Afghanistan for Capacity Building in Land Policy and Administration Reform, and hereby reports this action to the Board.

TECHNICAL ASSISTANCE FRAMEWORK

Design Summary	Performance Indicators/ Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Goal</p> <p>Protect the land rights of the poor and eliminate violent land disputes, while encouraging private investment (including foreign direct investment)</p>	<p>Foreign direct investment (stock) reaching 5% of GDP within 10 years</p> <p>Effective resolution mechanisms for land disputes established within 5 years</p> <p>Violent land disputes virtually eliminated within 7 years</p> <p>All farm households obtaining titles to their land within 10 years</p>	<p>Post-ASPL monitoring and evaluation</p> <p>Applied research conducted by AREU and others</p> <p>Reports of government agencies and official statistical publications</p>	
<p>Purpose</p> <p>Establish a national land policy, land titling and registration system, and associated institutional framework for land administration that are cost effective, fair, and sustainable</p>	<p>A comprehensive land policy promulgated within 2 years</p> <p>An appropriate land titling and registration system in place within 3 years</p>	<p>Post-ASPL monitoring and evaluation</p> <p>Applied research conducted by AREU and others</p> <p>Reports of government agencies</p>	<p>Government sustains commitment to policy reform and institution building.</p> <p>Political stability is maintained.</p> <p>Security situation improves, particularly outside Kabul.</p>
<p>Outputs</p> <p>A map of the existing institutional structure and technical capacity for land administration</p> <p>A draft of a comprehensive national land policy</p> <p>Options for a system of land titling and registration</p> <p>An appropriate institutional framework for land administration</p> <p>A time-bound action plan for implementing the recommended administrative framework</p>	<p>Map of institutional structure and technical capacity completed within 3 months</p> <p>Initial draft of the comprehensive land policy completed within 10 months of TA commencement</p> <p>Options for a system of land titling and registration identified within 10 months of TA commencement</p> <p>Recommendations for the institutional framework within 10 months of TA commencement</p> <p>Time-bound action plan formulated within 12 months of TA commencement</p>	<p>TA progress reports</p> <p>ADB review missions</p> <p>Tripartite meetings</p>	<p>Government sustains commitment to policy reform and institution building.</p> <p>Technical assistance is implemented effectively.</p> <p>Consultants are recruited in a timely manner.</p>

Continued on next page

Design Summary	Performance Indicators/ Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Activities</p> <p>Assess the technical and administrative capacity of existing government institutions involved in land policy and administration to carry out their functions</p> <p>Support the establishment of a secretariat within the high-level land commission to help it undertake its required administrative functions and facilitate interministerial coordination</p> <p>Support the establishment of effective technical working groups within relevant government agencies to facilitate active and broad-based government participation in the policy formulation and institutional design process</p> <p>Initiate a consultative process involving rural communities and other stakeholders to identify problems, constraints, and effective localized approaches to land relations</p> <p>Implement technical training programs for government staff to initiate the required capacity building within the relevant government institutions at an early stage</p> <p>Integrate action research outcomes at the local level, such as on common property resource issues and land relations in irrigated areas, to incorporate lessons learned into preparation and development of policy; and to identify effective community-based land administration and registration systems, and dispute resolution mechanisms</p>	<p>Start: January 2005</p> <p>Completion: January 2005</p> <p>Responsible agencies: MAAH, Department of Cadastral Survey, MOF, MRRD, MIWRE, MMI, and others</p> <p>Technical working groups established within 1 month of TA commencement</p> <p>Secretariat established within high-level land commission within 2 months of TA commencement</p> <p>Training program for government personnel initiated within 3 months of TA commencement</p> <p>Future ADB-financed irrigation projects include land transfer and land titling components.</p> <p>Number of government staff trained and training courses conducted</p>	<p>TA progress reports</p> <p>ADB review missions</p> <p>Tripartite meetings</p> <p>Minutes of the ASPL national steering committee meetings</p> <p>Minutes of the high-level land commission meetings</p> <p>Periodic reporting by the interministerial working group</p>	<p>Consultants are recruited in a timely manner and are able to carry out their work effectively.</p> <p>The high-level land commission and interministerial working group are able to work effectively.</p> <p>Political and security situation remains stable.</p>

Continued on next page

Design Summary	Performance Indicators/ Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Support the establishment of a national land database, including assistance to facilitate access to satellite imagery gathered for military surveillance purposes, and identification of institutional needs to re-establish cadastral land surveys</p> <p>Support the formulation of land transfer and land titling components under ADB-financed irrigation investment projects</p>			
<p>Inputs</p> <p>32 person-months of international consultants</p> <p>24 person-months of domestic consultants</p> <p>Office equipment and computers for land administration agencies</p> <p>Budget for seminars, workshops and training</p> <p>Budget for studies (action research) and surveys</p>	<p>Resources</p> <p>Actual disbursement figures of TA</p>	<p>ADB contract award and disbursement records</p>	

ADB = Asian Development Bank, AREU = Afghanistan Research and Evaluation Unit, ASPL = Agriculture Sector Program Loan, GDP = gross domestic product, MAAH = Ministry of Agriculture and Animal Husbandry, MIWRE = Ministry of Irrigation, Water Resources and Environment, MOF = Ministry of Finance, MMI = Ministry of Mines and Industry, MRRD = Ministry of Rehabilitation and Rural Development, TA = technical assistance.

COST ESTIMATES AND FINANCING PLAN
(\$'000)

Item	Foreign Exchange	Local Currency	Total Cost
A. Asian Development Bank and Government of the United Kingdom Financing^a			
1. Consultants			
a. Remuneration and Per Diem			
i. International Consultants	640	0	640
ii. Domestic Consultants	0	50	50
b. International and Local Travel	20	15	35
c. Reports and Communications	5	5	10
2. Equipment	0	25	25
3. Vehicles	20	0	20
4. Seminars, Workshops, Training	0	30	30
5. Studies, Surveys and Reports	0	10	10
6. Miscellaneous Administration and Support Cost	0	5	5
7. Contingencies	20	5	25
Subtotal	705	145	850
B. Government Financing			
1. Staff and Office Support	0	50	50
2. Translation Service	0	25	25
3. Office Accommodations, Utilities	0	100	100
Subtotal	0	175	175
Total	705	320	1,025

^a Financed by ADB's technical assistance funding program (\$250,000) and United Kingdom's Department for International Development (\$600,000).

Source: Asian Development Bank estimates.

OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

1. The consultants will work closely with the high-level commission and interministerial working group and will provide technical expertise and organizational support so that they can effectively carry out their activities. Technical working groups will need to be established and broad stakeholder consultation will be required to formulate a sound land policy and identify an appropriate framework for land administration. The Ministry of Agriculture and Animal Husbandry (MAAH) and the Department of Cadastral Survey will identify counterpart staff to work directly with the consultants. The consultants will liaise and coordinate closely with the consultants engaged under the technical assistance (TA) piggybacked to the Agriculture Sector Program Loan (ASPL) and with consultants working on land issues engaged by other aid agencies. Consultants with prior experience in land policy and institutional reform programs in post-conflict countries will be highly preferred. Prior experience in Afghanistan and elsewhere in the region is also desirable.

2. The terms of reference of the consultants include, but will not necessarily be limited to, the following tasks:

A. International Consultants

3. The terms of reference are outlined for the two long-term international positions and the short-term rural land tenure specialist. Other international specialists are expected to be engaged on a short-term basis in key specialist areas to be determined—land database management, legal and regulatory systems, rural land tenure issues, satellite imagery and Global Positioning System data, and computer systems. An allocation of 4 person months is provided in the budget for such inputs. The exact technical input and duration will be decided based on the assessed needs and priorities at the TA inception report stage.

1. Land Policy Specialist-Team Leader (12 person-months)

4. The international land policy specialist-team leader will undertake the following tasks:

- (i) Manage and coordinate the TA team, including identifying and recruiting the short-term technical experts.
- (ii) Under the direction of MAAH and the other participating agencies, establish a secretariat for the high-level land commission to undertake its required administrative, policy development, and coordination functions.
- (iii) With support of MAAH and the other participating agencies, facilitate the effective operation of technical working groups to facilitate active and broad-based government participation in the policy formulation and institutional design process.
- (iv) Liaise closely with the TA consultants engaged under the Asian Development Bank (ADB)-financed TA piggybacked to the ASPL.
- (v) Coordinate closely with relevant work being undertaken by other aid agencies, including that being supported by the United States Agency for International Development and the World Bank, in strengthening land registration and dispute resolution mechanisms in urban areas, as well as research being undertaken on land issues by the Afghanistan Research and Evaluation Unit and Department for International Development.
- (vi) In coordination with the other team members, assess the technical and administrative capacity of existing government institutions involved in land policy

and administration to carry out their functions, including an assessment of their training and institutional development needs.

- (vii) Design and carry out a consultative process involving rural communities and other key stakeholders to identify problems, constraints, and effective localized approaches to land relations.
- (viii) Design and implement technical training programs for government staff to initiate the required capacity building within the relevant government institutions.
- (ix) In consultation with the high-level commission, the interministerial working group, and other relevant government agencies, prepare an initial draft of a comprehensive national land policy.
- (x) Coordinate preparation of the following reports: a brief inception report (within 1 month of TA commencement) outlining the TA implementation plan; a summary progress report after 6 months, detailing any proposed changes in TA resource use; and a final report with a draft of this report to be submitted 1 month before the completion of the TA. The final report will include as appendixes the five main TA outputs indicated in para. 13 of the main text.

2. Land Administration-Titling Specialist (12 person-months)

5. The international land administration-titling specialist will undertake the following tasks:

- (i) Assist the team leader in all aspects of TA implementation and assist in coordinating the TA team.
- (ii) Identify options for systems of land titling and registration, taking into account different types of rural land (e.g., irrigated, rainfed, and rangeland).
- (iii) Recommend an appropriate institutional framework for land administration.
- (iv) Support the establishment of a national land database, including facilitating access to satellite imagery gathered for military surveillance purposes, identifying computer hardware and software needs, and identifying institutional requirements for cadastral land surveys.
- (v) Prepare a time-bound action plan for implementing the recommended administrative framework, including the land titling and registration system, land database, and a clearly defined program to address capacity building needs.
- (vi) Assist in formulating of land transfer and titling components under ADB-financed irrigation investment projects.

3. Rural Land Tenure Specialist (4 person-months)

6. The international rural land tenure specialist will undertake the following tasks:

- (i) Assist the team leader in all aspects of TA implementation.
- (ii) Establish links to action research at the local level, in particular on common property resource issues and land relations in irrigated areas, to integrate lessons learned into preparation of land policy; and to identify effective community-based land administration and registration systems, and dispute resolution mechanisms.
- (iii) Review and assess prevailing sharecropping practices, including the risk that present arrangements could result in agricultural bonded labor.
- (iv) Assist in designing and implementing a consultative process involving rural communities and other key stakeholders to identify problems, constraints, and effective localized approaches to land relations.

- (v) Assist in formulating land transfer and titling components under ADB-financed irrigation investment projects.

B. Domestic Consultants

7. A long-term domestic consultant will be required in rural land tenure systems for 12 person-months. Another 12 person-months are allocated for other short-term technical specialists. Inputs are also likely to be required from training specialists or workshop facilitators in database management issues and land tenure systems. The composition of the short-term technical inputs will be finalized at TA inception, and the terms of reference for these domestic consultants will be prepared in consultation with the high-level commission and interministerial working group.

1. Rural Land Tenure Specialist (12 person-months)

8. The domestic rural land tenure specialist will undertake the following tasks:

- (i) Assist the team leader in all aspects of TA implementation and coordination.
- (ii) Assist in establishing a secretariat for the high-level land commission to undertake the required administrative, policy development, and coordination functions.
- (iii) Assist in facilitating of effective operation of technical working groups to facilitate active and broad-based government participation in the policy formulation and institutional design process.
- (iv) Assist in assessing the technical and administrative capacity of existing government institutions involved in land policy and administration to carry out their functions, including an their training and institutional development needs.
- (v) Assist in designing and implementing a consultative process involving rural communities and other key stakeholders to identify problems, constraints, and effective localized approaches to land relations.
- (vi) Assist in designing and implementing technical training programs for government staff to initiate the required capacity building in the relevant government institutions.