



African Union



African Development Bank



Economic Commission for Africa

## Land Policy Initiative

# Tracking Progress In Land Policy Formulation And Implementation In Africa

## Background Document

June 2012  
Addis Ababa





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# Abbreviations and acronyms

ACR	Annual Country Review
AEO	African Environment Outlook
AfDB	African Development Bank
AGDI	African Gender Development Index
AGI	African Governance Indicator
AMCEN	African Ministerial Conference on the Environment
ANGOC	Asian NGO Coalition
APR	African Peer Review
APRM	African Peer Review Mechanism
AUC	Africa Union Commission
BDI	Behaviour, determinants and interventions
CAADP	Comprehensive Africa Agriculture Development Programme
CAPB	Country Annual Policy Brief
CFP	Country Focal Person
CPB	Country Policy Brief
CPDP	Common Property Dependent Person
CSC	Country Score Card
CSLMIF	Country Sustainable Land Management Investment Framework
CSO	Civic society organization
DPSIR	Driver-Pressure-State-Impact-Response
ECA	Economic Commission for Africa
EGM	Expert Group Meeting
ESI	Economic Sustainable Index
F&G	Framework and Guideline on Land Policy in Africa
FAO	Food and Agriculture Organization of the United Nations
FIG	International Federation of Surveyors
FSSDD	Food and Sustainable Development Division
GDP	Gross domestic product
GRAF	Groupe de Recherche et d'Action sur le Foncier
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit (German Technical Cooperation)
HDI	Human Development Index
HEI	Human Environment Index
IDEA	Institute for Development in Economics and Administration

IDS	Institute of Development Studies
IFAD	International Fund for Agricultural Development
IGO	Inter-governmental organization
ILC	International Land Coalition
LDGI	Land Development and Governance Institute
LFA	Logical Framework Approach
LGAF	Land Governance Assessment Framework
LGI	Land Governance Indicator
LPI	Land Policy Initiative
LPRI	Land Policy Reform Index
LRDI	Land Reform Development Index
M&E	Monitoring and evaluation
MDG	Millennium Development Goal
MIS	Management Information System
MPI	Monitoring Policy Impact
NCSD	National Council for Sustainable Development
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organization
NLAA	National Land Administration Agency
NLC	National Land Center
NPAS	National Poverty Alleviation Strategy
NPRS	National Poverty Reduction Strategy
OECD	Organisation for Economic Co-operation and Development
OSI	Overall Sustainability Index
PBAS	Performance Based Allocation System
PEFA	Public Expenditure and Financial Accountability
PM&E	Participatory monitoring and evaluation
PPP	Project/Programme/Policy
PRSP	Poverty Reduction Strategy Programme
PSR	Pressure-State-Response
PTS	Participatory tracking system
RAPB	Regional Annual Policy Brief
RBM	Results based management
REC	Regional economic community
ReSAKSS	Regional Strategic Analysis and Knowledge Support System
RISD	Rwanda Initiative for Sustainable Development
SDRA	Sustainable Development Report on Africa
SGSR	Scottish Government Social Research Group
SMART	Specific Measurable Achievable Relevant Time-bound



TI	Transparency International
UNCHS	United Nations Centre for Human Settlements
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNICEF	United Nations Children’s Fund
USAID	United States Agency for International Development
WAEMU	West African Economic and Monetary Union
WHO	World Health Organization
WSSD	World Summit for Sustainable Development

# Definitions of Key Terms

**Accountability:** Ability of the people to call public officials, private employers or service providers to account, requiring that they be answerable for their policies, actions and use of funds.

**Benchmarking:** A systematic process to search for and introduce internationally accepted best practices into a project or an organization. The development of land policy benchmarks provides good practices against which national land policies and institutions could be assessed and evaluated. The benchmarking approach is increasingly being used to set targets and to compare the performance of land administration systems across countries.

**Civil society:** Non-state actors in decision making.

**Common (or communal) property:** Property that is owned, managed or used collectively by several users either simultaneously or sequentially regardless of the property regime formally applicable to it. These include resources which are de jure state or private property, but de facto common property. For example, state owned forest that indigenous communities have access to and have managed for years are de facto common property.

**Common property resources:** A resource managed under a common property regime.

**Continuum of land rights:** A system where different sources of land access and use patterns coexist, allowing a diversity of tenure situations ranging from the most informal types of possession and use to full ownership.

**Customary tenure:** A system where members are assigned use and management rights over a unit of common pool resources, often the social group/communities defined by clan, sub-clan or tribe.

**Land administration:** The structure and process for determining, archiving and delivering land rights, and the systems through which general oversight on the performance of the land sector is managed.

**Land governance:** The political and administrative structures and processes through which decisions concerning access to land and use of land resources are made and implemented including the manner in which conflicts over land are resolved.

**Land information system:** A set of principles governing the collection, processing, storage and use of data on land ownership, usage, quality, location and change over time, and the body of data sets prepared for use in decision making on the basis of those principles.

**Land policy:** The set agreed principles to govern ownership (or access to), use and management of land resources to enhance their productivity and contribution to social, economic, political and environmental development and poverty alleviation.

**Land reform:** A process which involves comprehensive structuring or redesign of the least three components of the land system, namely its structure, use and production structures and the support service infrastructure.

**Land tenure:** The nature of and the manner in which rights and interests over various categories of land are created or determined, allocated and enjoyed.

**Natural resources:** Components of the natural environment that are of value for serving human needs, including production or consumption needs.

**New Land Policy Reform:** From the perspective of this document, trends in new land policy reforms in Africa, where the reform mainly contains the principles of inclusiveness, participation and equity in policy formulation and development processes and the deployment of locally accepted simple and inexpensive land registration systems to addressing land rights and resolution of conflicts over land.

# Executive summary

Cognizant of the centrality of land policy issues in Africa, a joint initiative was undertaken by the African Union Commission (AUC), United Nations Economic Commission for Africa (ECA) and the African Development Bank (AfDB) in 2006, forming the genesis of the Land Policy Initiative (LPI). Through the LPI important actions and measures have been launched including a series of regional studies on land issues across Africa accompanied by rigorous consultations and discussions at regional and continental levels. During the whole process, the immediate and urgent need to develop and implement a tracking system to monitor land policy formulation and implementation has been underlined in bold. Subsequently, the LPI produced a series of documents and consultation papers on land issues and policy monitoring as early as 2007. In 2009, the African Heads of States endorsed the Framework and Guidelines on Land Policy in Africa (F&G) which flagged the shared visions, objectives and principles on land policy matters. These pinpointed the urgent need to track progress in land policy formulation and implementation, among other issues. The F&G outline the functions of the tracking system, and the principles and criteria to be used to develop it. This background document, Tracking Progress in Land Policy Formulation and Implementation in Africa, therefore draws on the F&G, on a review of a series of land monitoring reports produced by LPI and other pertinent literatures. The first draft of this report was presented during the Expert Group Meeting (EGM) held in Addis Ababa from 8 to 9 December 2011; useful inputs from the meeting were used to finalize the document. Broadly, its key purpose is to define a relevant, flexible and pragmatic system for tracking progress in land reform in Africa and design a strategic road map to realize the proposed tracking system.

The report is structured into eight chapters. Chapters 1 and 2 elaborate on the background and the need and importance of tracking systems for land policy. The expected key functions and purpose of the tracking system is described in brief in Chapter 2, primarily based upon the F&G document. As a prelude to the succeeding chapters, Chapter 3 highlights definitions and concepts on key monitoring and evaluation terms and principles in general and on land policy matters in particular. Chapter 4 discusses the predominant tenure regimes in Africa and highlights the issues of diversity in land tenure systems across the African continent followed by convergent tenure themes and issues. With scarce data available on current tenure profiles across the continent, it summarizes how far along African countries are in developing and implementing the New Land Policy Reform. Chapter 5 reviews currently available widely used monitoring frameworks. These are mainly used by inter-governmental organizations (IGOs), government agencies, civil society organizations (CSOs) and continental development programmes initiated by global initiatives such as the Millennium Development Goals

(MDG) and others. The chapter concludes by drawing key lessons from existing monitoring frameworks widely used by multiple organizations.

Chapter 6, the core of the report, outlines the purpose, scope and scale, the system for tracking progress, indicator development processes and the strategic road map for developing and implementing the tracking system across the continent. Based on the results chain process, 42 and 30 indicators were compiled for “formal” and “customary” tenure regimes respectively. The report focuses on developing the national level monitoring system, but linking it to the continental level and eventually leading in the mid-term to developing a Land Policy Reform Index (LPRI) based on common themes and indicators. Key concepts and considerations for institutionalizing a Participatory Tracking System (PTS) are briefly described. This calls for preparing an instructional manual followed by piloting in selected countries. To implement the tracking system at full scale across the continent an incremental and phased approach is suggested. The first phase includes processes of gathering and synthesizing relevant information including the piloting exercise to produce the draft framework on the tracking system. The subsequent phase aims to finalize the draft framework and develop the LPRI. Key interventions and activities embedded under the two phases are elaborated in detail. The second phase encompasses launching the implementation of the agreed framework and manual in selected African countries on an incremental basis.

Chapter 7 provides summary illustrations of key elements in developing the tracking system. These include key dimensions for identifying locally credible indicators and relevant regional level land reform indices drawing from ongoing experiences in Asia. Finally, Chapter 8 summarizes the recommendations the necessary prerequisites for implementing the proposed tracking system. Actions and measures necessary to implement the process and guarantee the sustainability of the proposed system are briefly described.



# 1. Introduction

In April 2009 the African ministers in charge of agriculture, lands and livestock endorsed The Framework and Guidelines on Land Policy in Africa (hereafter referred to as F&G). The aim of preparing the F&G was to improve the land policy development and implementation process, and therefore to strengthen land rights, enhance productivity and secure livelihoods in the continent. In July 2009 the African Heads of State and Government adopted the Declaration on Land Issues and Challenges in Africa, urging member countries to effectively use the F&G as a valid tool to guide national land reform processes (AU, 2009). The declaration provided the necessary political authority and commitment for the implementation of the F&G by the African Union Commission (AUC), Member States and the regional economic communities (RECs) in their respective jurisdictions. The F&G underlined agriculture, sustainable urban development and natural resources management as central to attaining economic development in Africa. Secured land rights and appropriate land administration systems are unanimously considered as key factors for increased agricultural productivity and food security; sustainable urban planning; and good governance of the vast natural resources that most regions of the continent benefit from. Additionally, key continental and international initiatives on sustainable development underpinned the principal role of land and land-based resources for attaining sustainable development in the continent. International initiatives on national poverty reduction strategies (NPRS), Africa Environment Outlook (AEO) Initiatives, and the Comprehensive African Agriculture Development Programme (CAADP) of the New Partnership for Africa's Development (NEPAD), among others, underpinned the significance of land and the strong linkage between environment and land to achieving sustainable economic, social and environmental development in Africa.

The F&G urged African governments to develop comprehensive and inter-sectoral land policy in a participatory manner. The guidelines further urged governments to focus on land administration systems, including land rights delivery systems and land governance structures and institutions, and to ensure adequate budgetary provisions to land policy development and implementation. The document flagged the development of tracking systems to monitor land policy formulation and implementation to enable African countries learn from their past successes and setbacks, and make timely readjustments to national land policy processes. Towards this end, as of 2006 the Land Policy Initiative (LPI) began to develop benchmarks and indicators to measure successes achieved and the challenges encountered in the process of land policy formulation and implementation. In this process LPI produced a Concept Paper in 2007, which was further developed and improved by an Expert Group Meetings (EGM) in May 2007 (AUC/AfDB/ECA-LPI, 2007a). With inputs gathered and assembled from the Africa regional consultative workshop and the EGM, the Concept Paper was enriched to

produce the Background Paper—African Land Policy Benchmarks and Indicators (hereafter referred to as the Background Paper) (AUC/AfDB/ECA-LPI, 2007b).

The Background Paper broadly discussed the process of developing benchmarks, indicators and targets to monitor progress in land policy development and implementing in Africa. Particular references were made to the importance of a communication strategy. Follow-up actions and measures toward the development of a tracking system were listed including assessment and evaluation of the proposed benchmarks, indicators and monitoring methodological framework taking into account various criteria. These criteria include consensus from African countries, resources constraints (human resources), data availability and others.

Based on earlier work undertaken by LPI and the guiding principles enshrined in the F&G, this document is designed to serve the development of the progress tracking system and periodic reporting mechanisms on land policy formulation and implementation in Africa. The initial draft document was presented during the EGM held in Addis Ababa from 8 to 9 December 2011 and benefited enormously from lively brain storming sessions. Particularly fruitful was the discussion on whether the monitoring system should be limited to the national level with a simple mechanical compilation of country reports at the continental level or a monitoring system that links the national with continental level. The other lively topic debated included the “conceptual differences” between “tracking system” and “proper monitoring and evaluation”.

With the above as a backdrop, the key objectives of this Background Document include the following key thematic areas:

- » To define and elaborate the key concepts and the significance of a tracking system in land policy formulation and implementation processes.
- » To propose a participatory tracking system (PTS) for monitoring land policy reform.
- » To propose a sound methodological framework to developing benchmarks and indicators for monitoring land policy including data collection and synthesis, and analysis and information dissemination.
- » To suggest recommendations to implement the proposed PTS including piloting of the proposed tracking system framework.



## 2. The Need For A Progress Tracking System For Land Policy Process

### 2.1 The Importance of a Progress Tracking System for Land Policy

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Land lies at the heart of social, environmental, political and economic life in all most all African countries. Most African countries rely heavily on agriculture and natural resources for a significant share of gross domestic product (GDP), national food needs, employment and export revenue (AUC-ECA-AfDB LPI, 2011). From the economic perspective, about 56.6% of the total labour force in Africa is engaged in agricultural labour (FAOSTAT, 2004). Since African countries gained independence, land and land-based resources have been the primary source of conflicts fuelling social and political instability.

As land and land-related resources are key to attaining sustainable development in Africa, land policy formulation and implementation are essential for attaining agricultural transformation and modernization. Against this backdrop, AUC, the United Nations Economic Commission for Africa (ECA) and the African Development Bank (AfDB) established LPI in 2006. During its initial phase (i.e. from 2006 to 2009), the LPI examined land policy issues, challenges and best practices in Africa with a view to developing a framework to strengthen land rights, enhance productivity and improve livelihood.

In 2007, LPI produced the Background Document on Land Policy in Africa, which chronicled key land issues in Africa and was used as a key framework for developing the F&G (AUC-ECA-AfDB LPI, 2011). It defined a set of guiding principles and land policy good practice benchmarks against which national land policies and institutions could be assessed and evaluated. Subsequently, the AUC/AfDB/ECA-LPI (2007a) produced the Concept Paper on monitoring and evaluation of land policy in Africa which elaborated possible indicators, benchmarks and a methodological framework for monitoring land reform in Africa. Based on the Concept Paper, an EGM was held to review and enrich the same in Addis Ababa from 3 to 5 May 2007. Finally, a Background Paper was prepared based upon three platforms: (i) the Background Document; (b) the Concept Paper of the EGM on land policy indicators; and (c) key messages and recommendations of the EGM held in May 2007.

The F&G, capitalizing on the above sources of information, underpinned the importance to establishing a proper tracking system to monitor land policy development and implementation in Africa (AUC/AfDB/ECA, 2009). It flagged the need to monitor and evaluate the impacts of the various components of land policy reforms in Africa, and to establish and institutionalize mechanisms to enable policy

makers and all stakeholders in the land sector to assess and deal with any such issues including those arising from processes which precede land policy implementation. The F&G stated the following on the significance of evolving a tracking system for land policy process in Africa (AUC/AfDB/ECA, 2009):

“... Experiences from other initiatives indicate that short of regular and systematic feedback on the successes, failures and institutional bottlenecks, no effective political remedy can be applied to readjust the whole land policy system. Feedbacks should systematically be documented and disseminated to all stakeholders.”

## **2.2 Purpose and Functions of a Progress Tracking System**

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The F&G outlined the following key functions for the proposed tracking systems for monitoring land policy formulation and implementation in Africa:

1. To make timely readjustments to the land policy development process.
2. To take appropriate measures to ensure the effectiveness and efficiency of land policies.
3. To learn from past successes and failures.
4. To disseminate local good practices for use at the national level.
5. To improve the quality of knowledge and build capacities for further monitoring and evaluation.
6. To serve and consolidate the participation and commitment of all stakeholders and development partners.
7. To enable governments to manage emerging issues and other incidental developments in the land sector in an organic and systematic way.

It further stated the following seven principles to be adhered to ensure the development of an effective tracking system for land policy development and implementation:

1. Assessing the extent to which the policy development or implementation process conforms to the initial design.

2. Matching the objectives of the land policy with the expectations of beneficiaries and with the main requirements for sustainable development. This principle guides tracking right from the development stage of a given land policy to its implementation.
3. Assessing the extent to which the objectives of land policy are achieved (e.g. objectives related to tenure security, equitable access to land, reduction of conflict, etc). This principle is a measure of the gap between the objectives and the results attained and it explains the observed differences, especially in regard to implementation.
4. Measuring the effectiveness of the use of resources. It assesses the extent to which the resources mobilized for the development and implementation of land policy have been rationally used to achieve satisfactory results with minimum inputs.
5. Assessing the sustainability of the land policy. It aims to verify whether benefits derived from the implementation of land policy are sustained and whether they can support further land reforms.
6. Measuring the direct and indirect (whether positive or negative) effects of the land policy on beneficiaries and natural resources.
7. Determining and assessing the overall coherence and consistency of the land policy. This involves three main elements: (i) internal consistency, i.e. the compatibility of the key components of the land policy to each other (customary rights/statutory rights, conservation purpose/economic objectives); (ii) Cross-sector consistency, i.e. compatibility with and conformity among the key sectors involved in land policy (forest, fisheries, agriculture, pastoral activities, mining, urban development); and (iii) inter-regional consistency, i.e. whether national land policies and synergies converge with regional development and policies.

To implement the above seven principles of an effective tracking system , the F&G states the following five key criteria should be adhered to:

1. The tracking system should be fully participatory, based on clear issues, questions, benchmarks, targets and indicators developed through a systematic and consultative process.
2. For the tracking to be effective, it should be based on transparency and good governance. Additionally, it should be iterative and systemic with adequate mechanisms for communication and feedback.

3. For the tracking system to be proper, it should be adaptable in time, space and geographic specificities.
4. To evolve realistic benchmarks, including datelines, the tracking system should be defined after a consultative process.
5. Relevant frequencies should be defined for different components of the tracking system. For example, input and impact indicators will not to be measured within the same timeframe. Input indicators could be measured annually while for budgetary constraints limiting the periodic impact assessment, the frequency depends on available information from research and similar sources. Change assessment arising from land policy implementation, such as effects on livelihood, economic activities and sustainable natural resources management would require a longer life span.

### 2.3 Initiatives for Tracking Land Policy in Africa

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Efforts taken so far to monitor land policy formulation and implementation in Africa are insignificant. Furthermore, whatever is available is not well documented. Notwithstanding the above, other fields have tracking systems which could support land policy development and implementation (AUC/AfDB/ECA, 2009).

Africa has a few significant national experiences, with respect to efficient and systematic tracking of progress in land policy development and implementation (AUC/AfDB/ECA, 2009). The key ones which developed and implemented national land observatories include Chad and Madagascar, whose experience might be adapted by other countries (AUC-ECA-AfDB LPI,2011).

Although at a nascent stage, government agencies and civil society organizations (CSOs) are undertaking promising tasks to monitor land policy reforms in partnership with government.

#### ***Box-2.1-The National Land Observatory of Madagascar***

“The Land Observatory is a governmental research-oriented agency whose mandate is to collect and provide information to land policy makers, to assess the progress, relevance, effectiveness and impacts of the implementation of the land reform process in Madagascar. As part of the objective of enhancing good land governance, the land observatory promotes information-sharing, transparency and accountability, multi-stakeholder consultations (government, private sector, civil society, etc.) and a participatory approach in designing, implementing and monitoring the land policy. In addition to quantitative monitoring of the progress of the land reform, the areas of research of the Land Observatory cover broader topics such as gender access, pro-poor strategies, decentralization, large-scale land acquisition, land tax, agriculture and pasture, urban land policy”.

*www.observatoire-foncier.mg (2011).*

To some degree, national and regional level experiences to monitoring land policy processes in Africa are practised either by CSOs, government agencies, or partnerships between CSOs and government

agencies and regional economic communities (RECs). These are illustrated by cases in Madagascar, Ghana, Kenya, Rwanda and the RECs for the West African countries.

In Madagascar, the government set-up the National Land Observatory in 2007 to collect, analyse and disseminate data to decision makers on programme results and impacts of the land policy reform process (see Box 2.1). In Kenya, the Land Development and Governance Institute (LDGI), a non-governmental organization (NGO), is actively engaged in promoting good land management practices and in formulating and implementing land policies in the region. LDGI has been playing an advocacy role for effective and timely implementation of the country's Constitution and the land policy framework (see Box 2.2). In Rwanda, the initiative underway between the Rwanda Initiatives for Sustainable Development (RISD) and the National Land Center (NLC) is symbolic of an effective partnership between civil society and government to monitoring land policy reform process (see Box 2.3).

In 2009 the member countries of the West Africa Economic and Monetary Union (WAEMU) reached a consensus to create a regional Land Observatory. This was to serve as a tool to observe, inform and guide land policy reform processes in member countries (Ouedraogo, 2009)

***Box-2.2-The Land Development and Governance Institute (LDGI) Initiatives on Land Policy Advocacy in Kenya***

In recognition of the advocacy role for effective and timely implementation of the constitutional and land policy, the LDGI developed "Score Card Initiatives" to provide a quarterly overview monitoring report on the implementation of the constitution and the national land policy. Tracking to be undertaken on four key areas: enactment of enabling legislation, establishment of new institutions, preparation/availability of implementation framework; and budgetary provision. LDGI launched this initiative in 2010.

*Source: www.ldgi.org.*

***Box-2.3-Partnership between CSOs and government organizations in Implementing land Policy/law in Rwanda***

The Rwanda Initiatives for Sustainable Development (RISD) is a CSO working on land policy research, networking and advocacy. In March 2011, RISD signed a memorandum of understanding with the Rwanda National Land Center (NLC), a partnership based on common objectives of fair and just implementation of the Land Tenure Regularization Process (LTRP) towards achieving poverty reduction, sustainable peace and for effective implementation of the Africa Land Policy Framework and Guideline. The effective partnership between the NLC and RISD synergize the effective work between government and CSOs in implementation and monitoring of the land reform process which is an important component of good governance and sustainable development.

*Sources: www.risdrwanda.org*

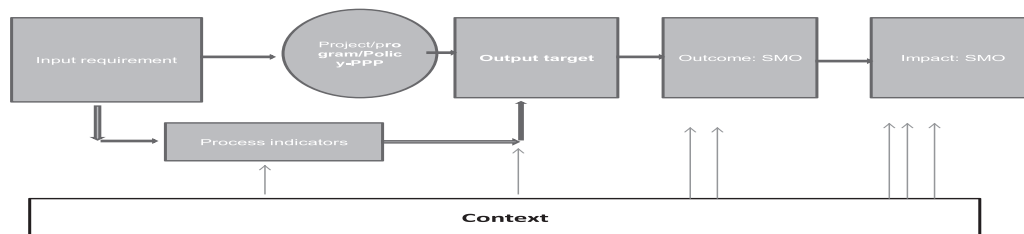
# 3. Key Concepts On Tracking System

## 3.1 Monitoring and Evaluation

A monitoring and evaluation (M&E) system is a tool to assess whether the intended objectives of the policy are achieved; a means to learn experiences, improve service delivery, allocate resources and demonstrate results as part of accountability to key stakeholders. The terms “monitoring” and “evaluation” often are used together. Monitoring is a function that uses systematic collection of data on specified indicators to inform management and stakeholders of ongoing development interventions with indications of the extent of progress and achievement of objectives and progress in the use of the allocated funds (OECD, 2002; World Bank 2004a). Monitoring is also understood as an ongoing activity that takes place during policy implementation to track (and adjust) the process as it is unfolding. Evaluation is a systematic and objective assessment of an ongoing or completed project, program or policy, its design, implementation and results. The aim is to determine the relevance and fulfilment of objectives, development efficiency, effectiveness, impact and sustainability (OECD, 2002; World Bank, 2004a).

To monitor sectoral public policy, IDEA-International (2002), distinguishes four steps in the impact chain and their causal relationship (see Figure 3.1). Moving from left to right, the social, economic, environmental, political and world context influence the results, making it difficult to establish a clear casual relationship between project/programme/policy (PPP) output and impact. In essence, the monitoring and evaluation of land policy reform aims to track progress made for part or the whole of the policy cycle, with the focus determined by the purpose and intent of the implementing agency. Based on the above definition, since the terms “tracking system” and “monitoring and evaluation system” connote the same definition, in this report both terms are used interchangeably.

**Figure 3.1. Policy impact chain analysis**



SMO: S = specific; M = measurable; O = objective.

PPP: project; programme; policy.

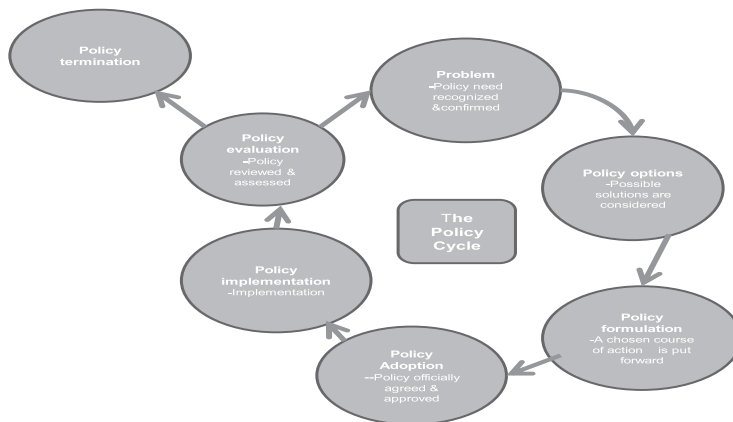
## 3.2 The Policy Cycle

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The F&G defined land policy as a set of agreed principles to govern ownership (or access to), use and management of land resources to enhance productivity and contribute to social, economic, political and environmental development and poverty alleviation (AUC/AfDB/ECA, 2009). Broadly, the key purpose of land policy reform in Africa is to secure the rights of all land users and to achieve multiple and intertwined goals including equity, poverty reduction, income growth, economic efficiency and sustainable environmental management. The nature and content of land policy is cross-sectoral with direct bearing on the economic, social well-being, environment and governance sectors and cross-cutting issues impinging on the environment, poverty and social well-being. Land policy affects diverse interest groups; therefore interest groups and individuals intervene in determining the content of the policy. Policies are often implemented via multiple programmes and projects involving a chain of causes and effects.

The “policy cycle” is a tool used to understand the life cycle of single policies. The policy cycle is a useful tool since it draws attention to the different stages involved in the policy process. Although there are different versions of the policy cycle, each determined by the emphasis and focus, the most common one is shown in Figure 3.2 (CAFOD, Christian Aid and Trocaire, 2006). Depending on need and purpose, policy monitoring may take into account the entire policy cycle with considerations of all elements shown in Figure 3.2. However, policy monitoring may focus on one part of the cycle: policy formulation, implementation or evaluation. Many policy monitoring initiatives, however, focus more on the elements shown in the left side of Figure-3.2, the results. This focus tracks what happens once the policy has been adopted: tracking how it is implemented and what is achieved. The policy cycle (Figure 3.2) also sheds light on where monitoring should be focused and the roles of different stakeholders: land users, government agencies, civil society organizations (CSOs), and academic and research institutions.

**Figure 3.2. The policy cycle**



**Source:** CAFOD, *Christian Aid and Trocaire* (2006).

The term “policy process”, which is similar to “policy cycle”, refers to the series of actions involved in making policy or decisions, and how to put issues on the agenda as a matter of public concern, along with the often intangible processes of how issues are thought and talked about (Keeley, 2001). Policy process encompasses:

- » Formulation, involving information gathering, analysis, stakeholder consultation and decision making.
- » Implementation, generally involving a set of legislation, regulations and institutions to achieve the goals of policy.
- » M&E of the formulation and implementation of policy.

Theories on policy process/policy making are varied and may involve linear or non-linear models.

### 3.3 Indicators

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An indicator is defined as: “Quantitative or qualitative factor or variable that provides a simple and reliable means to measure achievements, to reflect the changes connected to an intervention, or to help assess the performance of a development actor” (OECD, 2001). Indicator development processes are key to establishing a monitoring system since these processes drives all the subsequent data collection and analysis methodologies and reporting (World Bank, 2004a).



Key in the indicator development process is its ability to reflect the situation on the ground and availability of data. A World Bank (2004a) report noted that indicators to be selected and the data collection strategies to track the indicators need to be grounded in the realities of the data systems in place, what data can be produced and what capacity exists to expand the breadth and depth of data collection and analysis.

The involvement of key stakeholders in the indicator development process is critical to the process of developing PTS. Among others, the key elements to be addressed include defining who uses the information and for what purpose. In the past, conventional M&E systems imposed indicators and the methods but neglected the interests of the end users, casting doubt on the sustainability of the indicators and the methods and depriving the local learning process of its impacts. The involvement of key stakeholders during the process of indicator development is crucial. It involves a series of consultations and discussions to determine the best possible indicators for the interests and needs of different stakeholders and results in a participatory system. The key stakeholders during the land policy reform process include government staff, policy makers and land user groups (including smallholder farmers and pastoralists/agro-pastoralists), the private sector and urban dwellers.

A monitoring framework with a focus on the whole policy cycle involves developing relevant indicators for the whole policy process in a causal chain process: “input” to “outcome” levels. Indicators based on the policy process are described below.

- i. Impact indicators: These measure the change and serve as signposts, milestones and benchmarks, which help measure progress and achievements towards the stated goals and long-term objectives of the land policy. They are often derived from land policy documents or from other pertinent documents that elaborate the land policy. Due to the complexity of the land reform issue, the common impacts of land policy on livelihood improvement, improved food security or environmental sustainability may not be direct and linear. The Policy Impact Analysis Model is thus required to evaluate and assess the contribution from land policy intervention.
- ii. Outcome indicators: Measure changes in “use of products”, “activity”, “behaviour” or “attitude” after the delivery of the products and services, which are put in place after execution of the output, that is after the land policy is implemented. Examples include perception in tenure security, access to land, transactions in land market, improved land management practices, reduced land conflict and others.
- iii. Output: Indicates goods, services, knowledge, and enabling environment delivered during implementing the land policy (as a result of activities undertaken). Services and

goods provided by a land administration system include land certification, dispute resolution mechanisms and others.

- iv. Activity: Activities are variables that describe functions to be undertaken and managed to deliver the land policies/laws output to the targeted beneficiaries or participants. This typically refers to training in multiple land related areas, required to produce the required output.
- v. Input: This describes the financial, human and material resources, policy/legislation instruments and principles adopted to implement land policy. Examples of input principles include participation, governance, building on existing initiatives and others which need to be incorporated while formulating and developing the land policy.

Tracking progress at the output level, measures the “efficiency” of the land administration system. Efficiency is defined as a measure of how economically resources/inputs (i.e. funds, etc.) are converted to results (OECD, 2002). The process of how the output yields the outcome level results is often termed as “effectiveness”, defined as the extent to which the development intervention’s objectives were achieved or expected to be achieved taking into account their relative importance (OECD, 2002; World Bank, 2004a). “Sustainability” refers to the continuation of the long-term benefits as a result of policy interventions, often measured by institutional, technical and financial parameters.

### **3.4 Baseline**

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“Baseline” refers to the first measurement of an indicator which sets the current conditions against which future change can be tracked (World Bank, 2004a). It provides evidence by which decision makers are able to measure subsequent policy, programme or project performance (World Bank, 2004a). Clarity of the purpose and functions of the baseline is a prerequisite for proceeding to collecting data on the baseline conditions. What should the baseline focus on? At what level should the baseline data focus: outcome or impact level indicators or the whole policy cycle?

The information required to establish the baseline data not only present a challenge for management decision-making but also hinders evaluation efforts including conducting rigorous impact evaluation without solid baseline data (USAID, 2010). In the absence a baseline data, the selection of indicators is necessarily based upon what is available rather than what is desirable; such compromise weakens the value of indicator-based studies (SGSR, 2008).

In some circumstances when no prior interventions and activities have been undertaken or during the creation of new goods or services, the baseline could be zero. In other focus areas, where the

initial baseline data are not gathered, it could be derived from other sources. The following are some scenarios which are useful to establish the baseline conditions:

- » If the principles of best practices such as “participation” are not practised during the formulation of the new land policy, the baseline condition for input indicators could be considered as zero.
- » If the output of the newly implemented land policy/legislation is the number of title certificates issued to the beneficiaries, where there are no previous outputs of this sort the baseline could be considered as zero.
- » If increased/enhanced tenure security is one of the land policy/legislation objectives, its corresponding baseline indicators might be: “the percentage of households who perceived improved tenure security”. The corresponding baseline indicator may read: “75% of the households felt insecure about their holding during the baseline year”.

Different data collection methodologies could be used to generate the baseline data either for specific parts of or the whole policy cycle. To maximize resource use efficiency, if baseline data exists before the start of the land policy process, existing data should be used. If additional data are required, these should be collected, ensuring that the data collection methodologies remain the same.

### 3.5 Target

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Target refers to the specific, planned level of results to be achieved within an explicit time frame, while baseline connotes the value of performance indicators before the implementation of projects or activities (USAID, 2010). Target serves as a guidepost for monitoring whether progress is being made on schedule and at the levels originally envisioned. It promotes transparency and accountability by availing information on whether results have been achieved or not over time. Targets are expressed either in quantity of the expected change or quality of the expected results (e.g. public opinion, perception on tenure security, etc.) or efficiency in producing the results (i.e. cost and time as a unit of measurement).

Timeline, the required time to achieve the target set for different stages of the policy cycle, varies considerably. Attaining the targets set to achieve impact requires a longer time frame, perhaps 3 to 5 years post-implementation of the land policy/legislation. Targets at the outcome level may be accrued 1 to 2 years after the baseline year. Input targets, as they refer to institutional reforms, budget allocation on land policy reform process, and the time frame to draft the land policy/law, however, could be tracked and monitored annually.

Important factors to be considered when setting targets include availability of resources, the implementation period and the development hypothesis implicit in the result framework. The level of funding, human resources, material goods, and institutional capacity influences the expected changes to be achieved. There is no single best approach to use in setting a realistic and achievable target; the process is an art and science (USAID, 2010). The preferred approach is to start from the baseline information and project the expected target by reviewing historical experiences from similar projects and programmes, soliciting opinions from expert judgment, considerations of stakeholder expectations and benchmarking.

### 3.6 Benchmarking

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Recently the concept of benchmarking has changed somewhat. The benchmarking approach has been increasingly used to set targets and to compare the performance of land administration systems within and across countries (FIG, 1995; Steudler and Williamson, 2001; Kaufmann, et al., 2002).

The AusIndustry-Best Practice Program (1995) defined benchmarking:

An on-going systematic process to search for and introduce international best practice into your own organization, conducted in such a way that all parts of your organization understand and achieve their full potential. The search may be products, services, or business practices and processes of competitors or those organizations recognized as leaders in industry or specific business process that you have chosen.

Benchmarking allows the project to measure the success of cadastral reforms in a given country or organization by clearly defining indicators against generally accepted benchmarks/best practices, functions and processes. It is an approach which serves to improve the efficiency and effectiveness of the land administration services and functions. The International Federation of Surveyors (FIG) adopted a General Benchmarking approach to compare functions and processes of different national cadastral systems (Steudler and Williamson, 2001). The benefits of benchmarking in land administration include:

- » Facilitating cross-country comparisons of land administration performance;
- » Providing a basis for comparison over time;
- » Demonstrating the strength and weakness of land administration systems;
- » Justifying why a country should improve its land administration system and identify areas/priorities for reform;
- » Helping draw links to other issues and sectors (finance, governance, environmental, social, etc.);

- » Justifying an investment to improve ; and
- » Monitoring improvements.

Notwithstanding the significance of benchmarking, so far no standard approach has been established in the international land administration community (Stuedler and Williamson, 2001; Stuedler, 2005). Best practices in land administration vary from country to country and even within a country due to differences in socio-economic status, tenure and cultural situations. More focused on a formal tenure regime, FIG developed benchmarking principles to evaluate the performance of land administration systems based on information derived from European countries (FIG, 1995). More recently, the World Bank used benchmarking principles to assess and compare the efficiency and effectiveness of land administration systems among 17 countries in the world (World Bank, 2007 B). The framework adopted qualitative indicators to compare customary tenures and quantitative indicators for formal tenure system. The quantitative indicators for formal tenure were defined based upon the best practices criteria suggested by FIG (1995).

In Africa efforts to establish benchmarking to monitor the performance of land administration systems is in its early stages. Augustinus (2003) listed several best practices in light of the influences of poverty reduction strategy programmes (PRSPs) on land administration (i.e. decentralization, participation, etc.) and growing demand to adopt pro-poor technical design. The Pan-African land policy framework urges African Member countries to adopt and implement a set of land policy good practice benchmarks framed and structured under six thematic areas: protection of land rights; transparency in land administration; improvement in land administration; improvement in land access and distribution; land management in conflict and post-conflict situations; and prioritization of land issues in development planning (AUC-ECA-AfDB LPI, 2011).

# 4. Review Of The Existing Monitoring And Evaluation Systems

## 4.1 Monitoring Framework

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The methodological framework for any M&E system primarily depends upon the purpose and intent. The commonly used monitoring framework is a structured approach that allows logical structuring of components and issues; establishes possible cause–effect logic between a sequence of steps and actions; and offers a monitoring report format, which is clear and structured. Multiple inter-governmental organizations (IGOs) and international development initiatives use either a results based management (RBM) framework or a simple thematic-based approach. Many IGOs including the World Bank and the United Nations Development Programme (UNDP) often adopt and use RBM to assess country-specific development programmes or, a simple thematic/dimensional/issue-based framework approach to assess specific issues and elements to be compared across countries at global level. The recent Land Governance Assessment Framework (LGAF) developed by the World Bank is based upon thematic structuring of issues and dimensions to be assessed and monitored. UN-Habitat and Transparency International have adopted a simple thematic framework to monitor performances across countries; their aim is to assess theme-specific issues and dimensions. The United Nations Environment Programme (UNEP) adopted the Driver-Pressure-State-Impact-Response (DPSIR) framework to assess environmental sustainability. This framework was later adopted by NEPAD to assess environmental sustainability in Africa (Africa Environmental Outlook, AEO).

Many international development programmes in Africa resulting from global initiatives such as PRSPs, Country Sustainable Land Management Investment Framework (CSLMIF) and the Comprehensive Africa Agriculture Development Programme (CAADP) often used the RBM framework, the indicators and targets reflecting country-specific situations and the system to be implemented by the host country. In the discussion below, brief reviews are presented on existing M&E methodological frameworks pursued by multiple IGOs and large development programmes initiated at global level with a focus to African countries.

## 4.2 International organizations

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### 4.2.1 *The World Bank*

The World Bank evolved multiple methodologies aimed at tracking and monitoring sector-specific and cross-sectoral agenda and issues. The relevant ones are discussed below.

(a) **Performance-based M&E System:** This approach is powerful for tracking progress and demonstrating the impacts of a given project, programme or policy (World Bank, 2004a). The Performance-based Framework consists of a complete matrix of outcomes, indicators, baseline and targets. Indicators are developed following inputs, output, outcome and impact framework, which is basically similar to the Logical Framework Approach (LFA).

(b) **Land Governance Assessment Framework:** The Land Governance Assessment Framework (LGAF) is perhaps the most comprehensive framework in monitoring land governance issues at the global level. The framework developed indicators on land governance matters under six thematic areas: legal and institutional framework; land use planning; management and taxation; management of public lands; public provision of land information; and dispute resolution and conflict management (World Bank, 2010). Under the six thematic areas there are 21 land governance indicators (LGI) and each indicator has between 2 and 6 dimensions. Indicators on legal and institutional framework, management of public lands, and public provision of land information and dispute resolution and conflict management thematic areas are highly relevant to current initiatives by African countries to monitor land policy reform. The prime data sources for the indicators are expert analysis and panels of experts, where the panels of experts rank the dimensions. The Public Expenditure and Financial Accountability (PEFA) technique is used for data analysis. The aggregate indicator score is based on averaging the combination of individual scores into overall score (dimensions weighted equally), however, different weights can be used if justified.

### 4.2.2 *United Nations Development Programme*

Since 1999, in a shift from implementation based monitoring, UNDP adopted the RBM approach as a framework for M&E, to track and measure the performance of UNDP development interventions and strategies and their contribution to outcomes (UNDP, 2002). The main objectives of the RBM include (UNDP, 2002):

- » Enhancing organizational and development learning;
- » Ensuring informed decision making;
- » Supporting substantive accountability and UNDP positioning; and
- » Building country capacity in each of the above areas, and in M&E in general.

UNDP also developed the Human Development Index (HDI) in 1990 as a way to measure human progress and the quality of life to be used at the global level. The index measures the average achievement of a particular country in three basic dimensions of human development: a long and healthy life; access to knowledge; and a decent standard of living. HDI is the geometric mean of normalized indices measuring achievements in each of the above dimensions (UNDP, 2010). The index is expressed in terms of numerical indicators that permit inter-country and inter-temporal comparisons.

#### ***4.2.3 Food and Agriculture Organization of the United Nations***

Monitoring Policy Impact (MPI): The Food and Agriculture Organization of the United Nations (FAO) developed the MPI framework (FAO, 2005). The framework is used as a policy management instrument applied to improve the efficiency of policies in reaching their objectives. MPI is applied to assess macro and sectoral policies, such as sector investment, market reform, irrigation, food security or gender policies. It can also be applied to trace the specific effects of policies which are regarded to be of a particular importance. The MPI framework adopted the LFA mainly in two steps in the whole MPI process: (1) the development of an impact model; and (2) for identification of impact sequences for the policy to be monitored.

#### ***4.2.4 International Fund for Agricultural Development***

The International Fund for Agricultural Development (IFAD) adopted the Performance-Based Allocation System (PBAS) to evaluate programmes and projects to allocate resources. The system collects indicators on land-related legal frameworks, access to land by poor and vulnerable households, tenure security, land market functioning and management of common property in rural areas. The key data sources for most of the data are generated through expert opinion.

#### ***4.2.5 UN-Habitat***

UN-Habitat mainly elaborates household survey groups together with expert opinions on tenure security to property in urban areas. The goal is to monitor progress on Target 11 of the Millennium Development Goals (MDG) (i.e. Improvement of the lives of at least 100 million slum dwellers by 2020).

#### ***4.2.6 Transparency International***

In collaboration with FAO, Transparency International has gathered information on questions on land sector corruption in surveys for the Global Corruption Parameters since 2009.

#### ***4.2.7 Organisation for Economic Co-operation and Development***

One key model developed by the Organisation for Economic Co-operation and Development (OECD) to assess environmental sustainability is the Pressure-State-Response (PSR) model/framework developed in 1990s (UNEP, 2003; UNDP, 2005). Recently, the framework was modified to the Driver-Pressure-State-Impact-Response (DPSIR) framework (OECD, 2001). The key concept behind the



framework is linking the quantity and quality of natural resources and the environment to the factors affecting it and the responses to ensure environmental sustainability.

#### **4.2.8 Commonly Used Methodological Framework**

The LFA was evolved in the 1960s as a tool for planning, monitoring and evaluating projects, programmes and policies. Since the United States Agency for International Development (USAID) adopted LFA in the late 1960s, the framework has been further developed by several development agencies including UNDP, UNEP, OECD, IFAD, the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) of Germany among others.

Generally, LFA is simply a tool which provides a structured framework for specifying components of activity with logical linkages between a set of means and a set of ends. A direct cause-and-effect relationship is presumed between activities, inputs and purpose of a project/programme, which is expressed in terms of an IF-THEN relationship, however, the relationship between purpose and goal is less direct and causal due to many exogenous and endogenous factors (GIZ, 1997; World Bank, 2000). The log-frame format offers a suitable approach to set out and structure policy objectives, policy measures and related impact indicators, and for policy review and analysis (FAO, 2005). Logic models such as Behaviour, Determinants and Interventions (BDI), LFA or Kellogg model are useful and advantageous approaches for policy evaluation, as they require policy makers to think through objectives, outputs and targets in a systematic manner that significantly increases the potential for effective evaluation (Yaron, 2006). The log-frame approach is equally applicable at project or policy level (SGSR, 2008). To monitor the effect of land reform in rural Scotland, the Scottish Government Social Research Group (SGSR) used the Sustainable Rural Livelihood Framework (SGSR, 2008).

### **4.3 Africa**

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Many global initiatives aim to achieve sustainable development and poverty reduction at global level, including in Africa. Most African countries are part of the international initiatives, organizations, or blocks to attain the desired socio-economic, political and security benefits. Below are reviews of some key development programmes underway in Africa.

**i. Millennium Development Goals (MDG):** Adopted by UN as global initiatives (UN Millennium Summit held in 2000), the MDG set 8 goals, 18 bounded targets and 48 quantitative targets. The data source for each indicator and quantitative value of the indicators is decided by consensus among the key stakeholders of a particular country, especially the national statistical system (UN, 2003). The MDG contain some elements of Result-Based M&E approach (World Bank, 2004a). Of the eight goals, MDG1 (i.e. Eradication of extreme poverty), MDG3 (i.e. Promoting gender equity

and empowerment of women) and MDG7 (i.e. Ensuring environmental sustainability) are the most relevant to land tenure security and land governance issues.

Notwithstanding the above, assessing the progress towards environmental sustainability of MDG7 has proved to be a challenge for many countries (UNDP, 2005). Key issues and challenges in monitoring and reporting country-specific progress towards achieving MDG7 include the following (UNDP, 2005):

- » MDG7 lacks a framework or a means of integrating different components of environmental sustainability (e.g., availability of arable land, productivity of fish, etc.). This problem is exacerbated at the national level if countries mechanically adopt global sets of indicators without explicitly linking them with the national priorities and policies, local context, and sub-national or ecosystems specificities.
- » Unlike other goals, MDG7 has neither universal standard quantitative targets nor universal understanding.
- » The global framework indicators, while providing essential information on global responses, are often of limited relevance to developing countries, as they do not always capture national and local priority issues and usually need to be complemented with country-specific targets and indicators.
- » Lack of financial and institutional capacity, lack of targets and indicators relevant to the specific country conditions and goals, and data problems including inaccessibility, lack of affordability, lack of reliability and quality assurance.

For effective country-level monitoring and reporting on progress made under MDG7, among others, the following proposals are the suggested (UNDP, 2005):

- » To draw on existing environmental targets and environmental information and monitoring system: Country-specific targets should be established for MDG7 drawing on and harmonizing with existing country-specific targets, frameworks and strategies for sustainable development, such as the national sustainable development strategies, poverty reduction strategies, national conservation strategies, etc.
- » Links to specific outcomes: Targets for environmental sustainability should relate to pressure on the environment, the state of the environment or responses to environmental pressure and conditions, reflecting PRSP of the specific country.

**ii. National Poverty Reduction Strategy (NPRS):** Initiated in 1999, the NPRS is linked to globally agreed development goals for 5 to 10 years. The agreement calls for participating countries to adopt and use an M&E system with a set of measurable indicators to track progress. Most African

countries participated in these global initiatives and implemented them. More than 30 African countries prepared an interim or final Poverty Reduction Strategy Programme (World Bank, 2007a).

One of the key challenges in implementing the M&E system in developing countries is the unmanageability of the too many indicators in the system. For example, one of the key challenges to monitoring the poverty alleviation strategy in Tanzania is monitoring and tracking 60 indicators, which are too many to handle (Dall-Clayton and Steve, 2006). A balance should be struck between what should be and can be measured. Generating a continuous flow of information and performing monitoring analysis in the result chain process has been a real challenge to implementing the M&E system.

The PRSP defines medium and long-term goals for poverty reduction outcomes (monetary and non-monetary), establishes indicators of progress, and sets annual and medium term targets. The indicators and targets must be appropriate given the assessment of poverty and the institutional capacity to monitor... a PRSP would (also) have an assessment of the country's monitoring and evaluation systems (World Bank, 2003).

Notwithstanding the implementation of PRSP in many African countries, comprehensive lessons to be drawn from M&E of the PRSP at the country and continental level are sketchy.

The NPRS as a cross-cutting programme influenced the emerging new land policy reforms in Africa. Emerging relationship between the NPRS and land administration included (Augustinus, 2003):

- » Decentralized local administration offices;
- » Cheap/free titles/rights or tenure protection for the poor;
- » Information campaign at the national level about people's land rights;
- » Transfer of information about land rights during titling and how to obtain them;
- » Adjudication procedures that also protect the occupants of the land not just those being titled or holding registered titles;
- » Removal of land professionals from routine operations to management;
- » Incremental upgrading over time;
- » Adaptation of conventional land registration systems to accommodate the poor and other forms of legal evidence used by the poor to protect their assets;
- » Protection of woman land rights;
- » No systematic titling;
- » No rigid boundaries in customary areas;
- » Avoidance/delay of adjudication of individual rights; and
- » Development of spatial information systems as public good for the delivery of economic and social benefits.

**iii. Comprehensive Africa Agriculture Development Programme:** CAADP is an initiative of NEPAD to accelerate growth and reduce mass poverty, food security and hunger among African countries. CAADP adopted and used the RBM approach to monitor and evaluate the programme (ReSAKSS, 2010).

**iv. Africa Environment Outlook:** To achieve the objectives of NEPAD and to make progress towards meeting the MDG targets, the African Ministerial Conference on the Environment (AMCEN) was established in 1985. Its key objectives are to enhance regional cooperation in environmental policy responses and on technical and scientific activities to minimize degradation and to place a premium on the environmental goods and services which are essential to achieve sustainable development. AMCEN endorsed the Africa Environment Outlook (AEO) reporting initiatives in 2000. The AEO serves as a flagship report which tracks regional environmental State-and-Trends as well as emerging issues using DPSIR model (UNEP, 2006).

**v. Country Sustainable Land Management Investment Framework (CSLMIS):** African countries with support from the World Bank, FAO, GTZ and other donor agencies devised a programmatic approach to address the problem of land degradation and promote sustainable land management. Country programmes were launched in late 2007/2008 with implementation periods of 10 years. Land policy and land administration, among others, are among the pillars contained in the framework. For M&E of the country programme, a customized Result-based framework, which is based upon the causality of chain, was adopted (TerrAfrica, 2009).

**vi. The African Peer Review Mechanism (APRM):** Structured under NEPAD, the APRM was established in 2003, as an instrument which is voluntarily acceded by member states of the African Union (AU). APRM serves as a self-monitoring initiative for good governance across four thematic areas: democracy and political governance; economic governance and management; corporate governance; and socio-economic development. Its mandate is to ensure that the policies and practices of participating countries conform to the values, principles, codes and standards enshrined in the declaration on democracy, political, economic and corporate governance. Of the current 53 AU member countries, 29 have already acceded to the APRM (Transparency International, 2009). The APRM review process includes individual country self-assessments based on questionnaires, expert review teams and on-site visits by an expert review team which consults with government, private sector and civil society representatives (APRM, 2007). The process also involves active plenary discussions, revision and publication of country reports and national action plans (Transparency International, 2009).

Via the APRM, each participating country is reviewed every 2 to 4 years. The mechanism contains 91 indicators in the 4 thematic areas (Transparency International, 2009). It is structured from country to continental levels, where the Country Review Report is submitted to the African Peer Review Forum (APR-Forum), which is the African Union Summit or NEPAD steering committee. The review process

involves preparing a country's self-assessment report and draft country programme of action followed by a country review mission, compilation of a country report and submission to the APR-Forum. However, the major challenges confronting the continental APRM are how to advance the APRM process, the effectiveness and appropriateness of the APRM instrument (e.g. Memorandum of Understanding, questionnaires, standards, criteria and methodologies used), the structure for post-review follow up including M&E (APRM, 2007). The land policy initiative, an evolving tracking framework on land policy reform in Africa, could be integrated and harmonized within the APRM structure, as cutting across the four thematic areas covered by APRM.

**vii. The Sustainable Development Report on Africa (SDRA):** ECA commonly used thematic composite indices to measure progress and achievements made by African countries in various spheres of development. Common indices include the Overall Sustainability Index (OSI), Economic Sustainability Index (ESI), African Governance Indicator (AGI) and the African Gender and Development Index (AGDI).

SDRA was launched in 2004/2005, as a biennial ECA flagship publication to provide a comprehensive analysis and assessment on the status of sustainable development (i.e. containing three mutually reinforcing and interconnected pillars of sustainable development: economic, social and environment) in Africa to assess progress made by African Member States in implementing the declarations passed by the World Summit for Sustainable Development (WSSD) (ECA, no date). It is a synthesis report at the continental level aimed at promoting balanced sustainable development by chronicling the status of development in the region using overarching social, economic, institutional and environmental indicators (ECA, 2011a).

To assess the progress on sustainable development in the region, an initial set of indicators was developed for the four dimensions of sustainable development (social, economic, environmental, and institutional) with separate sustainability indices for each dimension. This leads to gradually developing a sustainable development index for the whole of Africa (ECA, no date). To prepare the first report (SDRA-I), 2004/2005), a list of themes comprising a total of 41 indicators was defined under each pillar, based on a thematic framework framed under the four pillars (ECA, no date). The key data sources used included government organizations, IGOs and the database established by the Food Security and Sustainable Development Division (FSSDD) of the ECA covering about 53 African countries and the 5 sub-regions. All indicators were reported for 1990 to 2004, the reference year being 1990, to monitor progress towards achieving internationally agreed development goals (ECA, no date). For SDRA to be institutionalized at national level, the institutionalization of the National Council for Sustainable Development (NCSD) was proposed. This was supposed to be located at an appropriate level within the government administrative structure (ECA, no date). Lack of data and standard definitions of key terms were cited as key challenges in preparing the report.

After 2004/2005, the methodological framework for the preparation of SDRA was modified over time based on reviews of the past SDRA and experiences drawn from global and continental levels and other relevant initiatives on M&E work on sustainable development. Unlike for SDRA-I, a combination of analytical/system-based and theme-based approaches were used to prepare SDRA-IV (ECA, 2011a). For the preparation of SDRA-IV, the Pressure-Response-Effect-Mitigation analytical framework was used to monitor progress towards sustainable development (ECA, 2011a). Indicators were developed for pressure, response, effect and mitigation, and those for tracking changes in governance and state of capital assets for each priority theme (ECA, 2011a). A total of 32 core indicators covering less than 15 thematic areas were used to assess progress on the four pillars of sustainable development and to address the information needs of different target audiences (ECA, 2011a). The key data sources for most of the indicators were from multilateral organizations such as the World Bank, the United Nations Children’s Fund (UNICEF), the World Health Organization (WHO) and global development initiatives primarily from MDG (ECA, 2011b).

#### **4.4 Initiatives by Civil Society Organizations**

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Africa has multiple civil society organizations (CSOs) working on land tenure security and access to land issues at country, regional, continental and global levels. Their prime purpose relates to advocacy, simulating dialogue and promoting democratic governance. The International Land Coalition (ILC) is a global platform of inter governmental and civil society organizations, actively engaged in assessing and conducting studies on land tenure security, access to land and indicator development processes relevant to local contextual situations. It has an Africa regional node which is hosted by the Rwanda Initiative for Sustainable Development (RISD).

The Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) initiated in 2010 “Land Watch Asia”, a land reform monitoring project, designed to develop CSO-led land monitoring framework for the region. The monitoring framework was piloted in three countries: Bangladesh; Indonesia; and the Philippines (ANGOC, 2010). The framework is based on land tenure and access to land variables; the eventual plan is to develop a Land Reform Development Index (LRDI) to allow comparability across countries in Asia.

In African context, a limited number of CSOs with varied purposes and objectives are active on land issues. These include NGOs, farmer organizations, universities, research institutes, think-tanks and media. The media play a key role in M&E in several ways including both as users and producers of M&E information. In Africa, CSOs have a significant role in advocacy on land reform primarily focusing on vulnerable groups through national NGOs, professional societies, think-tanks and women’s organizations (Ghimire and Moore, 2001; AUC-ECA-AfDB LPI, 2011). Though information on the subject is limited, LDGI in Kenya and the Rwanda Initiative for Sustainable Development (RISD)

in Rwanda and GRAF (Groupe de Recherche et d'Action sur le Foncier) in Burkina Faso are typical examples (see Section 2.3). To promote advocacy for the effective and timely implementation of the Constitution and the land policy in Kenya, LDGI provides a regular assessment report on progress for the wider public based on the Score Card approach (LDGI, no date).

## 4.5 Views and Lessons from Global Frameworks and Indicators

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Existing indicators on land issues developed either by IGOs or international initiatives, although with extensive coverage and focus on legal framework and on process levels, are far from being sufficiently comprehensive and pay less attention to outcome/impact levels. Prime data sources for indicators which are globally focused tend to rely on official statistics collected by governments or expert assessment methods (Bending, 2008, 2010). General views and critiques of land indicators developed by IGOs, which often are used at the global level, (Booth and Lucas, 2001a, 2001b; IEG, 2004; World Bank, 2004a; Bending, 2008, 2010; UNDP-OGC, 2009) include:

- » Data sources for most indicators tend to rely on expert panel assessment or statistics collected by governments. These, though advantageous in terms of cost and time, have disadvantages in terms of reliability and credibility, particularly on controversial issues such as land conflict or landlessness.
- » Data collected by IGOs is biased towards assessing the legal framework component and its implementation and outputs of the policy.
- » Globally-focused initiatives use few, simple, globally comparable indicators, which may evade or hide country-specific/local contextual conditions. Indicators that are effective and meaningful for local use may lose significance when aggregated at continental and global levels.
- » Indicators are more focused on the formality of the tenure system, rather than on the actual security of tenure (e.g. the IFAD indicator on access to land largely encompasses formal aspects such as law, land titling, land markets, etc.).
- » Indicators are often developed from the top, omitting the participatory elements; hence the lack of ownership of the system.
- » In African countries M&E of PRSP misses performance evaluation in the result chain (i.e. government activities, outputs, outcomes and in-depth evaluative evidence linking government action to actual result).
- » In many cases, national monitoring systems are principally designed to meet the donor data requirements.

From the review of the above global level experiences, considerable lessons could be drawn and tapped providing a useful ingredient for developing an appropriate tracking system for land policy reform in Africa. Key lessons and experiences include:

- (a) Several international initiatives on development programmes adopt either the Result-Chain or a version of it to monitor multiple development programmes.
- (b) Depending on the purpose and need, the theme/issue-based, result chains/causal chain or a combination of both approaches could be used to develop the tracking system.
- (c) A monitoring framework based on LFA, which elaborates processes as a chain of causes and effects, is more plausible to track progress on the land policy reform process.
- (d) The need for more surveys and research to develop indicators at outcome and impact levels for both customary and formal tenure regimes across the continent taking into account variations in legal framework, tenure history and other factors.
- (e) Indicators which are being developed on land administration by international organizations such as LGAF have the potential to be used at continental and country levels. However, this is subject to review before the indicators are adopted.
- (f) The monitoring framework should be simple and manageable and with a low demand for resources. It should therefore adopt a limited number of indicators.
- (g) For a monitoring system to be relevant, useful and sustained, it should be based and build on the existing national monitoring system. However, it should be strengthened and capacitated to serve the needs both at the national and continental levels.
- (h) Enhancing the involvement and participation of CSOs is necessary to effectively implement and sustain the monitoring framework.
- (i) Capitalizing on the experiences and lessons on monitoring land policy reform process initiated through a partnership between CSOs, government organizations and the RECs would immensely benefit to developing a workable tracking system.
- (j) Relevant land related indicators and their associated data sources established for monitoring various continental level development programmes such as the thematic areas under APRM , SDRA and AEO could be reviewed examined, and adopted for tracking land policy reform processes.



# 5. Brief Perspectives On Land Reform Issues

## 5.1 Overview

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For the tracking system to be relevant and useful, it should be articulated with and reflect country-specific situations underlining the diversity among African countries in land policy formulation and implementation processes. Land reform programmes differ and data availability and accessibility varies from country to country. The tracking system therefore is meant to provide inputs in framing the national monitoring system rather than to supersede what each country is implementing. The key land related issues and indicators at the national level will be developed and linked at the continental level despite the diversity among countries. The common issues and indicators to be developed at the continental level will be synthesized and compiled, as a prerequisite for comparing and eventually creating an index.

This chapter presents a general discussion on the land reform status and progress on new land policy reform in African countries. A related but equally important matter includes building consensus on common definitions for important tenure terms, some of which need to be developed during the process. In this document, the definitions of tenure terms included in the F&G document were adopted; for some terms which have no standard definitions tentative definitions were adopted from available relevant literature (Schlager and Ostrom, 1992; FAO, 2003) and for some tentative working definitions were created.

## 5.2 Important Tenure Regimes and Issues

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Although important land policy issues vary across countries, the five common land related issues identified by the LPI for the whole continent are: (a) state sovereignty over land; (b) legal pluralism; (c) gender bias in access to land; (d) land tenure security; and (e) land and conflict AUC-ECA-AfDB LPI, 2010a). The region-specific land policy related issues are (AUC/AfDB/ECA Consortium, 2010a):

- » West Africa: Migration and regional integration;
- » Island States: Environmental issues and impacts of climate change on land;
- » Southern Africa: Historical injustice and unequal distribution of land;
- » Central Africa: Land and natural resources including forest and land rights for indigenous peoples;

- » East Africa: Foreign investment effects on customary based land rights of local communities, including pastoral communities; and
- » Northern Africa: Land fragmentation and water rights.

Existing studies on indicator development processes related to land issues are more focused on formal tenure often at the expense of customary tenure, common resources and informal tenure systems, which are pervasive in Africa. In African countries where continuum of land rights are pervasive, indicators on these diverse tenure regimes are rare. Indicators must be developed to reflect these varied tenure niches. The dominant tenure systems and land related issues in Africa are discussed below.

**Customary Tenure:** Perhaps the most significant natural resources regime in Africa is customary tenure, where it covers the vast majority of African countries, especially in rural areas (Augustinus, 2003; World Bank, A; 2007). Customary tenure in Uganda and Ghana covers about 60% and 78% of the total area respectively (Augustinus, 2003). Despite its significant coverage, national policies and laws often do not recognize this tenure regime. Property rights are weak and unclear, often undermined by overlapping land claims and intense competition. Across Africa, legal pluralism is a common feature where several legal systems prevail (i.e. statutory, customary and a combination of both coexisting over the same territory) resulting in overlapping rights, contradictory rules and competing authorities (Cotula et al., 2006). This situation creates confusion and fosters tenure insecurity, discouraging agricultural investment and enabling elites to grabbing common lands (Cotula et al., 2006).

Today, most countries in the Central African region have ruled that all land is under the exclusive control of the state and does NOT belong to communities and individuals (AUC/AfDB/ECA Consortium, 2010a). Most countries in this region do not recognize customary land tenure systems. Access to land by pastoralists/agropastoralists whose livelihood depends on customary resources has been in jeopardy for generations. This situation continues with the increasing threats due to both internal and external factors, the external factors often associated with increasing demand for land for investment (i.e. agriculture, tourism, mining, etc.).

Recently, however, some countries are implementing land policies and laws that capture all land rights in record. Countries with land policies/laws which protect customary tenure and with provisions for registration include Uganda, Mozambique, Tanzania, Niger and Namibia (Cotula et al., 2006). In Mozambique customary tenure rights are protected regardless of whether they have been registered and in South Africa and Mozambique titles are issued to group or communities.

Table 4.2 presents a summary of the key issues and indicators related to customary tenure regimes (Augustinus, 2003; AUC/AfDB/ECA-LPI, 2007b; World Bank; 2007a).

**Table-4.2- Prominent issues characterizing customary tenure regimes in Africa**

<i>Issues</i>	<i>Indicators</i>
Neglect of customary tenure by statutory law	Recognition of customary tenure by statutory tenure
Unlawful eviction and improper compensation	Clear laws that protect against arbitrary eviction and provide rule-based compensation payment Cases/incidents of unlawful eviction in the past years
Unregistered rights and inefficiency of the land administration system	Laws to register family/group or community
Several factors confuse the perception of which customary rights exist, including inconsistencies between civil and customary laws, internal migration, etc.	Clarity regarding customary rights by the general community
Uncertainties over boundaries of community land decrease tenure security	Clarity regarding boundaries of community land

**Communal Tenure Resources:** These refer to property that is owned, managed or used collectively by several users, either simultaneously or sequentially, regardless of the property regime formally applicable to it (adopted from Wilusz, 2010). The communal tenure resource regimes in Africa mainly include forest/woodland, pasture, water and fisheries. Beck and Nesmith (2001) noted the decline in the tenure security of common property resource regimes with an increasing number of people being excluded from the common-pool resources due to privatization and commercialization. In West African countries which are endowed with rich natural resources, the common property resources include forests, wetlands, fisheries, ponds, rangelands, biodiversity colonies and sacred groves which are the major sources of livelihood for many rural and coastal dwellers (AUC/AfDB/ECA Consortium, 2010d). These resource regimes with extensive coverage in African countries face a growing threat to the tenure security and deprivation of the livelihood of the population that depends on common property (see the AUC/AfDB/ECA Consortium reports).

Studies on development of common property indicators are few. Wilusz (2010), based on a case study in Peru and a desk review, suggested realistic indicators to assess the tenure security of communal property (forest, pasture and fisheries). He suggested the following four indicators to assess the tenure security of common property resources regimes:

- » Trends in the number of Common Property Dependent Persons (CPDP);
- » % of CPDP without conflict over use rights in the past X years (most people agree that conflict undermines security of tenure);
- » % of CPDP who believe that their use rights will not be violated in the next X years; perception incorporates many different types of tenure insecurity;

- » % of CPDP in an association with documented tenure rights. Despite criticism, property titling is still a priority for many influential organizations in the development community, and efforts to increase titling can attract funds.

The suggested indicators may be used to measure the tenure security aspects of the common property resources in the whole of Africa, especially where these occupy significant areas. The challenge remains data availability on factors such as the extent of the resource regime, total number of CPDP population/household and the pressures on the resource regime over time.

**Formal Tenure:** This refers to provision of formal documentation, which often is based on individual titling, which in turn is either based on deeds or title registration. In most African countries, existing registration programmes are slow and expensive. Furthermore, it is difficult to update records and the programmes are difficult for poor people to access. As a result, the coverage of formal registration is insignificant. Less than 1% of sub-Saharan African countries are covered by any kind of cadastral surveys and land tilting (UNCHS, 1991). In the whole of Africa only 2% to 10% of the total land area is formally recognized and the majority of urban and peri-urban settlements are in the informal sector (Oosterberg, 2002). Most African countries have less than 15% of coverage of land titles leaving up to 85% of households without any form of land documentation (AUC/AfDB/ECA-LPI, 2007b).

Unlike customary tenure regime, there have been considerable attempts to define indicators for formal tenure at global and continental levels. However, these attempts are more focused on the process level (i.e. input and output levels). Details on the indicators for formal tenure regime are described in Section 6.6.1.

**Informal Tenure- Squatters:** This refers to a situation where landless and poor people are forced to squat on land since they have nowhere else to go. This often occurs in urban and peri-urban areas. Often, in most countries the informal sector has established a pattern of land use and land rights which operates outside the national cadastral system. The settlement area is often claimed as state/public land, creating major social and economic problems. An effective and efficient land administration system is a prerequisite to the solution of the problems of squatting. Land policies are needed that allow squatters to gain title by defining the means and conditions like converting occupancy rights to ownership right.

**Newly Emerging Issues:** As flagged in many documents (AUC/AfDB/ECA Consortium, 2010a, 2010b, 2010c, 2010d, 2010e), accessing a huge tract of land for commercial purposes not only affects the tenure security of the surrounding communities but deprives many people of their livelihood. This may relate partly to the weakness of land institutions, the lack of clarity of the existing lands law, the “fussy” definitions of what public land means or the deeply ingrained interest of the state as sole owner of the public land. In Central African countries where the state has sovereignty over land, no

accompanying policy instruments have been developed (AUC/AfDB/ECA Consortium, 2010f). In East African countries the definition of public land is fussy, encouraging misuse of state power (AUC/AfDB/ECA Consortium, 2010e). These rising issues and concerns need to be captured and assessed if tenure security and access to land for the poor is to be guaranteed with implications on livelihood security, environmental sustainability and benefits to the whole society.

### 5.3 Status of Land Policy Formulation and Implementation

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African countries are at different stages in the land policy reform process. A few countries are implementing the new land policy, some are in the land policy formulation stage and some have yet to start revising and reforming their land policy. The broad situation in the continent is summarized below.

- » **Central Africa:** In this region all the countries have land laws which in general target land taxation. However this region has no formal and comprehensive land policy. Existing policies are sector-specific such as forest, urban development and others.
- » **Eastern Africa:** Some countries like Tanzania and Rwanda enacted their national land policies and laws as early as the 1990s. Others like Kenya and Burundi recently adopted their national land policies, while some are still in the process (e.g. Uganda). The Island states (Comoros, Mauritius and Seychelles) have yet to formulate their land policy documents. They are rather more focused on protecting the environmental and conserving biodiversity.
- » **North Africa:** All countries in this region have several laws and executive regulations, but face the problem of legal pluralism due to diverse sources of legislation (traditional, religious and civil). These can be sources of conflict or the basis for negotiated settlement. Some countries (such as Algeria and Egypt) undertook agrarian reform in response to land grabbing by colonial settlers.
- » **Southern Africa:** Land policy formulations are either in place or are being formulated in countries like Botswana, Malawi, Mozambique, Namibia, South Africa, Tanzania and Zimbabwe. Angola has already adopted a new land law but has yet to pass the regulation. Madagascar recently developed its national land policy and is implementing a National Land Plan which includes a National land Observatory.
- » **West Africa:** Benin, Burkina Faso, Ghana and Guinea have developed land policy documents and Sierra Leone has prepared a draft land policy document. All other countries in the region have land laws that deal with various aspects of land problems, however, these laws are not anchored on specific policy proposals. Many of the laws on land are embedded in rural development strategies (Niger), agricultural orientation laws (Mali, and Senegal), rural land use planning and natural resources management or environmental protection laws, where the primary focus is not on land tenure. Very few coun-

tries have specific land laws addressing both urban and rural land issues in an integrated manner.

Similarly, land policy implementation instruments vary across countries. The cadastral system varies from country to country due to differences in cultural background, colonial history and the legal system in place. In countries where the cadastral system is the sole and key instrument for improving tenure security, the legal framework of the system (i.e. registration and recording of rights in land) determines the nature of security provided, registration approach (i.e. voluntary vs. compulsory), procedures in land right transactions, litigation and definition of legal objects to be surveyed and registered (i.e. individual parcel, group parcels, etc.). In some Eastern Africa countries, the cadastral system is primarily meant to guarantee tenure security. However, if the land policies are primary meant for land taxation, the key functions of the judicial cadastral system is to generate information on taxable objects and land values; this is the case in Central Africa countries. Therefore, there are difficulties in comparing land administration systems across countries due to differences in land policy objectives and diversity of land policy implementation instruments.

#### **5.4 Trends and Progresses in New Land Policy Reforms Process**

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In the past two decades or so, based on better understanding of the conceptual and implementation flaws in the long existing land policies and laws, several African countries have revised and enacted new policies and laws. Some countries are currently revising their policies and laws. Among others, the New Land Policy Reforms process underway entails the following key reform dimensions and elements (Augustinus, 2003; Cotula et al., 2003; AUC/AfDB/ECA Consortium, 2010a, 2010b, 2010c, 2010d, 2010e):

- » Low cost and affordable land registration and certification processes (i.e. categorized by different tenure niches and gender);
- » Efficient dispute resolution mechanisms;
- » Awareness on land rights and registration procedures;
- » Transparency and accountability in land administration process (i.e. check whether the rules are followed);
- » Non-discriminatory practices in land administration services against any person or group; and
- » Clarity of authority and mandates of implementing agencies/institutions.

Data on country tenure profiles and stages in the New Land Policy Reforms process are unavailable. These data are important to categorize countries by the progress made in implementing the new reforms. Over 13 African countries have adopted a new land policy document which addresses the

issue of tenure security, and which is either pro-poor, gender sensitive or both; if linked to some form of documentation, these tenure reforms offer opportunities to measure and develop performance indicators (AUC/AfDB/ECA-LPI, 2007b, 2007a; World Bank, 2007b). Though not exhaustive, the F&G document categorizes African countries into three broad categories: countries which have adopted a new land policy/law; countries currently reviewing their land policy and laws; and countries which have yet to start reviewing their land policy and laws. Based upon information accessed during this study, a total of 18 countries (i.e. about 33%) have already adopted a a New Land Policy and 10 countries (i.e. about 18%) are currently reviewing their land policies and laws. From the above data, countries are clustered into the following four categories based on progress /stage in developing the new reforms:

- » Countries which have adopted a new land policy and law and have embarked on implementation;
- » Countries which have recently adopted a new land policy and laws, but have not yet started the implementation;
- » Countries which are currently engaged in a comprehensive review of their land policy and laws; and
- » Countries which have not yet started to develop the new land policy.

The validity application and use of the framework for tracking land policy development and implementation will thus vary across countries according to the development stage of a given country towards developing the new reform.

# 6. Elements Of Framework For A Progress Tracking System On Land Policy

## 6.1 Background

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Broadly, the key purpose for developing a progress tracking system on land policy formulation and implementation is to enable African countries to implement the agreed visions, objectives and principles on land policy outlined in the F&G document. This chapter discusses the anticipated objectives, scope and scale, potential indicators and data sources, and strategic directions and pathways for developing a fully-fledged framework.

## 6.2 Objectives and Focus

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In light of the proposed objectives and principles given in the F&G document (see Chapter 2), the proposed monitoring framework focuses on the whole policy cycle rather than being limited to some parts of the cycle. It describes a chain of causes and effects (i.e. causal chain). However, the direct relationships are more complex since many different factors influence the effects/outcomes of the land policies and laws.

The focus of the framework is at the national level, but is linked to the continental level. The links to the continental level will be framed on common land themes and indicators to be compiled from the country level database. Based on the regional consultation conducted by the LPI during the development phase of the F&G, common themes at the continental level include: state sovereignty over land; legal pluralism; gender bias and access to land; tenure security; and land and conflict. This allows for inter-country comparability and could be easily integrated and feed into the APRM framework by providing standard and comparable monitoring information. For strategic reasons associated with resources and since monitoring at input level (i.e. policy formulation stage) tends to be more country-specific, tracking at continental level will focus on output and outcome levels.



### 6.3 Strategic Directions for Developing the Monitoring Framework

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The link to be established between national and continental levels to develop the framework including the indicators development process for the five continental level land policy themes is important to evolve a relevant and sustained system. The following are two strategic options:

**(a) Each country to decide on what works for them:** Instead of developing a list of indicators at the continental level based on available data, each country will develop and list country-contextualized indicators. Thereafter, each country will prepare a country-level monitoring report, which will be submitted to the LPI to be aggregated at continental level. Subsequently, the LPI will compile, extract and identify common indicators at the continental level and synthesize a continental-level land policy monitoring report.

This strategy has the advantage of compiling continental level indicators which reflect pertinent themes and issues at country level. The key drawbacks include the lack of institutional capacity to generate and compile the required monitoring data at country level and the longer times it takes to capacitate the national monitoring system.

**(b) LPI to provide a list of common indicators accompanied by instructional manual:** While it proactively encourages the national monitoring system, the LPI will develop and list common indicators at continental level; each country will apply and use the indicators including generating and compiling the required data. Eventually, the LPI will synthesize continental level monitoring report. This strategy is already adopted to prepare the SDRA. The only difference between SDRA approach and the proposed LPI approach is the data sources and the level at which the data are synthesized.

This strategy, however, runs the risk of having indicators that are irrelevant for a particular country. Conversely, it is advantageous in that it implements the scheme in a relatively shorter time.

The preferred and best option is to strike a balance between the above two strategic directions, where common indicators developed at the continental levels are adopted after being validated at country level. At the national level, each country would use the national monitoring system focusing on its priority indicators, and integrating indicators common at continental level. The country monitoring report is supposed to comprehensively track all the stages of land policy process (from policy formulation, implementation and evaluation stages) to produce a Land Reform Development Report. At continental level, the LPI will synthesize and produce two reports: Synthesis on Land Reform Development and Land Index Development Process. This second document updates the progress made in developing an index to be used for comparison across countries. The synthesis report on will focus on higher level indicators including output and outcome levels.

## 6.4 Target Users

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The key function of the monitoring information is to regularly inform African Heads of State and Government on progress across the continent in implementing the AU Declaration on Land. Other key users of the information include experts and specialists in various disciplines, local communities, researchers, academics, CSOs and development partners.

## 6.5 Skeleton of the Framework for Progress Tracking

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The proposed framework is based on a LFA to track progress in the result chain/causal chain process for the whole policy cycle, except the impact level. The LFA reflects the four levels in the result chain: input, activity, output and outcome. Below are brief definitions of the five strategic elements embedded in the proposed methodological framework (see Table-6.1):

- » **Goal (Impact level):** The goal is the ultimate objective of the land policy. The goal statement is often described in the land policy document.
- » **Objectives (Outcome level):** The objective is the desired intermediate outcome of the land policy; it is expected to be achieved after the delivery of the planned outputs and fulfilment of all the assumptions. It indicates changes in activities, behaviour or attitudes of the target population. The output is expected to produce the outcome, but not necessarily due to exogenous and endogenous factors. For example, land rights documentation on its own may not yield enhanced tenure security. Secured tenure and attaining access to and control over the land to the poor are the effects to be achieved after appropriate policies and laws are implemented. Monitoring only the outcome, however, might be myopic—it merely fixes the damage. In contrast, monitoring the input stage of the policy process can help avert the damage and fix it by drawing attention to the root causes of the problem—poor policies/laws, allocating sufficient budget, putting in place appropriate land administration institutions and others.
- » **Outputs:** Outputs are products and services realized by implementing the land policy/laws through multiple national level programmes and projects. The output describes several, but not all, of the conditions necessary to cause the outcome. Delivery of title documents and public awareness on land rights are typical examples of outputs.
- » **Activity:** Activity refers to processes required to convert the inputs to outputs; this comprises elements such as training.
- » **Input:** Refers to different kinds of resources including policy instruments, finance, manpower, institutional set-up and principles used when crafting the land policy. The tracking system should focus on the input level, because appropriate policies and laws and adequate budget could improve the level of outcome to be achieved.

The LFA on its own, however, does not provide a tool for in-depth analysis of the impacts to be achieved by land policy/law. It therefore has to be complemented by other analytical/research tools. This is mainly due to the complexity and difficulty in establishing a direct and linear relationship between the long-term objectives of land policy/legislation with the expected impacts of the policy/legislation. In the African context, the impacts of land policy/legislation on investment in land and land productivity are complex and often indirect (Bruce and Migot-Adholla, 1994; Bruce, 1996). Research/survey methods including either experimental design (comparison with counterfactual) or reflexive comparison (i.e. comparison of situations before and after the land policy/legislation implementation) or a combination with qualitative methodology are needed to evaluate the impacts of the land policy.

**Table-6.1- Land policy dimensions and issues under five strategic elements**

<b>Elements</b>	<b>Purpose</b>	<b>Issues to be assessed</b>
Goal: Impact	Ultimate aims of the policy/legislation	<ul style="list-style-type: none"> <li>» Investment on land;</li> <li>» Food security</li> <li>» Peace and stability</li> <li>» Environmental sustainability</li> </ul>
Objectives: Outcome	Intermediate purpose of the policy/legislation	<ul style="list-style-type: none"> <li>» tenure security and access to land;</li> <li>» Land dispute and conflict;</li> <li>» Land governance;</li> <li>» etc</li> </ul>
Output	<ul style="list-style-type: none"> <li>» Efficiency of the system</li> <li>» Effectiveness of the system</li> </ul>	» Services and products
Activities	Processes to convert the input into output	
Inputs	Different resources (including legal, institutional, human and financial), used when crafting the land policy	<ul style="list-style-type: none"> <li>» Land policy, legislation, regulation, etc.</li> <li>» Budget</li> <li>» Manpower</li> </ul>

### **6.5.1 Guiding Principles**

The five core objectives of the LPI are economic growth; poverty reduction; increased agricultural production; improved food security; and reduced conflict (AUC/AfDB/ECA-LPI, 2007b, 2007b). The following guidelines were also used, where relevant, in crafting the framework (AUC-AfDB-ECA LPI, 2007b, 2007a):

- » The five key LPI objectives of the land policy need to be achieved through four main pillars: economic, social, governance and environmental.

- » The land indicators developed should cover equally the above four pillars and each pillar should be considered equally. Eventually, when the Land Policy Index is developed for comparison of African countries, equal weight should be given to each pillar.
- » The Country Score Card must be based on selected indicators, which will be evolved during the pilot phase and consultation process period.
- » To develop comparative indicators at continental level, the framework needs to include all tenure types which are likely to occur in all African countries. In future, the framework should consider categorizing the different tenure types at country and continental levels.
- » As there are shared characteristics across the continent, there are also significant differences which the methodology needs to consider.

Based upon a set of general land policy vision and principles, the African member states have agreed to meet a set of land policy benchmarks and good practices. Accordingly, in 2011 the AUC/AfDB/ECA Consortium (AUC-ECA-AfDB LPI, 2007b, 2007b, 2011) outlined the following six benchmarks against which national land policies and institutions could be measured and assessed in Africa to implement the agreed vision, objectives and principles by member countries.

**i. Protection of all land rights:** Legislation should guarantee customary and formal tenures (i.e. private and leasehold) land and property rights; gender equity; lawful eviction; efficient dispute resolution mechanisms; and management of common property regimes.

**ii. Transparency in land management:** Transparent rules and procedures in land expropriation and compensation payment; good use and equitable distribution of public land resources; transparent rules/procedures for giving foreign investors access to land; monitoring and promoting efficient productive use of privately held land (e.g. tax-based sanctions and incentives); land taxation; and participation of CSOs in land policy/legislation formulation and implementation process.

**iii. Improvement in land administration:** Incremental approach for improving the coverage of land registration and information systems including all tenure regimes; decentralization of land administration services; transparency and accountability in land administration services and efficient; and effective land administration services.

**iv. Improvement in land access and distribution:** A move towards a rational pattern of land ownership; commitment to restitution; and mechanisms for accessing land for vulnerable groups.

**v. Land management in conflict and post-conflict situations:** Access to land and shelter for refugees and internally displaced people; land related conflicts, conflict resolution and reconciliation and peace process.

vi. **Prioritization of land issues in national development planning:** Streamlining land related indicators in monitoring national development strategies, financial planning and budget and in PRSP and donor budget support.

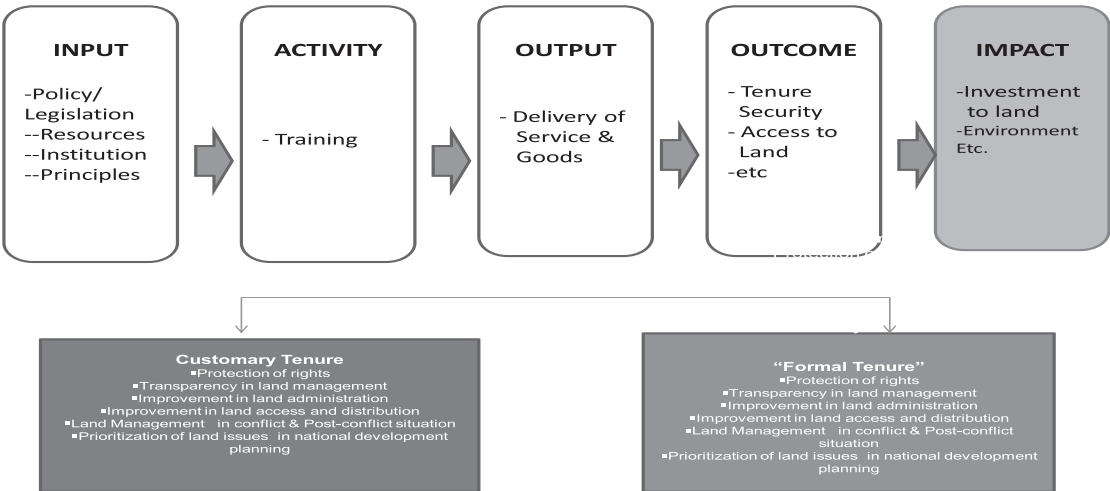
The above six benchmarks reflect the five core land policy themes which are common across countries in Africa.

**6.5.2 Details of Methodological Framework**

Based on the preceding discussions, the proposed methodological framework is shown in Figure 6.1. The framework is based on the result-based chain system layered onto broad two tenure systems which are predominant in most African countries. The six key benchmarks are the cornerstones to define and frame the indicators.

The framework focuses on the different components of the land policy cycle (i.e. input-activity-output-outcome-impact) in relation to the two predominant tenure regimes prevailing in Africa.

**Figure-6.1 Skeleton of the methodological framework**



The framework presupposes that sufficient funds and appropriate land policy/legislation and land administration system would yield enhanced tenure security, improved access to land and reduced land related conflicts, leading to the anticipated impacts. The impacts include improved food security and investment in land, improved environmental protection and sustainable development. At the national level, the tracking system will focus on the whole cycle while the continental level will focus on output and outcome levels (see also Section 6.2).

### **6.5.3 Application of the Framework in Countries at Different Stages of developing the New Land Policy Reforms**

Logically, the proposed framework would be applicable in countries which have developed new, comprehensive and inter-sectoral land policy in line with the F&G. However, African countries are at different stage of progress. However, the framework will not be applicable for countries which are currently reviewing their land policies and laws and those countries which have yet to reviewing their existing land policies and laws.

**(a) Countries which have enacted their national land policy and started implementing the laws:**

In these countries, the whole policy cycle will be monitored and reported. At the continental level common themes and indicators will be screened and validated at output and outcome levels.

**(b) Countries which have recently enacted their national land policy, but have not started implementation yet:**

In these countries monitoring will focus on the policy formulation process. The key themes and issues include principles in the policy formulation process (i.e. participation, equity, inter-sectoral integrity etc.), budgetary allocation, institutional arrangement for implementing the land policy and preparation of the implementation strategy and action plan. However, experience in African countries has shown that enactment of land policies and laws alone is not enough. Severe resource limitations and lack of strong land administration institutions remain as prime limiting factors for effective implementation of the land policy reform process.

## **6.6 Indicators**

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### **6.6.1 Proposed Indicators**

Based on the six proposed benchmarks relevant and possible indicators were collated by reviewing relevant literature including the series of documents published by the Pan African Land Policy Initiative, CSOs and international organizations (AUC/AfDB/ECA-LPI, 2007b, 2007a; World Bank, 2007b; Bending, 2008). A total of 42 indicators for formal tenure and 30 indicators for customary tenure were collected and assembled. The lists of the proposed indicators structured under the four strategic element levels and the four pillars for the two dominant tenure types are shown in Tables 1 and 2 of Appendix-1. A conceptual overlap exists between the social and governance pillars like issues related to equity, participation and others. Some overlaps therefore occurred during categorization of the indicators. A summary of the proposed indicators classified under the four strategic element levels is given in Table-6.2.

The relevance and applications of the proposed indicators, however, vary from country to country due to differences in stage of implementing the New Land Policy Reform and the application level of the framework (i.e. national vs. continental level).

**Table- 6.2- Summary list of the proposed indicators**

<i>Strategic element</i>	<i>Formal Tenure</i>	<i>Customary Tenure</i>
Outcome level	17	10
Output level	11	6
Activity level	2	2
Input level	11	10
TOTAL	42	30

(a) **Countries with new land policy and who have started implementing the land policy:** At the national level, the framework applies to the whole policy cycle. At continental level, it applies to common output and outcome level indicators. The data to be generated at the national level, however, to be compiled and synthesized at continental level.

- » **National Level:** The proposed lists of indicators are too many and need to be assessed and reduced to a manageable number by selecting those that are highly relevant to country-specific situations. Additionally, data availability and accessibility and quality issues should be critically reviewed and assessed during the selection process.
- » **Continental Level:** Similarly, the outcome and output level indicators are too many and require further screening to reach a manageable number which is common to all countries.

(b) **Countries which have recently enacted land policy, but have not started the implementation process yet:** The tracking system will be applied at the national level, however, the country monitoring synthesis report will be sent to continental level.

### **6.6.2 Data Sources**

Key to the indicator development process is the availability of good standard data in a regular and systemic manner. Data availability, accessibility and quality standards for the proposed indicators are critical for the relevance and success of the proposed monitoring framework, as experienced in the Asian region. For advocacy, the Asian CSO Consortium initiated a task to develop a Land Reform Development Index (LRDI), similar to that of HDI with a view to compare the performance of land reform across Asian countries (ANGOC, 2010). However, the progress towards developing the index stalled temporarily due to multiple problems including resource requirements (i.e. time and money), serious data limitations and the complexity of land tenure and access to land issues to be treated and captured using indexing approach (ANGOC, 2010). Availability of data remained a problem for developing the LDRI. The Asian Consortium therefore invested the limited resources available in gen-

erating and compiling a relevant and reliable database and to simplify the originally designed LRDI (ANGOC, 2010). The case is illustrated in Box-6.1.

Three outstanding issues need to be closely examined and checked for the indicator(s) to be used and applied. Firstly, the accessibility of the required data on a regular and timely basis for all the proposed indicators is critical. Are data sources from government organizations, CSOs and IGOs able to provide the required information and data regularly and on time—a continuous stream of information on the indicators? Often, IGOs collect relevant indicators after long intervals. Most government organizations collect relevant data pertinent to land reform processes, which demand fine tuning. In cases where data from government organizations are available, their credibility presents a challenge. The data need to be examined before use. Secondly, access to and quality of the data is a challenge; often the data quality is not in accordance with purpose and need of the indicator development process. Thirdly, the feasibility and cost effectiveness of data collection through primary means should be thoroughly examined and analysed before being adopted as prime source for the required data. Specifically, data related to outcome level are rarely available; in most cases these data are available from researches and surveys. An appropriate strategy will be to build on existing national systems which will provide a more or less continuous stream of information.

**Box-6.1: Land Reform Development Index (LRDI) in Asia**

The development of an index is resource intensive in terms of time and money, the complexity of the index and availability of database. This impeded the development of the Land Reform Development Index (LRDI). The plan to develop the index was put aside for the time being and will be considered at a later stage. As an immediate strategy, The Asian CSO Consortium decided to invest the limited resources available to improve situations on data availability and accessibility including improvement of the data quality.

Source: ANGOC (2010).

Examining the lists of the proposed indicators (see Tables 1 and 2 of Appendix-1), the reliable and regular data sources vary by indicator. The following are three potential data sources:

- » Most data related to outcome level indicators can be potentially derived from three prime sources: FAO/FAOSTAT, UNEP and country level special studies. The special studies of interest are those which focus more on issues examining behaviour, attitude and activity changes, as a result of land policy interventions.
- » Most data related to output level such as those pertaining to provision of services and products could be accessed regularly from government land administration agencies. These agencies are mandated to craft and implement land policy.
- » Most input level data such as principles to be evolved during land policy formulation could be generated through expert analysis followed by panel of experts, adapting a model used by the World Bank—LGAF.



- » Some CSOs working on land reform issues generate local level information on multiple thematic areas and issues to meet their specific purpose. However, the information is localized in scope and scale.

### ***Government Organizations***

A total of 16 indicators out of the total of 42 proposed indicators (mostly at output and input levels) under formal tenure could be potentially collected from government organizations at country level. Under customary tenure, nine indicators (i.e. mainly output indicators) could be accessed from government organizations. In several African countries, the National Land Administration Agencies (NLAAs) are mainly responsible for crafting and implementing the land policy/legislation. The agencies are often mandated to collect most of the above data sets regularly, often on a yearly basis, to report annual progress to higher level executive organs. Typical data sets may include the coverage in title documentation for the formal tenure regime. However, the agencies are constrained by lack of capacity and are unable to collect standard data on a regular basis. Other important organizations include the national finance, housing ministries and national statistical agencies.

In most countries the national statistical agencies generate and compile national level data sets related to access to land, distribution of landholding, land use and statistical data on agricultural production. With proper institutional arrangements and some fine tuning of the data, a critical mass of the database could be used as input to monitor land reform including the following aspects: coverage of tenure regimes; land holding distribution; agricultural production/productivity; extent of arable land; and others. The information on tenure typology in a particular country could serve as baseline indicators which could be aggregated at regional and continental levels. However, this is a task to be realized in the medium term because of institutional related factors (i.e. to create institutional coordination and develop the required institutional capacity and standard formats, etc.).

If the above institutions are sensitized and capacitated, a continuous stream of information could be obtained on a regular basis. Such action could be operational in the medium term, only if the following strategic interventions are put into effect at country level:

- » Conduct institutional assessment studies on type, content and quality of data and capacities of the government organizations;
- » Based on the institutional assessment study, prepare standard data collection formats and provide training for selected staff on the basics of the M&E system including data collection, analysis, reporting and management information system (MIS); and
- » The LPI to establish an institutional link in each country via the country designee. Further, the LPI to provide limited support for technical training on M&E and for organizing consultative workshops at country, regional and continental levels.

Understanding the problems related to accessing available data and their credibility is also important. In some countries information generated by government organizations is not easily accessible either due to the long-existing bureaucratic procedures, unclear information policy in place or a combination of both. Even if there is a law giving citizens the right of access to information, it may not be practised. This might need a campaign/advocacy for greater access to information. In countries where access to information is not guaranteed as a right, the problem will persist. In some cases, there is a lack of will to release data which are politically sensitive such as information on the number of illegally displaced persons or individuals who are harassed due to land related disputes. Even if the information is accessible, it may be underreported so as not portray the government in bad light. It is likewise hard to draw conclusions from alternative sources such as using the CSO data, which often tend to be limited in scope and scale.

### ***Civil Society Organizations***

Though limited in number, several CSOs produce monitoring data on land reform in Africa (see also Chapter-2). Their role is significant in generating independent information on relevant and credible indicators which are locally sound covering the various components of the policy cycle. Documented examples include the role played by RISD in Rwanda and LDGI in Kenya in monitoring the land policy reform process. LDGI has been tracking the following four areas based on household interview, desk review and panel of experts (LDGI, no date):

- » Enactment of enabling legislation;
- » Establishment of new institutions;
- » Preparation/availability of implementation framework; and
- » Budgetary provisions.

### ***Special Studies***

Surveys to generate data at regular intervals could be outsourced to CSOs, research institutions and think-tank organizations. This is typically true for generating information related to outcome and impact levels. However, contracting these institutions on a long-term basis may have vulnerabilities and is likely to be more expensive over time.

Diverse methodologies exist, ranging from complicated sample based statistical surveys to a simple rapid assessment. These could be used to generate primary information for the proposed indicators, where the data are not available. The choice, however, depends on resources available, access, accuracy level/precision required and urgency of the information. Generally, the more structured and formal the method is, the more precise, costly and time consuming it tends to be. The details and relevant methodologies, however, need to be worked out at the latter phase of the development process. The following are some useful methodologies for generating information on key land related thematic areas/indicators:

- » Information to be derived from expert analysis and panel of experts: Most of the indicators proposed under input category for both tenure regimes could be collected and analysed using this approach. A few experts review the land policy/legislation and other pertinent documents and define and contextualize the issues to be probed for each indicator. As follow-up, the panel experts brainstorm and discuss the issue/indicator and rank the indicators using prepared check lists.
- » Rapid appraisal techniques: Data on perception and behaviour related indicators (i.e. issues on tenure security, access to land and land governance) could be well captured using this approach. Additionally, stakeholder analysis is a key instrument for examining the roles played by various stakeholders in crafting and implementing land policy/legislations, identifying target audiences and delineating potential stakeholders for tracking land policy reform process.
- » Rigorous statistical surveys combined with qualitative surveys: This methodology is suggested for assessment at outcome and impacts levels to examine causal relationships. Since the method is expensive, the suggested scenario is to undertake a transect survey across African countries on a regular basis like once every four to five years. However, this should be supplemented with qualitative methodologies.

## 6.7 Baseline, Target and Benchmarking

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Each indicator (i.e. impact, outcome and output levels) may have two components: baseline and target components. Most outcome indicators, however, need to be defined both in terms of target and baseline indicators. Data sources, data collection methodology, responsible entity for collecting the data, frequency of data collection and cost factors needs to be sorted out and defined for the monitoring system to be effective and sustainable.

### 6.7.1 Baseline Data

Timeline data set on baseline should be established at the country level, either from existing information or by undertaking fresh surveys and research which is often a challenge. Baseline data are important to understand the situation at the beginning of either the land policy formulation process or the implementation of the land law. In reality, however, data availability requires defining the timeline/point of reference. Since most African countries started to revise and implement their land policy in the last two decades or so, the years 1995/2000 might be considered as reference years. However, the existence of sufficient data which cover most countries needs to be checked and verified to define and fix the realistic reference year.

### ***Outcome Levels***

The challenges to developing a tracking system for the land policy reform process lie in establishing baseline information for outcome level indicators for two main reasons. Firstly, the expected impact/outcome to be derived from land policy reform is not well established even in areas where formal titling has been practised for some time. Secondly, the outcome level indicators not only vary from country to country but also at the local level within a particular country.

The baseline data for the outcome level should be derived and collected on key and relevant indicators before land policy intervention and the point in the future when the land policy is expected to have an outcome. This may take 1 to 2 years after implementation of the land policy.

### ***Output level***

Baseline information for most quantitative output indicators (service and output from administration service) for both formal and customary tenure regimes may be available more or less on a yearly basis from country level government offices. However, data collection and analysis and reporting mechanisms may not be to the appropriate standard, which calls for capacity building and standardization of methodologies. With these improvements in place, country-specific baseline indicator information could be collated, sorted out and compiled.

In most African countries, for some of the services and products to be accrued after implementation of the land policy, it may be reasonable to assume that the baseline condition is zero. For example, in countries where no title documentation was issued in areas dominated by customary tenure regime, the baseline conditions could be considered as zero. This may hold true for the input level process as well. The formal tenure data in the country-specific land record system needs to be checked and verified to establish the baseline data.

## **6.7.2 Target**

### ***Overview***

To set achievable and realistic targets at the national level, a realistic assessment based on baseline information complemented with historical trends, expert judgment and research findings or surveys is the best approach.

### ***Outcome Levels***

National targets will be used to set the outcome level target to track country level progress towards achieving the intended objectives of the land policy. For some of the indicators (i.e. both for formal and customary tenure), the targets to be set will conform to those set by the national government. This information often is found in national strategy documents. Typically, national agricultural surveys reports are documents where information on targets could be searched and located; this includes information related to:

- » Percentage of increase in agricultural production/productivity;
- » Percentage of increase in livestock production/productivity;
- » Percentage of households who will access shelter in urban areas;
- » Percentage and /or area to be covered by forest; and
- » Extent of land areas to be treated with improved land management practices.

Availability of some other important qualitative and quantitative indicators data is more difficult and requires concerted studies and surveys.

### ***Output level***

At the output level, targets are set for a much shorter period, six months to one year. For example, targets for issuing title documentation could be set and defined yearly and the information on these could easily be derived from government organizations combined with other relevant sources.

At best, a realistic target could be defined based on information derived from the baseline, the desired expected improvement and by analysing information from multiple sources. These sources include historical trends, expert judgment, research findings, stakeholder expectations, and achievements of similar projects and programmes operating under similar institutional environments.

### **6.7.3 Benchmarking**

For the benchmarking approach to serve as a tool to monitor the land policy reform process at country, regional and continental levels, substantial research and surveys must be conducted to define the best practices and their associated indicators for the dominant tenure regimes in Africa. Defining indicators for the best practices requires routine data collection and analysis of services and functions provided by land administration services under varied institutional and legal frameworks in Africa.

To embark on surveys and research to establish best practices in land administration for dominant tenure niches in Africa, the following remain fundamental:

- » Developing a common vision on the importance and significance of the benchmarking approaches and what it demands;
- » Preparing a strategic road map at continental level to initiate and develop best practices for dominant tenure types in Africa; and
- » Setting up institutionalised fora to discuss and release the agreed best practices and other associated practices through country, regional and continental level expert consultation sessions.

## 6.8 Indicator Selection Process

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In the process of developing the monitoring framework, developing indicators which are relevant and credible at the national and continental levels remains core to the whole process. Defining an approach to guide in identifying and screening realistic indicators both at the national and continental levels is an important aspect of the process. Though the detailed methods/approaches need to be worked out at the later stages of the process of developing the framework, the following are key to identifying and selecting good indicators at the national and continental levels (i.e. indicators on land policy input, activity outputs and outcomes):

- » Clear definitions on the specific purpose of the indicators;
- » Some of the issues may be more difficult to measure via indicators than others like measuring behaviour and attitude which will have local relevance and significance (e.g. tenure security/insecurity). In these cases, indicators linked to specific behaviour in the local context should be identified;
- » The indicators selected should be SMART (i.e. specific, measurable, achievable, relevant and time-bound);
- » The selection process should be based on prioritization to choose a few precise and clear indicators that can be tracked well rather than a host of measures that dilute the whole efforts. One useful tool is the Score Card approach, which can be used to screen and prioritize the best indicators from the list of potential indicators in a participatory manner. The Score Card approach is a two-way and ongoing participatory tool for assessment, planning, and monitoring and evaluation of services. It brings together the demand side (i.e. service users) and the supply side (i.e. service providers). For example, the Score Card system (including the Score Card Matrix) could be used to identify, list and prioritize key issues/indicators. The list of indicators developed could be ranked and prioritized using the Score Card Matrix based on rating/scoring procedures (see Tables 6.3 and 6.4).

**Table 6.3- Score Card Matrix template to select and prioritize indicators**

<b>Country:</b> _____				
<b>Theme/Issue</b> _____				
Indicator	Not Good ( score-1)	Average ( Score-2)	Good ( Score-3)	Reasons
Indicator-1				
Indicator-2				
Indicator-3				
Etc.				

**Table 6.4-- Procedures for selecting indicators**

Category	Indicators	Classification of indicators		Total score	Select 1, 2 or 3 indicators
		A	B		
Outcome	Indicator-1 Indicator-2 -etc				
Output	Indicator-1 Indicator-2 Etc				
Activity					
Input	Indicator-1 Indicator-2 Etc				

**Rating:** Rate 1 per satisfied criteria.

**A:** Cost for data collection and analysis; **B:** Time required for data collection and analysis.

## 6.9 Participatory Tracking System

The policy development process in many African countries is more like policy prescriptions. These do not answer the needs of individuals and communities who depend on land resources for their livelihood and the idea of participating stakeholders and civil society is regarded by many governments as usurping their residual responsibility to direct and implement policy (AU/AfDB/ECA, 2009). As a corrective measure, the F&G underpinned the adoption of a participatory tracking process when applying the seven tracking principles (see Section 2.1). This section briefly outlines the key factors required for effective implementation and the general considerations for institutionalizing PTS.

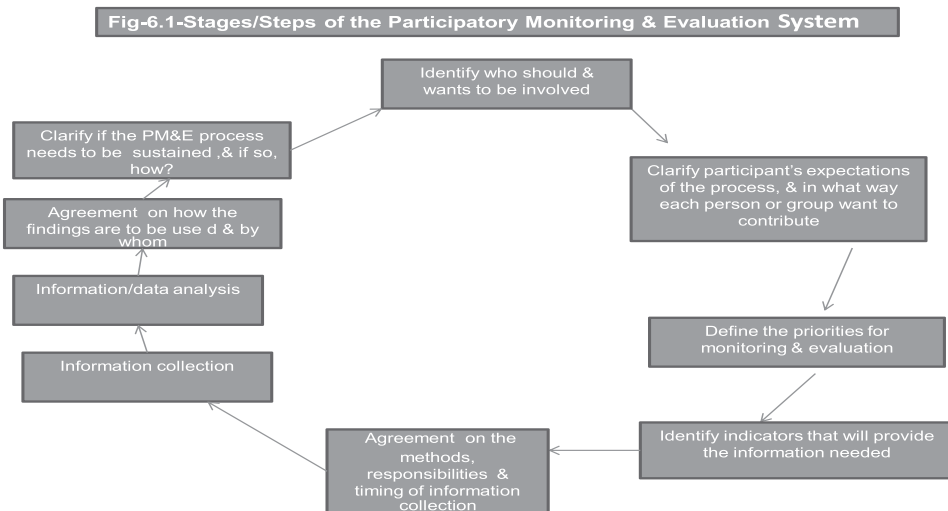
### 6.9.1 Content and Issues

The general steps/stages involved in the participatory monitoring and evaluation (PM&E) system is shown in Figure 6.1 (IDS, 1998). A PM&E system is a social and political process; different stakeholders will require different information, a level ground to negotiate on what to monitor and how to measure it and acceptable means of accessing information. Discussing and reconciling the diverse interests of multiple stakeholders is a challenge and IDS (1998 p. 5) stated:

- » "... It is a balancing act between choosing locally relevant factor, and those that can be applied more widely."
- » "...The more stakeholders that are involved, the longer the process of selecting indicators can take."

Despite the merit of the PM&E system, for it to be effective and sustainable the following conditions are often cited as requirements (IDS, 1998):

- » Commitments to empowering local people;
- » Relinquishing some control;
- » Adapting and using simple data collection methods;
- » Active support from organizational management.



PM&E involves assessing change through a process that involves many people or groups, each of whom is affecting or affected by the impacts being assessed (Guijt, 1999). PM&E does not just use participatory techniques within a conventional M&E setting. It is radical thinking which undertakes and carries out the process, and learns or benefits from the findings, however, there is no single way



to define it (Guijt, 1999). There are different forms of PM&E depending upon who is participating, at what stage they are involved and the precise objectives (Guijt, 1999; IDS, 1999).

Though some of the principles and concepts of participation are ideal, one of the challenges lies in the degree of participation of stakeholders and the stage at which they participate. Defining the participation level of different stakeholders in the following stages/steps in the process is important:

- » Designing the PM& E system;
- » Defining the theme/issue to be monitored based upon the agreed framework;
- » Collecting data;
- » Compiling and analysing information;
- » Reporting/disseminating the monitoring information; and
- » Lessons and community action.

In practise, as much as possible, key stakeholders involved in the information collection and users of the information, should take part in the data analysis to avoid misinterpretation of the information including the findings. Guijt (1999) claims the above as a point where the conventional M&E system differs from PM&E system.

An important concept related to participation is accountability. There is common understanding of accountability as the ability to call public officials, private employers or service providers to account, requiring that they be answerable for their policies, actions and use of funds. Karl (2002) stated that a sense of the right to accountability provides the basis on which citizens could act; this could lead to openness and transparency in policy making and such accountability builds up social reciprocities characterized by equity, intergroup tolerance and inclusive citizenship. Additionally, access to information is a major prerequisite for people to hold accountable those responsible for implementing policy and to monitor and evaluate policy implementation and its effectiveness. However, few documented experiences exist related to citizen monitoring in the realm of public service delivery and public expenditure.

Based on the review of the above and the principles enshrined in the F&G, the following are important point to developing a Participatory tracking system (PTS) for monitoring the land reform process:

- » The need to clearly define the key stakeholders and the specific roles they play at each stage of the PM& E system;
- » The key roles to be played by primary stakeholders (i.e. smallholder farmers, natural resource users, urban dwellers and investors) include defining the problem areas/indicators, data collection, mechanisms on how to disseminate the monitoring information and feedback and lessons;

- » CSOs, academic and research organizations could play a key role at all stages, and more so during designing the methodology, data collection and analysis, defining approaches for disseminating monitoring information and drawing lessons and experiences; and
- » The monitoring information should be shared with all direct and indirect stakeholders to undertake corrective measures in a holistic manner involving all organizations and individuals with a stake in the land policy.

Country level experiences and capacities for undertaking PM&E and resources required to introduce and implement the same need detailed country level assessment. As an immediate measure, preparation of an instructional manual is a prerequisite before introducing and implementing the system. To assess, review and implement the above, a pilot exercise should be conducted in selected countries to provide realistic background information on the nature and content of the PM&E including the required institutional capacity building and the resources required to introduce the system.

## 6.10 Phasing Strategy for Developing the Framework

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Clarity on the tasks involved in developing the tracking framework is crucial to enable listing and prioritizing sequenced tasks and to allocate sufficient resources in terms of manpower, finance and institutional structure. The development of the tracking system for monitoring land reform in Africa will be done in two sequential phases:

- » Phase 1 will be focused on consultation and discussion and piloting.
- » Phase 2 will involve preparing the final tracking framework and development of the Land Policy Reform Index (LPRI).

### 6.10.1 Discussion and Consultation and Piloting Phase

The central purpose of this phase is to undertake a piloting exercise in selected African countries and simultaneously organize a series of consultations and discussions on the draft framework including the proposed indicators and approaches for developing the LPRI. Before the piloting exercise, a series of consultations will be undertaken on the appropriateness of the draft tracking framework and the proposed indicators to gradually build a consensus among member countries. As a follow-up, the piloting exercise will enable to test and verify the relevance, feasibility and data availability and accessibility of the proposed framework. Information from the piloting exercise could be used as a key input to finalize the draft framework and the institutional arrangement for operationalizing the framework at both the national and continental levels.

**(a) Consensus on the Draft Tracking Framework:** This document provides the basis for designing the “Framework on Tracking System on Land Policy and Implementation”. A series of consultations

and discussions have to be carried on the draft both to enrich the content of the framework and finally to agree on a draft monitoring framework document. The LPI will organize a series of consultation and discussion sessions through regional economic communities (REC), e-consultations and expert level meetings. Once the draft is enriched and consensus is reached on the draft framework, a “Guideline Report on the Piloting Exercise” will be prepared and draft opinions collected and lead papers prepared to develop the LPRI.

The Guideline Report will contain information on the key purpose, scope and structure of the draft framework, key thematic areas to be investigated, methodologies to be used to generate the required information, data availability and accessibility and timeline aspect, institutional structures for implementing the proposed monitoring framework and standard reporting template for preparing the country level report. Relevant topics on the APRM country review process including the National Focal Point and the national coordinating structures will be included in the Guideline Report.

**(b) Piloting exercise in selected countries:** This will be based on the “Guideline Report on Piloting Exercise”. The piloting will be undertaken with the following key objectives:

- » Assessing the relevance, data availability and accessibility and quality at country level for selected indicators at the national level;
- » Assessing the existing and potential country-specific monitoring information dissemination mechanisms;
- » Assessing the institutional arrangement scenario for undertaking country level monitoring viewed in relation to country level APRM and the existing national level monitoring system; and
- » Assessing and compiling the best practices in land administration to start establishing a database on the subject for immediate future use.

To discuss and synthesize the results from the piloting exercise and comments solicited from the discussions and consultations a Consultative Workshop will be organized at continental level. The aim of the workshop will be to finalize the draft monitoring framework and prepare a draft outline to prepare a detailed manual on “Tracking Land Policy Formulation and Implementation” and drafting the LPRI.

### **6.10.2 Finalizing the Tracking Framework and Development of the LPRI**

As follow-up to Phase 1 activities, the following sequenced tasks will be undertaken during this phase:

**(a) Finalization of the Draft Framework on Tracking System:** Inputs from the piloting exercise and synthesis comments from a series of discussions and consultations will be used as a principal

input to finalize the draft on “Framework on Tracking System for Land Policy Formulation and Implementation in Africa”.

**(b) Preparation of a detailed manual on Tracking System for Land Policy Reform:** Based on the framework and the piloting exercise, a detailed manual will be prepared to implement the framework in countries with political champions and a keen interest via the APRM arm of NEPAD. The manual will consist of the detailed methodologies for collecting indicators at the national and continental levels, data analysis and standard template for preparing country level monitoring report. The country level monitoring report will be synthesized at the continental level via the LPI.

**(c) Preparation of the Land Policy Reform Index (LPRI):** Based on the land themes and indicators which are common at continental level restricted at the outcome and output levels, the initial work of evolving the index will be started using an expert meeting with a lead paper on the subject. One potential option will be an indexing system based on a simple scoring approach with equal weights assigned to the agreed broad and important variables at each of the outcome and output levels. This leads to two separate indices: one for the output level and one for the outcome level. Designation of variable weights will be considered and assessed based on the relative importance of the variables. The suggested four broad themes/variables at the outcome level are: (a) tenure security; (b) access to land; (c) conflict on land; and (d) land governance. The value of the LPRI will range from 0 to 4, comprising four sub-indexes. A maximum of three to four indicators will be designated for each of the broad themes/variables. The LPRI at the outcome level will therefore have a total of 12 to 16 sub-indicators. The same logic will be applied for the themes/indicators at the output level. A value close to 0 will indicate poor progresses in land policy reforms, whereas values closer to 4 will reflect positive progress in the land reform process.

## 6.11 Reporting Mechanisms

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A monitoring reporting system will be in place to execute the series of interconnected tasks to draft and finalize the framework for the tracking system and development of the LPRI. The reporting system here defines the reporting mechanisms during Phase 1 (i.e. consultation and discussion and piloting) and during Phase 2 (i.e. finalizing the tracking framework and developing the LPRI). This will enable the design of pragmatic and realistic reporting mechanisms until the framework for the tracking system is finalized.

### 6.11.1 Country-Level

The National land administration agencies (NLAAs) should designate a country focal person (CFP) who will work closely with the APRM Focal Point and the National APRM structure. The CFP will assume the following key duties and responsibilities:

- » Organizing and leading the exercise on piloting and preparing the country report from the piloting exercise and presenting the findings at continental level;
- » In the process of the piloting exercise, taking the lead in undertaking a stakeholder analysis to define the key stakeholders including their roles;
- » Promoting the active involvement of key stakeholders while undertaking the piloting exercise including the dissemination of information on every progress made during the piloting exercise.

At the country level, key stakeholders include land users (smallholder farmers, natural resources users, urban dwellers and urban residents), government organizations, traditional/customary institutions, CSOs, research institutions and universities. The land users are the key and principal beneficiaries, as they bear all the consequences of the land policy, both the positive and the negative aspects of it. The involvement of land users in design, collection and analysis and sharing of the findings is undoubtedly important and crucial.

Adopting the above principles of participation not only motivates the land users but also will enable development of locally relevant indicators and benchmarks. It allows communities to observe the actual change with time building their trust in and ownership of the scheme. Many cases have been documented where local people participated and evolved highly locally relevant indicators than even scientific indicators (IDS, 1998; Wilusz, 2010). Therefore the following, two central principles shall be pursued:

- » Adapting PM&E methodologies including rapid rural appraisal while undertaking studies on indicator and benchmark development process. Rigid conventional methodologies should be combined with participatory methodologies; and
- » Implementing the PM&E system by itself demands piloting before scaling up to learn the processes involved (i.e. both during the design and implementation of the system) and the associated institutional requirements.

A range of media shall be used to provide a continuous flow of information on the steps taken and progress made toward developing the monitoring framework including indicators and benchmarks. Appropriate and suitable media will be used for dissemination to proactively inform the key stakeholders on progress made towards developing the monitoring framework. Suggested media versus different stakeholders are shown in Table 6.5.

**Table-6.5-Media type as per key target groups**

<b>Target Group</b>	<b>Means of dissemination</b>
1-Land users	» Radio » Progress summary reports » Meetings with selected communities, farmer organizations and community leaders
2-Government	
2.1- Expert level	» Study reports » Expert meeting » Web page
2.2-Policy/decision making level	» Summary reports on progresses » Web page
3-CSOs	» The same as 2.1
4-Reserch institutions	» The same as 2.1
5-Universities	» The same as 2.1

### **6.11.2 The Regional Economic Communities**

The “Declaration of Land Issues and Challenges in Africa” calls for RECs to participate in implementing the F&G in the following two main areas (AU, 2009):

- » Convening periodic regional platforms to facilitate sharing experiences and lessons, and to disseminate the best practices in land policy formulation, implementation and monitoring based on member states experiences; and
- » Appropriately capturing and addressing issues of land policies within their respective common agricultural policy frameworks.

The potential role that RECs should play might best be exploited and utilized by organizing, managing and consolidating the monitoring framework process at the regional level. It creates a regional forum through consultation and discussions, overseeing and guiding the piloting exercises and disseminating the stages reached in developing the monitoring framework.

### **6.11.3 Continental Level**

The key purpose will be to inform the key stakeholders of progress made at every stage in the processes involved in finalizing the draft tracking framework and preparing the LPRI. Based upon country level reports and field visits to pilot countries, the LPI will inform key stakeholders primary to the APRM on progress made towards finalizing the tracking framework and LPRI. Therefore, the LPI will prepare a quarterly progress report to be disseminated via reports, newsletter and web-based communications.

# 7. Illustrations Of Key Components Of The Tracking System

In the sphere of M&E, several approaches and techniques are available to collect and analyse monitoring data. However, the key challenge remains to identify reliable and credible indicators which are valid at local levels. Therefore identifying indicators which are locally relevant, credible and acceptable is at the core of the monitoring development process. This chapter highlights the above issues and challenges surrounding the LRDI which is being developed in Asia in order to draw lessons relevant to the LPI.

## 7.1 Choosing Indicators

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The process of choosing indicators is key to the whole policy cycle due to the diversity of definitions and measures for the same theme across countries and within localities in a particular country. For example, the definitions of tenure security/insecurity and their measures vary locally. These might be associated with disputes over land, frequent unlawful evictions or unlawful redistribution of land (see Box-7.1). It is therefore vital to develop a standard definition for the right indicators in a particular country or locality which calls for a need to adhere to the following two key concepts:

- » Maintain standard and consistent definitions throughout the data collection and analysis period; and
- » Maintain the same sets of definitions to analyse the monitoring data over time.

Concomitant with the above, an objective assessment is central to developing indicators which are locally credible and sound. Asking key objective-specific questions to specific themes and issues is a building block in the whole process of developing credible indicators. Though not exhaustive in listing as an illustration, a general guide to developing an indicator based on objective assessment is shown in Table 7.1. This is based on the proposed monitoring framework. The lists of indicators shown in Tables 1 and 2 of Appendices-1 must

### ***Box- 7.1- Indicators on tenure Security/insecurity***

Multiple organizations use multiple indicators on tenure security/insecurity. However, definitions of tenure security/insecurity vary from place to place, which is an important factor to be considered in devolving indicators in a particular place. Below are the common measures of tenure security/insecurity used by different organizations:

- » Land registration/titling,
- » Frequency, severity and nature of disputes;
- » Frequency of eviction.
- » Perception of tenure security/insecurity

be cross-referenced and weighed in light of the illustration shown in Table 7.1 to screen and choose locally appropriate and relevant indicators in a particular country.

**Table 7.1-Basic guidelines to selecting indicators for a specific theme/issue**

<i>Questions to address</i>	<i>Realistic and credible indicators</i>
On policy outcome: Is there a perception of tenure security/insecurity in areas predominately occupied by customary tenure in the country?	Per cent of households with insecure tenure due to frequent unlawful land redistribution in the past two years OR fear of unlawful and widespread eviction
On policy output: How much progress has been made in delivering land titles in formal and customary tenure dominated areas of the country?	» Number of individual titles in formal tenure areas » Number of group/community titles in customary areas
On policy activity: Is there a long-term training strategy in place to train staff working in land administration institutions?	» Strategy document on capacity building » Number of short-term and long-term training courses by type » etc.
On policy input: How committed is the government to rolling out the land policy in the country?	» Country budget amount for land reform programme » Necessary laws and regulations in place to implement the land policy » Institutional structure in place to implement the land reform programme » etc.

## 7.2 Important Tools for Gathering Information

A wide variety of approaches and methodologies are used to generate and analyse monitoring data. One of the most common tools are interviews (i.e. structured, unstructured, semi-structured, etc.). Other tools which are increasingly used by CSOs to monitor land reform include ranking and scoring, which are useful for in-depth learning of the relative importance of people's attachment and views on different issues. The score card is an important tool to analyse the degree of the problem related to a specific theme and issue. The score card can be measured using qualitative and quantitative means. A sample template on the score card is shown in Table 7.2. This method can be used to generate monitoring information at country level.



**Table 7.2- Illustration for Outcome Indicator Based on Score Card**

<b>Content</b>	<b>Purpose</b>
Country	Country XXX
Dominant tenure type	Customary tenure regime
Indicator type	Outcome level
Rationale and objectives	Lack of awareness on existing land policies and laws as a significant problem for the beneficiaries to exercise their rights and obligations
Interventions and guideline	<ul style="list-style-type: none"> <li>» Increased awareness through various media</li> <li>» Integrate the awareness of land policy issues with partner's programme</li> <li>» etc.</li> </ul>
Method to be applied to assess the outcome	<ul style="list-style-type: none"> <li>» Interviews with the selected communities on selected questions as shown below</li> <li>» Baseline surveys, etc.</li> </ul>
Date interpretation	<ul style="list-style-type: none"> <li>» The local communities become more aware of existing land policy and laws</li> </ul>
<p>To investigate what should be done to increase the awareness level of existing land law/policy, the following could be asked and scored (0 to 4) based on the score card:</p> <ul style="list-style-type: none"> <li>» Use the radio</li> <li>» Use elder community leaders</li> <li>» Use religious institutions and centres</li> <li>» Use market places</li> <li>» Any other specific issue</li> </ul>	

### 7.3 The Land Policy Reform Index

The Land Policy Reform Index (LPRI), which will be based on themes and indicators which are common at continental level during the latter stages of the policy reform process, could benefit from relevant experiences and lessons from other continents and international development initiatives. From international development initiatives, HDI is a widely used model based on three variables which relate to outcome level indicators. The relevant model for the land reform index is the model under construction in the Asia region. A sample of the LRDI based on two key land reform variables with pilot testing in Bangladesh, Indonesia and the Philippines is shown in Table 7.3.

**Table 7.3: A Sample Land Reform Development Index (LRDI) in Asia**

	<i>Bangladesh</i>	<i>Indonesia</i>	<i>Philippines</i>
1-Land tenure (multiplied by 0.50)	0.3	0.4	0.4
1.1-Number of persons killed per 100,000	0.00	0.188	0.125
1.2			
1.3			
1.4			
1.5 Land grabbed as percentage of the total agricultural land			
2-Land access (multiplied by 0.50)	0.2	0.3	0.2
2.1-Gini Coefficient	0.04	0.030	0.025
2.2			
2.4			
2.5 IPs	0.02	0.100	0.070
Land Reform Development Index ( LRDI)	0.5	0.7	0.6

**Source:** *ANGOC (2010).*

## 8. Recommendations

One of the urgent calls by African Heads of State and Government in their declaration on land policy includes developing a tracking system to monitor land policy formulation and implementation. The system is key to attaining sustainable development in the continent. A tracking framework is one of the key instruments for country self-monitoring. It also provides AU with monitoring information on progress made by African countries in implementing the Declaration of African Heads of State and Government on Land. During the development process of the F&G, the LPI conducted a series of discussions and consultations which yielded a draft background paper on progress tracking of land policy. This document on “Tracking progress in Land Policy Formulation and Implementation in Africa” furthers these earlier works at two fronts: (a) clarifying related key issues by elaborating the purpose, scope and scale and the process to developing indicators; and (b) defining the specific strategic pathways to developing and finalizing a progress tracking framework to be used at both national and continental levels in a complementary and integrated manner.

The document defines the purpose, scale and scope, skeleton of tracking system, a list of potential indicators and data sources and strategic pathways and processes for evolving and finalizing the tracking system. Since clarity in implementation modalities are crucial, the strategic pathway for developing and implementing the proposed monitoring framework, defines the key interrelated tasks in sequence. The tracking system focuses on building the national monitoring system. However, this is integrated and linked to continental level based on common themes and indicators to allow continental level comparability. The continental comparison serves as an instrument to regularly inform African Heads of State and Government on the progress made by member countries in implementing the AU Declaration on land in accordance with the principles outlined in the F&G.

To sustain the proposed tracking system, a series of interconnected recommendations are outlined in two broad areas: (a) strategic pathways for implementing the tracking framework; and (b) considerations to be taken into account to put in place a sustained tracking system.

### 8.1 Strategic Road Map for Implementing the Framework on Tracking System

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A series of consultations and discussions and piloting exercises in selected African countries are recommended to validate and finalize the framework. These are discussed below.

### 8.1.1 Finalization of “Draft Tracking Framework”

- (a) **Review, Validation and finalization of the Draft Framework Document:** The LPI via the RECs and e-consultations should embark on continuous discussions and consultations on the draft framework to solicit comments. These comments should be used to finalize and endorse the draft document.
- (b) **Establishment of Country Level Land Tenure Profiles Database:** Regularly updated data on land tenure profiles of African countries is a fundamental data set for understanding the current status of each African country. It will also provide a comprehensive snapshot on key land issues and progress made in land policy reform. This is also a key database for categorizing countries based on key tenure niches and issues and designing multiple tenure related programme interventions.
- (c) **Selection of Pilot countries:** To enrich the draft document and define the appropriate institutional pathway to implement the framework, pilot countries will be selected from countries which already have Land Policy Reform in place and have started the implementation process. Some of the criteria which might be used in selecting the pilot countries include regional representativeness, high country coverage by customary tenure and formal tenure and existence of political champions. Countries that have been peer reviewed via APRM would provide a better platform and opportunity for testing the monitoring system and institutional arrangement for implementing the framework. This should therefore be considered as an additional criterion for selecting the pilot countries.

From the limited information available, many African countries have not yet started developing New Land Policy in accordance with the principles outlined by the F&G. The lack of the new land reform means that the process cannot be tracked in these countries.

- (d) **Preparation of Guidelines to undertake the Piloting Exercise:** Based on the purpose of the piloting exercise, a “Guideline on How to Implement the Piloting” will be prepared by the LPI before launching the exercise. The Guideline should contain:
  - » key information on the purpose, process and steps to identify and compile indicators;
  - » information on the data availability and accessibility, data analysis; and
  - » the institutional arrangement for implementing the proposed country level monitoring framework and the possible institutional link with LPI.

Additionally, standard definitions on key tenure terms (e.g. tenure regimes, etc.) and standard template need to be prepared to facilitate preparation of standard and consist-

ent country level reports. Proactive participation of the CFP will be crucial during the preparation and finalization of the guidelines for implementing the piloting exercise across the selected pilot countries.

- (e) **Launching the piloting exercise:** In consultations with the selected pilot countries, each country should show readiness and strong willingness to participate by putting in place the required institutional structure to carry out the piloting exercise. Launching the pilot phase will culminate in preparing a country report on the exercise based on the Guideline.

The collective synthesis from the piloting exercise and the inputs to be gathered from the series of consultations and discussions would provide useful information for developing the framework on tracking system. This information includes:

- » Data availability, accessibility, and data gaps both in pilot countries and across countries;
- » Existing national level land monitoring system and possible institutional link between national level and continental level institutions, typically with the LPI and APRM structure and strategies for improving and strengthening the national monitoring systems;
- » Mechanisms on how to disseminate the results from the national monitoring system based on a review of the existing national level experiences on disseminating monitoring information;
- » Detailed institutional/methodological arrangements for implementing the PM&E system at the national level;
- » Detailed procedures on PM&E including considerations and issues on sustainability; and
- » Proposals and views on appropriate LPRI based on indicators which are important at the national level.

- (f) **Continental level workshop:** Based on inputs from the piloting and the series of consultations and discussions, continental level workshops will be held to discuss and deliberate on the following:

- » Finalizing the draft monitoring framework;
- » Initiating the preparation of a “Manual on Tracking System” to be used as a detailed reference and guide to implement the monitoring framework;
- » Defining the appropriate institutional structures at the national and continental levels to implement the tracking framework;

- » Formulating strategies and action plans for disseminating the monitoring information at the country, regional and continental levels; and
- » Holding discussions on developing the LPRI based on presentation of the lead paper on the context prevailing in Africa.

To execute the above, LPI will prepare and implement a detailed action plan. It will include the resources required to implement the action plan.

### **8.1.2 Operationalization of the Monitoring Framework and the LPRI**

This phase encompasses the actual implementation of the agreed framework on tracking system at both the national and continental level in phased approach. Prior to embarking on implementing the framework in all countries at the same time, gradual and incremental approach will be deployed based on willingness, political “Champion” and the available resources.

In addition to designation of a CFP, the institutionalization of a National Steering Committee with members constituted from the government (i.e. NLAAs, national statistical agencies, etc.), CSOs and academic and research institutions is central to effectively implement the tracking system. The institutional arrangement, however, needs to be synchronized and integrated with APRM national level structures in the countries where these are not yet in place.

## **8.2 Sustainability**

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Key to the sustainability of the system is the participation of key stakeholders at country, regional and continental levels and strengthening the national level monitoring system. As a prelude to participation the principle will be creating a common and shared vision and understanding on the purpose, functions and importance of the framework by all key stakeholders. To ensure the system is sustainable the following four actions and measures are vital:

- » In the framework development process, involvement and participation of the key stakeholders at country, regional and continental levels are key. At the community level, the communities should be involved in the indicator development processes and regularly informed on the progress during implementation process and the results of the monitoring information. At regional and continental levels, information on implementation progress should be regularly communicated both to RECs and to the NEPAD system (i.e. the APRM) in the whole process until the tracking system is finalized. The institutional structure to be used to develop the tracking framework on land policy should be linked, integrated and harmonized with the national APRM structures (i.e. APR Focal Point and the national structures).

- » It is fundamental that the tracking system to be developed to be integrated and build on the existing national monitoring system in order to guarantee the institutional sustainability of the tracking system. Additionally, the national monitoring system should be capacitated by providing training and modest resource support.
- » Institutional capacity of existing national organizations should be strengthened, especially for those organizations working on land related monitoring activities.
- » The process must recognize, minimize and, if possible, avoid past and ongoing challenges encountered in many developing countries in implementing M&E systems. The common challenges include lack of knowledge and demands on the M&E system (i.e. accountability, transparency, etc.), lack of a political champion of the system, weak institutional capacity (manpower, resources, etc.), and fragmented institutions with mandates on land matters and under-budgeting of monitoring activities.

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# Appendices

## Appendix-1- List Of Proposed Indicators In The Result Chain Under The Four Pillars

**Table-1- Formal Tenure System**

<i>Pillars</i>	<i>Indicators</i>	<i>Data type</i>	<i>Possible data sources</i>
<b>Outcome Level</b>			
Economic	Perception of tenure security in the past two years in country xxx	Qualitative	Case studies (research institutions, CSOs, etc.)
	Percentage of increases in agricultural production in rural areas compared to the base year	Quantitative	FAO/FAOSTAT
	Extent of land market transactions measured by annual registered transactions as a percentage of registered parcels in xx Year in country xx	Quantitative	Case studies (research institutions, CSOs, etc.)
	Annual registered mortgages as a percentage of the total registered parcels in rural and urban areas in country X	Quantitative	NLAA and finance and housing ministries
Social	Percentage of landless groups who have accessed land in rural areas in the past two years in country xxx	Quantitative	Case studies (research institutions, CSOs, etc.)
	Average annual number of men-headed and women headed households forcefully/unlawfully evicted from their dwellings in urban areas during the past two years in Country X	Quantitative	Case studies (research institutions, CSOs, etc.)
	Percentage of poor household who accessed shelter in the past two years	Quantitative	NLAA and finance and housing ministries
	Average number of households unlawfully evicted from their farmlands during the past two years in country xxx	Quantitative	Case studies (research institutions, CSOs, etc.)
	Awareness of the rural and urban population on existing land policy	Quantitative	Case studies (research institutions, CSOs, etc.)

<i><b>Pillars</b></i>	<i><b>Indicators</b></i>	<i><b>Data type</b></i>	<i><b>Possible data sources</b></i>
Environment	Extent of land with sustainable land management in rural areas	Quantitative	FAO; CSLMIF, Forest department, etc.
	Extent and coverage of tree plantation on individual holding	Quantitative	FAO; CSLMIF, Forest department, etc.
Governance	Number of (cases) illegal appropriation of natural resources of rural communities in rural areas within the past five years in country X	Quantitative	Case studies (research institutions, CSOs, etc.)
	Transparency in accessing land resources for “public” uses and commercial purpose in urban areas	Quantitative	Case studies (research institutions, CSOs, etc.)
	Prevalence/severity of disputes-Total ongoing land-related court cases in urban and rural areas as %age of the total registered parcels in country xxx	Quantitative	Case studies (research institutions, CSOs, etc.)
	Transparency in accessing “public land” for “public” and commercial development purpose in rural areas	Qualitative	Case studies (research institutions, CSOs, etc.)
Sub-total	17 (2 qualitative and 12 quantitative)		
<b><i>Output</i></b>			
Economic	Not relevant ( NR)		
Social			
Environment	Not relevant (NR)		



<i><b>Pillars</b></i>	<i><b>Indicators</b></i>	<i><b>Data type</b></i>	<i><b>Possible data sources</b></i>
Governance	a-Provision of services		
	Number of land related tribunals per/ xxxx km2 in a country land area	Quantitative	NLAA, country judiciary office
	Number of registries per/xxxx km2 in country areas	Quantitative	NLAA, country judiciary office
	Average time required to resolve land-related on-going court case in country XX	Quantitative	NLAA, country judiciary office
	Average time required from adjudication to issuing the title certificate in Country X	Quantitative	NLAA, country judiciary
	Average time per parcel for transacting land in urban and rural areas	Quantitative	NLAA,
	Average cost per parcels from surveying to issuing the title documentation in country X	Quantitative	NLAA,
	Cost per parcel when transferring the rights on land	Quantitative	NLAA,
	Clarity in institutional mandates and roles in implementing the land policy	Qualitative	Case studies ( research institutions, CSOs, etc.)
	Efficiency in collecting land related taxes measured as the percentage of land tax to the total tax collected in country X	Quantitative	NLAA and finance ministry
	Percentage of total parcels registered and tiled (total number of registered parcels/ Total # of parcels in country X	Quantitative	NLAA, banks, etc.
	Percentage of land user's who are aware of the existing land policy/legislation	Quantitative	Case studies (research institutions, CSOs, etc.)
Sub-total	11 (all quantitative)		
<b><i>Activity</i></b>			
Economics	NR (not relevant)		
Social	NR (not relevant)		
Environment	NR (not relevant)		
Governance	Percentage of the trained staff from the total staff assigned in the country land administration office	Quantitative	NLAA
	No of short-term training provided to "land practitioners" on land related issues per year for land administration ministry	Quantitative	NLAA

<b>Pillars</b>	<b>Indicators</b>	<b>Data type</b>	<b>Possible data sources</b>
Sub-total	2 ( quantitative)		
<b>Input</b>			
Economics	Percentage of budget allocated for to administer formal tenure to the total national budget allotted to Land policy and administration in country X	Quantitative	NLAA and finance ministry
	Percentage of Public expenditure to housing to the poor as proportion of the total annual national budget for housing per Year	Quantitative	NLAA and finance ministry
Social	Adequacy of the law in protecting the rights of vulnerable groups in urban and rural areas	Quantitative	
	The adequacy of the land policy in dealing with dispute resolution mechanisms in urban and rural areas	Quantitative	
Environment	Percentage of policies and legislations documents where environmental sustainability issues are streamlined country X	Quantitative	Expert panel discussion and/or case studies
Governance	Mandate clarity of land administration institutions		
	Percentage of budget allocation for land policy formulation and implementation from the total budget	Quantitative	NLAA
	Institutional capacity of the NLAA in implementing the land policy/legislation	Qualitative	Expert panel discussion
	Participation of key stakeholders in policy/legislation formulation and implementation	Qualitative	Expert panel discussion
	Clarity of the policy/legislation on accessing “ public” land for “public” or “commercialization” purpose	Qualitative	Expert panel discussion
	Adequacy and clarity in settling land related conflicts	Qualitative	Expert panel discussion
Sub-total	11 (7 quantitative and 4 qualitative)		
TOTAL	41		

**Table-2- Customary Tenure System**

<i>Pillar</i>	<i>Indicators</i>	<i>Indicator type</i>	<i>Data Source</i>
<b>Outcome Level</b>			
Economics	Budget utilization efficiency from allocated national budget in implementing the land policy/ law in areas occupied by customary tenure in country x	Quantitative	The NLAA and finance ministry
	Increase in livestock production and/or productivity	Quantitative	Case studies (research institutions, CSOs, etc.)
	Perception on tenure security/insecurity	Qualitative	Case studies (research institutions, CSOs, etc.)
Social	Number and/or percentage of evicted population from the total population under customary tenure due to illegal/unlawful eviction in the last two years in country xxx	Quantitative	Case studies (research institutions, CSO, etc.)
	Number of land related disputes within the tribe/family/group in country during xxxx Year	Quantitative	Case studies (research institutions, CSO, etc.)
	Number of land related disputes between tribes/families/groups in country XX during xxxx Year	Quantitative	Case studies (research institutions, CSO, etc.)
Environment	Motivation of the local communities in enforcing the policy/legislation to protect the natural resources	Quantitative	Case studies (research institutions)
	Capacity and strength of the community organizations in managing natural resources (pasture, water, etc.) and/or number of community members who trespassed the law in areas occupied by customary tenure in the past 2 years in country xxx	Quantitative	Case studies (research institutions, CSO, etc.)
Governance	Number of illegal appropriation of natural resources of rural communities in past five years in country xx	Quantitative	Case studies (research institutions, CSO, etc.)
	Transparency in accessing land resources for “public” uses and commercial purpose	Qualitative	Case studies (research institutions, CSO, etc.)
Sub-total	10 (7 quantitative and 3 qualitative)		
<b>Output</b>			
Economic	NR (not relevant)		

<b>Pillar</b>	<b>Indicators</b>	<b>Indicator type</b>	<b>Data Source</b>
Social	NR (not relevant)		
Environment	NR (not relevant)		
Governance	a-Provision of services and goods/outputs		
	Average time taken from adjudication to issuance tribal/group certificate in country X from xxx to xxxx during xxxx Year	Quantitative	NLAA
	Average cost for issuing clan/family/group based title with a territory less than xxx Km2 in country X	Quantitative	NLAA
	Average time required to settling land related disputes at court and/or customary institutions	Quantitative	NLAA
	Clarity in institutional mandates and roles in a country xxx	Qualitative	Expert panel discussion
	Efficiency in collecting land related taxes measured as the percentage of total tax to the total land related tax collected in country X	Quantitative	NLAA
	Accessibility to dispute settlement institutions—number of courts per 100,000 population in a country xxx	Qualitative	NLAA
	b-Output puts of administrative services		
	Percentage of tribal/family/group certificates issued from the total # of clans/families/groups in country in year xxx	Quantitative	Case studies (research institutions, CSO, etc.)
	Percentage settled farmers and pastoralists/ agropastoralists who are aware of the existing land laws /policy from the total population living in areas occupied by customary tenure	Quantitative	Case studies (research institutions, CSO, etc.)
Sub-total	8 (6 quantitative and 2 qualitative)		
<b>Activity</b>			
Economics	NR (not relevant)		
Social	NR (not relevant)		
Environment	NR (not relevant)		

<b><i>Pillar</i></b>	<b><i>Indicators</i></b>	<b><i>Indicator type</i></b>	<b><i>Data Source</i></b>
Governance	Percentage of the trained staff from the total staff on land administration and legislation reform	Quantitative	The NLAA
	Percentage of “land practitioners” who received short-term training from the total staff working on land in customary areas	Quantitative	The NLAA
Sub-total	2 (Quantitative)		
<b><i>Input</i></b>			
Economics	Budget allocated to implementing the land law in areas occupied by customary tenure from the total national budget allocated for land policy implementation in country X in year xxxx	Quantitative	The NLAA, Finance ministry
Social	Adequacy of the law in protecting the rights of vulnerable groups	Qualitative	» Expert panel discussion
Environment	Policies and legislations documents where environmental sustainability issues are streamlined country X		
Governance	» Mandate clarity of land administration institutions in areas occupied by customary tenure	Qualitative	» Expert panel discussion
	» Adequacy of the land law to recognize the customary tenure	Qualitative	» Expert panel discussion
	» Adequacy of the land law to protect the rights of vulnerable groups	Qualitative	» Expert panel discussion
	» Adequacy and clarity in settling post-conflict	Qualitative	» Expert panel discussion
	» Institutional capacity in land administration in areas occupied by customary tenure	Qualitative	» Expert panel discussion
	» Participation of key stakeholders in policy/legislation formulation and implementation	Qualitative	Case studies ( research institutions, CSO, etc.)
	» Clarity of the policy/legislation on accessing “public” land for other “public” use or commercialization( state sovereignty)	Qualitative	» Expert panel discussion
Sub-total	10 (9 qualitative and 1 quantitative)		
TOTAL	30 (16 quantitative and 14 qualitative)		

