



# Evaluation of the Mozambique Community Land Use Fund



Final Report  
June 2014

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Manica Interview Team

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## Acronyms and Abbreviations

ADETUR	Association for Tourism Development (Maganja da Costa)
BA	Boundary Actor (groups, communities, organisations or institutions important to the achievement of the Outcome Challenges)
BAGC	Beira Agricultural Growth Corridor
CGRN	(Community) Natural Resource Management Committee
CPI	Investment Promotion Centre
COMESA	Common Market for Eastern and Southern Africa
CTA	Confederation of Business Associations of Mozambique
CTV	Centro Terra Viva
DDF	District Development Fund
DFID	Department for International Development
DRP	Community Participatory Diagnostic study
DUAT	state-granted land right
EAC	East African Community
ECA	United Nations Economic Commission for Africa
FDD	District Development Fund (loan available to community organisations)
GoM	Government of Mozambique
G6	Donors financing iTC from the start: UK-DFID (lead donor), the Embassies of the Netherlands and Denmark, Irish Aid, Swedish SIDA and the Swiss Agency for Development
IDRC	International Development Research Centre (Canada)
iTC	Community Land Use Fund (Iniciativa para Terras Comunitárias)
LSLAs	Large scale land acquisitions
MCC/MCA	Millennium Challenge Corporation/ Millennium Challenge Account
NAC	National Advisory Council (advises iTC)
NRI	National Research Institute (Greenwich University)
NRM	Natural resource management
OCs	Outcome Challenges (the key future desired achievements of iTC)
OH	Outcome Harvesting (Approach for review of reported outcomes confirmed and triangulated at field level)
OM	Outcome Mapping
ORAM	Rural organisation for Mutual Aid
PROIRRI	Sustainable Irrigation Development (World Bank funded)
RG	Reference Group
SADC	Southern African Development Community
SDAE	District Service for Economic Activities (principally agriculture)
SDC	Swiss Agency for Development Cooperation
SIDA	Swedish International Development Agency
SNV	Netherlands Development Agency
SP	Service Providers (organisations working under contract to KPMG with iTC)
SPFFB	Provincial Forestry and Wildlife Services
SPGC	Provincial Service of Geography and Cadastre
ToC	Theory of Change
UEM	Universidade Eduardo Mondlane
UNIFEM	United Nations Women [’s Organization]
UNAC	National Farmers Union



## Executive Summary

### CONTEXT AND OBJECTIVES OF THE MOZAMBIQUE COMMUNITY LAND USE FUND

The Mozambique Community Land Use Fund (*Iniciativa para Terras Comunitárias*, or *iTC*) began in June 2006 and continued until April 2014 with financing totalling £15.1million from seven donors<sup>1</sup>. The initial phase covered Manica, Gaza and Cabo Delgado Provinces with Tete and Sofala provinces added in 2010. The Millennium Challenge Account extended *iTC*'s activities (*iTC/MCA*) in a second phase into Nampula, Niassa and Zambézia. KPMG/National Research Institute (NRI) manages both *iTC*'s G6 and MCA programme components. The *iTC*'s objectives are:

1. To assist communities in identifying and protecting their land rights and ensuring their access to natural resources,
2. To target priority geographical areas with significant economic potential,
3. To combine land rights delimitation and land use planning to identify potential sites for investment,
4. To link communities with investors and development institutions, and
5. To align *iTC* interventions with district plans and financing opportunities.

The *iTC* largely focused on providing increased tenure security, while preparing communities for investments in infrastructure, natural resource management and producer associations to support their own investments and partnership-based productive investments with external investors.

<sup>1</sup> UK-DFID (lead donor), the Embassies of the Netherlands and Denmark, Irish Aid, Swedish SIDA, the Swiss Agency for Development and MCA

<sup>2</sup> Outcome Harvesting is an utilisation-focused, participatory tool that enables evaluators, and managers to identify, formulate, verify, and make sense of outcomes they have influenced when relationships of



Women from Manzir Agriculture Association showing DUAT, Gaza Province

### EVALUATION PURPOSE AND APPROACH

The UK Government's Department for International Development (DFID) commissioned an evaluation of the programme, guided by an *iTC* Reference Group (RG). The evaluation's purposes were:

1. To elucidate lessons learned (including differences between *iTC/G6* and *iTC/MCA* approaches),
2. To understand *iTC*'s influences on investments in participating communities at different levels, and
3. To provide input into the design of *iTC* and support for future activities including M&E.

This evaluation focuses on two *iTC/G6* provinces (Manica and Cabo Delgado) and one *iTC/MCA* province (Zambézia), using the 'Outcomes Harvesting' approach and method.<sup>2</sup> The evaluation team's approach first identified programme objectives, and then sought to uncover or 'harvest' outcomes corresponding to specific, measurable changes in the behaviour and relations of communities and their

cause-effect are unknown. Outcome Harvesting does not measure progress towards predetermined outcomes or objectives, but rather collects evidence of what has been achieved and works backward to determine whether and how the project or intervention contributed to the change. For a more detailed description of OH, visit <http://www.outcomemapping.ca/resource/resource.php?id=374>

organisations, outcomes which the activities and interventions of KPMG and its service providers contributed to being realised.

## EVIDENCE OF OUTCOMES

Overall, 171 outcomes were harvested and showed strong evidence, triangulated from multiple sources that iTC contributed to successful outcomes at community level. Collaboration of multiple actors, including communities and various Government agencies, was also found to contribute to this success.

Of the valid outcomes harvested, nearly 40% attested to changes in the behaviour and/or relationships of key boundary actors contributing to the preparation of communities for investments. Valid outcomes are those, where the field research determined that there was clear evidence for the outcome being accurate.

This relatively high percentage of outcomes verified by field visits with few if any negative effects and minimal outside influence imply a strong evidence linkage to program contribution towards these outcomes. This includes a relatively high number of outcomes showing improved community security, conflict management and improved knowledge and application of legal rights, as well as a medium number of outcomes of improved natural resources management capacity at the community level.

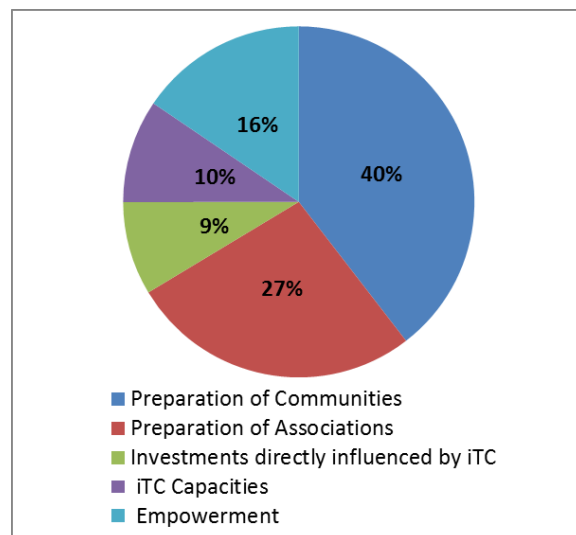
Outcome Area	Strength of Evidence for Project Contribution
Preparation of Communities	HIGH
Preparation of Associations	MEDIUM
Investments Directly Influenced	LOW
iTC Capacities	LOW
Empowerment	HIGH

Another 27% of the valid citations provided evidence of progress toward the preparation of associations for investments. Although this is a relatively high percentage of outcomes, there were a fair to high number of negative effects recorded related to the sustainability of associations and the process for application of

state granted land rights, or DUATs. The third largest number of outcome challenges cited at 16% with strong evidence linkages to program influence had to do with the empowerment of men and women in the management of Community Natural Resource Management Committee (CGRNs) and associations as well as empowerment of the communities and associations for increasing their influence in local markets and in regional policy discussions.

Efforts by iTC to improve its effectiveness through upgrading the capacities of its service providers and through building stronger alliances with boundary actors yielded fewer examples of progress with about 10% of the total outcomes cited. This is an area where evidence is weak to support program influences, due to the low number of outcomes harvested, as well the significance of outside influences involved.

The outcome challenges with the fewest citations has to do with direct iTC influence on investments. There is again relatively weak evidence in this area as more time is needed to observe change. This result is to be expected at this point in the evolution of the iTC programme, since the main focus has been on preparing communities and associations for creating the conditions for stimulating investments, and not on encouraging specific investments.



% of outcomes in 5 Outcome Challenge Thematic Areas

## HEADLINE ACCOMPLISHMENTS OF THE PROGRAMME

### Land rights training has improved protection of community land and natural resources.

Most communities engaged by iTC now understand their rights and have established natural resource management committees to defend them and delimited their boundaries. Delimitation of their land gives communities a greater sense of security and enables them to manage natural resources sensibly. Training, discussion with neighbours and delimitation itself has resolved many long-standing conflicts. Protection of community land and resources are major iTC benefits.



NAC members during a visit in a community, Cabo Delgado province

### Private Investments have occurred but not immediately.

iTC has set the stage for investments to occur. While less than 10% of the changes in communities and association land tenure and management structures helped produce immediate investments, field visits in early 2013 (1-3 years after the initial iTC interventions) produced evidence that about half of these changes have positively influenced investments. Most of these investments were small, made by local people; about half of them failed to produce immediate profits. About a third of investments agreements are with private investors; these

have generally succeeded. Individuals have responded to incentives to invest provided by the community and association land tenure arrangements. Communities need more and longer lasting assistance to invest wisely.

### Tenure improvements vastly exceeded targets.

The original G6 and MCA combined target for community and association preparations (training in their rights followed by delimitations and demarcations, respectively) was 454 tenure interventions (delimitations and demarcations). By mid-2013, 888 tenure interventions had been started, 390 completed, meaning that the programme target of 454 interventions will have been substantially exceeded by the end of the programme. However, the backlog in the SPGC<sup>3</sup> processing of applications and slow provincial Government approval for official certificates threaten long delays in the actual delivery to documents confirming tenure improvements to affected communities and associations.

## TEN LESSONS LEARNED

### 1. iTC/MCA has incentivised community land delimitation over association demarcation.

By setting ambitious area targets, MCA encouraged a greater focus on (larger) delimitations rather than (smaller) demarcations. Large areas have been delimited in MCA areas and communities have shown great interest in the protection provided by delimitation. iTC/G6 has tended to be more demand driven, which has resulted in a greater focus on assisting producer associations and leading in some cases to agreements with outside investors. In both iTC/G6 and iTC/MCA areas, association land demarcations, particularly those providing land to associations created in haste, can leave a legacy of land conflict and questionable capacity of communities to recover this land if associations (or private investors) fail.

<sup>3</sup> Provincial Geographic and Cadastre Service

**Recommendations:** Applying the iTC/MCA approach more broadly might allow the rhythm of delimitations to increase in the future, satisfying community aspirations to protect and prepare for investment. Integrating iTC/G6's demand-driven approach would assure greater community participation. Supporting communities may improve the success of internal & external investments resulting from tenure improvements. Demarcations may be of questionable value unless associations are well established already.

## 2. MCA support has sped up the processing of applications.

MCA provided additional support to SPGCs as part of its land administration institution strengthening work, with benefits from this support spilling over into iTC activities which focus on rural areas.<sup>4</sup> SPGCs are able to process applications for community certidões and association DUATs more quickly.

**Recommendations:** The iTC should encourage Government support for speeding up processing of tenure improvements in the future. Providing direct support to cooperating entities including SPGC and SDAE<sup>4</sup> might also allow them to more quickly accommodate the demands put on them by the iTC programme, reducing backlogs.

## 3. Local land administration capacity is lacking.

Provincial and district land administration offices do not have even the most basic information needed to manage land and assist investors within their jurisdictions. As part of larger investment in land administration capacities, iTC/MCA helped engineer a greater capacity in SPGC for processing delimitation and demarcation applications. The future iTC can learn from this experience and adapt it to fill the basic needs of SPGC and local authorities.

**Recommendations:** Additional capacity is needed to provide small but cumulative investments in local government land administration, using IT to decentralise land information management. Maps and other basic

tools could be made available to improve land administration capabilities and local land use planning.

## 4. Clustering interventions geographically can cut costs and increase the efficiency of iTC service provision.

This is particularly true where clusters include communities with common boundaries, allowing all parties to be present during delimitation and settling long-standing land conflicts. Grouping diverse interventions is more cost-effective than managing separate small projects. However, reporting does not provide close correspondence between interventions and outcomes needed for evaluation. Accounting systems fail to differentiate among activities making value-for-money assessments difficult.

**Recommendations:** Continue to manage activities as clusters while disaggregating accounting and reporting so costs can easily be apportioned and problems quickly addressed.

## 5. CGRNs have begun to manage community natural resources.

CGRNs with the support of iTC and other donors prior to iTC, have received basic training in land, forestry and wildlife rights and have documentation of these rights. These CGRNs are showing some signs of success in protecting local resources from illegal use and in attracting investments with benefits for communities and investors. However, the duration and amount of support CGRNs have received has been insufficient; most have not succeeded even in opening bank accounts for deposit of share of forestry revenues. Their ability to resist better-connected outsiders or to negotiate on more equal terms with investors is limited. Growing power of CGRNs may bring them into conflict with local authorities who dominated resource decisions in the past.

**Recommendations:** Government, donors and NGOs must consolidate their initial investments in community institutions to empower them to

<sup>4</sup> District Service for Economic Activities (principally agriculture)



meet challenges and to allow them to take advantage of opportunities as they emerge.



Woman talking during a community consultation phase, Manica province

## 6. Large-scale sustainable and equitable investments have been slow to emerge.

The iTC has developed a cadre of local service provider staff well-versed in land management issues, but their ability to guide investments is limited. At the same time, large investors, some of whom have established credentials for social responsibility, lack information and local contacts.

**Recommendations:** The programme should mobilise knowledge accumulated during the iTC programme to reduce risks to communities and investors. Models from Mozambique (TechnoServe) and South Africa (Vumelana Advisory Fund) may perhaps provide some guidance for meeting this challenge. Support to specialised service providers capable of guiding and advising communities on investment decisions is also needed.

## 7. Arbitrary delimitation of communities continues.

While the definition of “community” and its associated land is often not precise, some arbitrary delimitations of communities were observed. Some communities were broken up into smaller pieces in an apparent attempt to

avoid the 10,000 hectare limit above which approval by the Council of Ministers is required.

**Recommendations:** Continued consultations are needed with Provincial & National institutions to balance community capacity to manage natural resources with traditional community identities under the Land Law and other regulations. Consultations should be held to discuss modification of Article 35(d) of the Land Law, requiring approval by the Council where delimitations exceed 10,000 hectares.

## 8. Communities lack the capacity to deal with large-scale land acquisitions, concessions and growth corridors.

Large scale land acquisitions (LSLAs) and area development schemes<sup>5</sup> will affect communities served by the new iTC. In-depth analysis of the impacts of such projects on communities should be conducted. Ways to mitigate negative impacts on communities and maximise benefits to them should be addressed in the policy realm.

**Recommendations:** The new iTC can analyse these programmes from the point of view of communities and assure them a meaningful role in programme design. Such policy studies would require consultation between legal and policy research staff and the communities themselves.

## 9. Many communities do not collect their share of forestry taxes (and mining revenues).

From iTC interventions, communities now know that they have the right to 20% of forestry and wildlife taxes. Communities also suspect that they also may have the right to share in the revenues from mining operations on their land. Few actually collect their rightful shares.

**Recommendations:** Strengthening CGRN capabilities requires iTC to develop small grant programmes to analyze investment proposals both internal and external to allow CGRNSs to protect community interests. Their financial

<sup>5</sup> These include Beira Agricultural Growth Corridor (BAGC) of which the PROIRRI project is part and the Nacala Corridor which includes ProSavanna



management and oversight should be strengthened (open, manage and audit bank accounts). The iTC should also develop a strategy to assist communities in obtaining a fair share of mining revenues.

#### **10. Community, government and NGO participation mechanisms are not well established.**

The iTC has proven flexible in the past with its successful introduction of social preparation, gender equity and cluster contracting. However, NGO, government and community participation in programme design and in periodic programme course-correcting have been weak due to the

increasingly complex challenges facing iTC and due to budget, contract and time constraints.

**Recommendations:** The programme should adopt new approaches to maximize community participation and thus to improve programme management. Among these, ideas developed by the network of donors and practitioners for “Outcome Mapping<sup>6</sup>” may allow the future iTC to better deal with complex challenges. Periodic Outcome Harvesting should be used to determine how the programme can be adjusted to make it more responsive to community needs.

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<sup>6</sup> For a brief introduction to Outcome Mapping, please refer to: <http://www.outcomemapping.ca/resource/resource.php?id=84>



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# Background and Context

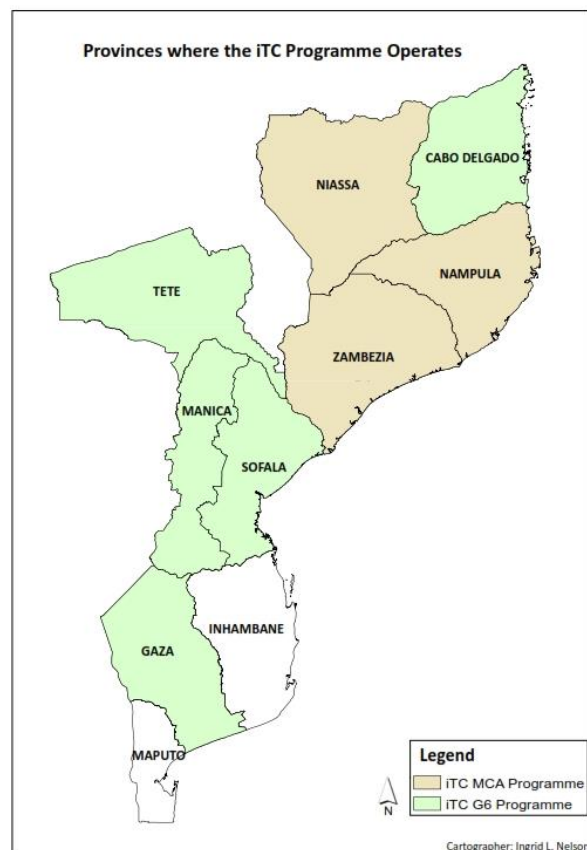
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## 1. BACKGROUND AND CONTEXT

The Mozambique Community Land Use Fund—known as *Iniciativa para Terras Comunitárias* (iTC)—was formed by six donors (referred to as the G6)<sup>7</sup> in 2006 in order to enhance the capacity of those involved in securing the land tenure and natural resource rights of local communities and to increase the sustainable management and use of natural resources for poverty reduction and economic growth. The term “iTC” refers to a donor-funded programme administered by a consortium led by KPMG Auditors and Consultants Mozambique and including the Natural Resource Institute (NRI) of Greenwich University.<sup>8</sup>



The iTC programme was piloted in the provinces of Manica (headquarters), Gaza and Cabo Delgado.<sup>9</sup> In 2009 the Millennium Challenge Corporation (MCC) funded a second iTC initiative (iTC/MCA) with £9.4 million (administered by KPMG Auditors and Consultants Mozambique) with broadly similar objectives, but focusing on three other provinces: Nampula, Niassa and Zambézia. In 2010, after a Mid-Term Review, the iTC programme expanded its activities into Tete and Sofala provinces. Thus, iTC excludes only Inhambane and Maputo Provinces from its purview.

The two iTC initiatives took place in a total of 28 out of 128 districts in 8 out of 12 provinces.<sup>10</sup> While the current extension phase of the iTC/G6 programme will conclude December 2014 and the iTC/MCA programme concluded in September 2013, a council of donors, legal experts and others are developing an independent national iTC foundation that will continue its activities, draw on lessons learned and expand to all provinces.

*Box 1: Number of communities and beneficiaries covered by both iTC G6 and MCA; 2006 – Dec 2013*

1. Total number of communities: **638**
2. Total number of beneficiaries: **739,677**

iTC's Role in Rural Communities include:

Assisting communities in identifying and protecting their land use rights; ensuring that communities have access to rural development resources; targeting priority geographical areas with significant economic potential; combining land rights mapping (delimitation) and land use planning in order to identify potential sites for local development and investment partnerships; linking communities with investors and development institutions; and aligning iTC interventions with district plans, to facilitate financing opportunities.

<sup>7</sup> The six donors include: UK-DFID, the Netherlands and Denmark, Irish Aid, Swedish SIDA and the Swiss Agency for Development. DFID is lead donor of the group known as the “G6”

<sup>8</sup> The consortium formerly included the Nampula-based CEPKA, which withdrew due to capacity limitations in meeting the level of technical inputs required for the contract. Centro Terra Viva (CTV) joined the consortium for the extension phase of the programme

<sup>9</sup> Annex 4 of G. Boyd and A.J. Calengo, 2008. *A Strategic Analysis to Reinforce the Iniciativa Para Terras Comunitárias*, Final Report, p.69, provides a summary of iTC's early milestones, including the period when iTC became operational (October 2006) and the official launch of iTC (May 2007)

<sup>10</sup> De Oliveira, E. and C. Jordão. 2013. The iTC Case Study, paper presented at the Annual World Bank Conference on Land and Poverty, April 2013

# Purposes of the Evaluation

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2





## 2. PURPOSES OF THE EVALUATION

This evaluation covers the iTC programme from 2006 to 2012.<sup>11</sup> It aims to:

- Learn lessons regarding what worked and what did not work well during the implementation of iTC (including a comparison between iTC/G6 and iTC/MCA implementation);
- Understand the influences of the iTC programme on investments in participating communities (community level and individual household level);
- Provide input into the design of possible future iTC support from April 2014, including input for the future development of a monitoring and evaluative base line.

### 2.1 Principal Target Audiences for the Report

The principal target audiences for the Final Evaluation Report are:

- The Government of Mozambique (GoM) (national and provincial levels);
- Donors: principally the UK Department for International Development (DFID), Sweden, Swiss Agency for Development and Cooperation (SDC), Irish Aid, Netherlands, Denmark and Millennium Challenge Corporation (MCC/MCA);
- The KPMG iTC project implementation unit; and
- The transition study group preparing for a future independent institution to continue the iTC mandates
- Other donor interested in Land Issues: USAID/Mozambique whose Support Program for Economic and Enterprise Development (SPEED) policy activity has already produced one advisory document on investor land acquisition

and which will start a follow-on phase in 2015, the Mozambican Confederation of Business Associations (CTA), the African Development Bank, the World Bank, European Union, Japanese International Cooperation Agency (JICA) and the Brazilian South-South cooperation program which are supporting the ProSavana program, the Nacala Corridor and the Beira Agricultural Corridor; subregional organizations such as COMESA-EAC-SADC which are supporting these growth corridor initiatives; UN agencies, Food and Agriculture Organisation (FAO), United Nations Development Programme (UNDP), and United Nations Development Fund for Women (UNIFEM).

- Civil society organizations including Mozambique Farmer' Union (UNAC), International Land Coalition (ORAM), Forum Terra, Kulima and others are certainly interested.
- Academic institutions including the Universidade Eduardo Mondlane (UEM) which is developing its own research capacity with the assistance of Michigan State University and may be interested in the Outcome Harvesting tool as well as the findings on the iTC community land initiative. Other institutions who might be interested in the evaluation include the Universidade Católica de Moçambique and the Universidade Pedagógica, as well as smaller technical colleges who may prepare service provider staff.

The iTC Reference Group (RG)<sup>12</sup> has overseen the evaluation effort through periodic meetings with the evaluation team<sup>13</sup> and by providing the team's access to the discussions of land tenure issues at the Land Forum and the National Advisory Committee.

<sup>11</sup> See Annex 1 for the complete Terms of Reference

<sup>12</sup> The Reference Group Consists of representatives of MCC, MCA, FAO, key donor partners (UK-DFID, the Embassies of the Netherlands and Denmark, Irish Aid, Swedish SIDA and the Swiss Agency for

Development Cooperation-SDC), civil society groups, private sector organisations, and the Ministry of Agriculture (Mozambique)

<sup>13</sup> The evaluation team was contracted by The QED Group, LLC (Washington, DC) in partnership with the London-based firm GRM International by agreement with DFID procurement

# Theory of Change

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3



### 3. OVERVIEW OF THEORY OF CHANGE FOR ITC

Under a full OM approach, a Theory of Change (ToC) would have been developed as part of the Intentional Design phase of OM in the initial setup and framing of the iTC programme. In this case, however, the evaluation team began by deriving a ToC. We consulted various analytical papers and reports<sup>14</sup> and are summarizing these sources into a plausible if abstract set of propositions about what problems and what analyses led the Mozambican Government, and civil society interlocutors in the mid 1990's to approve the Land Law of 1997 and subsequent technical annexes and modifications.

Drawing on an extensive review of existing iTC documents, the broader literature regarding land tenure and natural resource management and policies in Mozambique and interviews during our initial field visit (25 March to 3 April 2013), we have identified the main components of a possible ToC, including: 1) key historical precedents, 2) legislative achievements, modifications and weaknesses, 3) intended changes for iTC to achieve (2006-2007) and what such changes were intended to produce, 4) the function of a ToC in an OM-based retrospective evaluation, and 5) limitations and complications affecting the ToC (including its assumptions).

#### 3.1 Some Key Issues Facing Mozambique in the Early 1990s

As the extended civil war drew to a close in 1992, Mozambique faced a critical situation of massive poverty—especially in rural areas—and a largely

subsistence-based agricultural sector. As in several previous periods of its history, the country's political debates about what strategy to follow to emerge from the disaster bounced between two perspectives on what sort of land tenure system should be encouraged: 1) commercial, capital intensive, large scale enterprises or 2) a revitalized peasant based agriculture. The land was to be again Mozambican, but with what strategic vision?

In the 1990's, two very different perspectives were vying for influence on land tenure policy: that of investors looking for profitable opportunities, and that of local communities<sup>15</sup>. In terms of the two different notions of the meaning of land, investors argued that land (along with capital and labour) is necessary for economic growth, accumulation of capital and poverty reduction. Those supporting or from local communities argued that land is a main source of income and day-to-day sustenance or livelihood (for approximately 80% of Mozambique's population).

The land debates in the 1990s also focused on two different concepts of access to land. Investors argued that securing long-term and secure, legally protected access to land was necessary to encourage investment by insuring that investments made today could be recovered in the future. From local community perspectives, most Mozambicans already had access to land, but in some cases they needed to secure this access in the face of competition from within or among households and communities and in some cases, ensure protection from predatory

<sup>14</sup>See Tanner, C. (2002) "Law-Making in an African Context: The 1997 Mozambican Land Law", FAO Legal Papers Online #26; de Wit, P. and S. Norfolk, 2008. "Addressing land issues following a natural disaster: Case Study of floods in Mozambique, 2000–2008", paper for UN-Habitat conference in Geneva, Switzerland; Tanner, C., 2000. "Customary Land Identification and Recording in Mozambique", a paper prepared for an IIED Workshop in London. Calengo, A. with J.O. Monteiro and C. Tanner, 2007. "Mozambique: Land and Natural Resource Policy Assessment." A paper commissioned by the Embassy of the Kingdom of the Netherlands in Mozambique; Chemonics, 2006, "Mozambique General Services Contract, Land Tenure Services, Final Report"; Southern African Development Community's Land and Agrarian Reform Project Report, 2006; Norfolk, S. and J. Compton, 2012. Strategic Review of Land Issues in Mozambique for DfID; Community Land Use Fund (iniciativa para terras comunitárias) in Mozambique Extension Phase (April 2011 – March 2014),

"Measuring and Monitoring Value for Money"; DfID Annual Review of Community Land Use Fund Project, 31/10/2012; CTC Consulting, 2003. – Appraisal of the Potential for a Community Land Registration; De Witt P. and S. Norfolk, 2010. "Recognizing Rights to Natural Resources in Mozambique", Resource Rights Initiative; Salomão, A. and A. Zoomers, 2013. "Large Scale Land Acquisitions and Land Grabbing in Mozambique: Ways Forward in 'Pro-Poor' and Participatory Land Governance.", paper presented to the World Bank April 2013 Land Conference in Washington D.C.; Mei, G. and M. Alabrese, 2013. "Communities' Ability in Consultations and Land Transactions: Improving the "Empowering Effect" of Tenure Security Initiatives in Rural Mozambique", Paper prepared for WB Land Conference, April 2013, Washington D.C.

<sup>15</sup>This debate considered urban land questions, but focused primarily on rural lands.



investors. The local family's survival depends on maintaining their secure access to land.

In the context of post-conflict recovery, policy-makers anticipated an inevitable increase in the demand for land. Investors needed land to meet demands of expanding markets for agricultural and forestry products and other land based ventures and land served as a vital component of investment portfolios. From the perspective of some local community members (and many development experts), the return of displaced persons to their lands after the war had the potential to create conflict in rural communities since there were few opportunities for employment in non-farm sectors in Mozambique.

These very different meanings of land between investors and communities—differing means for getting access to land, using the land, and valuation of land—and increased demand for land from investors and communities led to tensions and at times conflicts. This situation had combined to produce low investments in agriculture and forestry production and low investments in the level (or standard) of living of the majority of Mozambicans living in rural areas.

### 3.2 Propositions for a New Beginning

An ingenious solution was crafted through the discussions leading up to the approval of the 1997 Land Law and its subsequent regulations and technical annex (1999) as well as the Forestry Law of 1999. One part of the solution was the legal recognition of already existing community rights to land due to customary occupation and use of identified community land, and the definition of community governance structures for administering community land. A central proposition was that through legal definition of community customary rights to land, communities would see the security of their tenure improved. This increased security would allow investors to know with whom to negotiate

access to land and what lands communities might agree to make available to investors. Community land tenure security, therefore, would encourage investors to negotiate with communities for access to land and provide equitable benefits to communities as part of negotiated investment agreements with outside investors.

A second proposition was that by protecting local rights to community lands, community members themselves would be more likely to make investments of their capital and labour, since they would not fear the arbitrary taking of their lands by outside investors without their approval.

However, after a series of pilot efforts to test and implement the law through the early 2000's, scholars and practitioners identified several key weaknesses in the law. First, the implementation of one of its key features, the delimitation of the boundaries of community lands was very limited, costly and slow, mostly through the efforts of NGOs and without adequate State funding for the certification of those boundaries<sup>16</sup>. Second, while the law was not being implemented in significant scale the demand for land from investors and communities escalated, especially from the capital investor sector<sup>17</sup>.

The situation was described in a 2006 review of the Land Law:

"Ten years after its approval, there are signs of structural problems that could imply the need to consider some alterations in the legal framework. There exists a growing level of conflict, not in structural terms, but rather amongst distinct groups and individual interests: communities versus investors and/or the State, conflicts between investors that want to occupy the same areas, abuses of power and the consequences of mistakes on the part of the still-weak public services<sup>18</sup>.

<sup>16</sup> In the CTC study of 2003, it was observed that "out of the 180 delimitations, just 74 have received their Certificates and only 24 have gone on to get a demarcated title document".

<sup>17</sup> The CTC study found evidence of substantial demand for private titles: "In Zambézia there have been only 137 consultations with rural communities... But 1141 new [private] titles have been issued for 570,012 ha," p. 26.

<sup>18</sup> "Porém, dez anos depois da sua aprovação, há sinais de problemas estruturais que possam implicar a necessidade de considerar algumas alterações no quadro jurídico. Existe um nível crescente de conflitualidade, não em termos estruturais até agora, mas sim entre distintos grupos e interesses individuais: comunidades versus investidores e/ou o Estado, conflitos entre investidores que querem ocupar o mesmo espaço, abusos de poder e consequências de

Land boundary delimitation and certification activities for documenting community rights to land had not been sufficiently extensive so as to reduce tensions. Furthermore, many delimitations and certifications were never registered, and even certified delimitations by themselves were not sufficient to stimulate increased investments in productive agricultural enterprises or other forms of production and to stimulate investments and thus raising rural standards of living.

### 3.3 Rescue Proposals

In 2006, the G6 agreed to fund the experimental iTC programme administered through KPMG (or the “Change Agent” in OM terms) to address both local community and investor concerns regarding land access and increased demand for land, while also addressing the problem of the weak implementation of the law. The main outcomes envisioned for the KPMG/iTC contract were:

- 1) Certification and delimitation of community boundaries had to increase, thus providing more secure tenure to those communities which demanded it
- 2) Capacities of communities must be improved in order for them to respond to increased investor demand to access their land, to engage in territorial planning, governance and other organizational activities
- 3) Many (though not all) conflicts within and among communities and between communities and investors regarding land, required mediation services
- 4) Investments should be encouraged through agreements between communities and outside investors as well as with community based investors (associations of producers) whose access to specific pieces of community land would be through formal DUATs<sup>19</sup>.

Additionally, the entities which the Change Agent (KPMG/iTC) must influence in order to achieve its objectives—such as governmental agencies, investors, financial institutions and NGOs—must gradually be brought into alignment with and develop a stronger interest in achieving the four above objectives.

These iTC programme efforts, while mostly foreign funded and managed by a private company, were designed to contribute to the resolution of the land and investment-related problems encountered in the early 1990s by demonstrating how to reduce conflicts and establish cooperative agreements among communities and investors for mutual and equitable benefit and improving investments in rural communities through fair agreements.



**NAC members presents in DUAT delivering ceremony to Nhatine Agriculture Association, Province of Gaza**

In 2006 the Government of Mozambique proposed a land sector investment as part of a Compact under development with the US Millennium Challenge Corporation. As a result MCC/MCA funds were used to expand the ITC/G6 effort into three additional provinces. In 2007 agreement was reached on an ambitious investment programme, of which the land project was a central part.

erros por parte de serviços públicos ainda bastante fracos.” (Southern African Development Community, 2006, p14).

<sup>19</sup> See Norfolk, S. and H. Liversage, 2001. “Land Reform and Poverty Alleviation in Mozambique, Paper for the S. Africa Regional Poverty Network Human Sciences Research Council, p. 14: “The nature of the right acquired by community and good faith occupants (through their

occupation of land) and the right that can be applied for by private investors is the same in both instances: that is, a Direito de Uso e Aproveitamento de Terra (DUAT). As such, it is only possible for one legal entity (a community, a company, a private individual) to possess the legal right to a single piece of land at any one time.”

*The Land Project is comprised of three mutually reinforcing activity areas: (a) support for an improved policy environment, including addressing implementation problems for the existing land law and engaging in regulatory review to improve upon it (the “**Policy Activity**”); (b) building the institutional capacity to implement policies and provide quality public land-related services (the “**Capacity Building Activity**”); and (c) facilitating access to land use by helping people and business with (i) clear information on land rights and access; (ii) resolution of conflict with more predictable and speedy resolution of land and commercial disputes – which in turn creates better conditions for investment and business development; and (iii) registering their grants of land use (land titles to long-term or perpetual-use rights) (the “**Site Specific Activity**”)<sup>20</sup>.*

KPMG was also contracted to administer the iTC portion of the MCC grant as managed by the MCA for the land sector, that is, the implementation of the 1997 Land Law as envisioned in the iTC programme. The MCA component contained elements in addition to the iTC/MCA, which added substantial resources for building governmental capacity for its part in community land administration <sup>21</sup> and have been administered by the Government’s accountable entity, the MCA.

Rather than begin from a more abstract and largely linear Theory of Change, the core propositions of our “reconstruction” of the ToC underlying the iTC programme are situated historically. The core propositions include the following:

- 1) At the close of the civil war, three major problems existed:

- Low investments in the productivity of agriculture
  - Extensive poverty expressed in the low levels of living of the rural population
  - Tensions were re-surfacing again due to competitive perspectives on land from investors and communities and to the rising demand for land from both sectors.
- 2) The Land Law of 1997 and subsequent regulations and modifications as well as the Forestry Law of 1999 proposed the improved security of community customary rights to land and improved community governance of community land in order to encourage mutually beneficial investments from the holders of land, capital and technology.
  - 3) The iTC supported by the G6 donors and various NGOs evolved into a programme by 2006 for supporting the implementation of the Land Law of 1997 and the Forestry Law of 1999 beginning in three provinces (with two more added in 2010), administered by a private company, KPMG.
  - 4) This iTC was expanded in 2009 into other provinces with funding from the MCC/MCA, also administered by KPMG but with substantially greater involvement of Government agencies.
  - 5) These two iTC initiatives (iTC/G6 and iTC/MCA) derive from three interrelated cause-effect relationships:
    - Improved community security of tenure to customary land combined with enhanced community capacity to administer community lands (boundary conflicts reduced, improved management capacities, land use planning introduced, incorporation of both genders and capable people in management, formation of alliances with other

<sup>20</sup> MCC-Government of Mozambique Agreement (2007), Annex, p. 13

<sup>21</sup> The term “land administration” refers to implementation of the Land Law and other legal statements, which define rules of access to and use of community land, the mapping of community boundaries and the

natural resources within those boundaries, land use planning, conflict mediation, monitoring of investments and their benefits to the community.

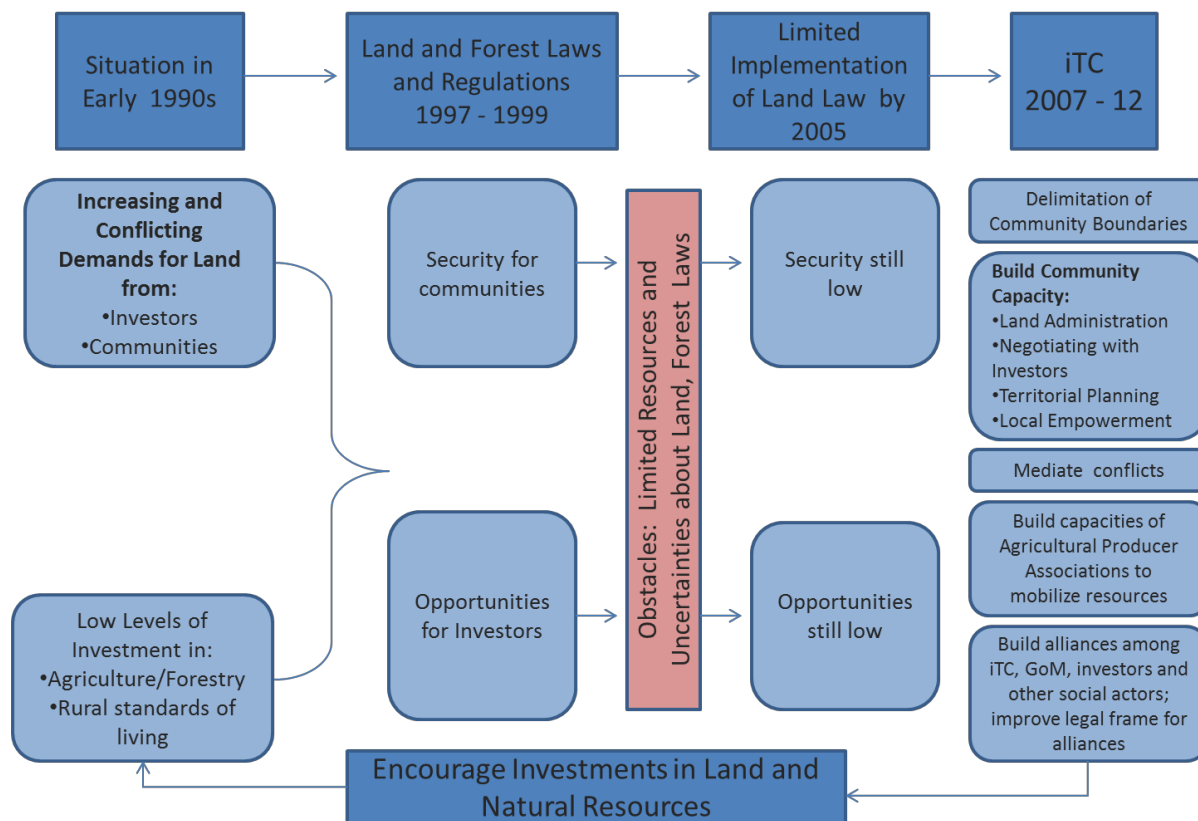
communities, the formation of producer associations) contribute to more numerous instances of investments in community land based activities which are beneficial to investors as well as to communities

- Changes in the behaviour and relationships of Boundary Actors--governmental and non-governmental as well as the private sector--toward being more supportive of community preparation and equitable community-investor agreements also should contribute to increasing investments in the rural sector.
- Better prepared communities with successful investment histories and with stronger supportive

organizations can become change agents in their own right, and become empowered to interact more successfully with Boundary Actors which originally occupied a secondary position in facilitating interventions for which iTC's change agent initiated in conjunction with the communities.

Our team began to summarize these somewhat idealized components of an iTC Theory of Change in our initial field visit with the KPMG/G6 team in Chimoio. We adjusted the draft ToC after further conversations and after the first week of field work to incorporate elements which had been developed in the ToC through actual implementation of the iTC program by the Service Providers in collaboration with the KPMG project management team. (See Figure 1.)

Figure 1. One view of iTC's Underlying Theory of Change



For purposes of program planning, implementation, monitoring and evaluation we

used our experiences with the harvesting of beneficiary outcomes (changes in behaviours,

# Evaluation Approach

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### 3. EVALUATION APPROACH

#### 4.1 Retrospective Evaluation Using Outcome Harvesting

The methods used in this evaluation were identified to deal with the following conditions. First, the absence of an articulated Theory of Change (ToC) underlying iTC, although there was a significant and complex history of the discussions about the Land Law of 1997 and subsequent modifications. These discussions document what the legislators and many CSOs expected to achieve with the new legislation, which the iTC programme in large measure incorporated into its programme. The first task of the Evaluation Team was to try and tentatively articulate this implicit Theory of Change underlying the iTC programme. In addition to the absence of an articulated ToC at the time of the design of iTC, there was no baseline study. Moreover, the iTC activities evolved during the first two years, so that while the general goals remained more or less constant, the activities evolved during the final three years of the programme.

Under these conditions, a retrospective evaluation was most appropriate, beginning with an articulation of a ToC as it had evolved in practice (see Figure 3), and then examining the changes that the theory posits, but looking backward in time.<sup>22</sup> Therefore, this evaluation does not follow a conventional assessment of what was achieved against what was planned since outcomes unforeseen at the beginning of the iTC programme to which its diverse actors contributed could easily have been overlooked.

In light of the evaluation's purposes, the evaluation team agreed to an evaluation design to generate findings that would increase the RG's understanding of the merit and worth of the outcomes actually achieved by iTC in 2006-2012. In essence, the evaluation was about the

accomplishments of iTC, intended and unintended, rather than just its performance in terms of progress on pre-defined activities and outputs and objectives.

Nonetheless, the objectives in the iTC logical framework (log frame) has guided the iTC management to produce important data on outputs of the project, such as the number of communities with delimited land and the number of associations with demarcated land. But what do such outputs mean in terms of the development objectives of iTC, which involve changes in behaviours, relationships, policies and practices of key social actors? The evaluation team attempted to answer that question through the use of the Outcome Harvest tool.

#### 4.2 Outcomes not Impact

The goal of the iTC programme is to increase rights of rural people over land and other natural resources in selected provinces, thereby encouraging more sustainable and equitable use of these resources for poverty reduction and economic growth<sup>23</sup>. The Evaluation Team did not set out to determine iTC's impact<sup>24</sup> in poverty reduction and economic growth. The reason is simply that what iTC does will only contribute to these types of changes indirectly, which from the perspective of the International Development Research (IDRC's) "via long, busy, discontinuous pathways... [in which] tracing the connections is at best unreliable and at worst impossible."<sup>25</sup>

Rather, the evaluation began by generating evidence and assessing the merit and worth of iTC's outcomes: results within iTC's service providers' sphere of influence but downstream from the activities and outputs that iTC controls while upstream from impact. Adapted from the outcome mapping methodology developed by the Canadian International Development Research Centre (IDRC), outcomes are observable

<sup>22</sup> A full explanation of how the evaluation team derived the ToC is provided in Annex 2

<sup>23</sup> Project Memorandum—Final, June, 2005

<sup>24</sup> Definitions for "impact" in international development do not vary significantly. They range from the World Bank's "long-term, widespread improvement in society" and the OECD's "longer term or ultimate result attributable to a development intervention" to the UNDP's "long-term

and national-level development change" and the Gates Foundation's "ultimate sustainable changes, sometimes attributable to action"

<sup>25</sup> Sarah Earl, Fred Carden, and Terry Smutylo. 2001. Outcome mapping: building learning and reflection into development programs, IDRC 2001, page 17. See [http://www.idrc.ca/en/ev-26586-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-26586-201-1-DO_TOPIC.html)

changes in the behaviour, relationships, activities and actions of individuals, groups, organisations or institutions that verify progress towards specific objectives.<sup>26</sup> To qualify as an outcome for the iTC programme, the change had to have been influenced in a small or large way, directly or indirectly, intentionally or not by iTC.<sup>27</sup>

While one core decision for the evaluation was to focus on outcomes and not impacts, another was to shift the focus of the evaluation away from attribution. Attribution is understood as “isolating the key factors that caused the desired results and attributing them to a particular agency or set of activities,”<sup>28</sup> in this case to iTC. Why? As IDRC explained over ten years ago in its rationale for its Outcome Mapping methodology:

*...experience tells us that development is a complex process that takes place in circumstances where a programme cannot be isolated from the various actors with which it will interact (for example, other donors, partner organisations, government departments, communities, organisations, and groups within the community). Nor can it be insulated from the factors by which it will be influenced (these include social, political, cultural, economic, historical, and environmental factors).<sup>29</sup>*

Therefore, we agreed to identify causality in iTC's activities or outputs as contributing directly or indirectly, and intentionally or not to the outcomes.

To focus the evaluation, we used the articulated ToC to initially identify “Outcome Challenges”, that is, the key future desired achievements of iTC. We then used these eight outcome challenges to define the evaluation questions necessary to generate evidence that iTC contributed to the achievement of the eight outcome challenges.

The outcomes harvested were generated through a review of service providers' project reports and

additional information on file at the iTC/G6 headquarters in Chimoio, the iTC/MCA headquarters in Nampula, through interviews with the iTC staff in these two locations as well as in iTC field offices in Cabo Delgado and Zambézia. Each outcome tentatively harvested from these sources was verified through interviews with provincial and district land administration officials (District, Administrative Post, and Locality), government agency staff with the Provincial Service of Geography and Cadastre (SPGC), a technician from the District Service for Economic Activities (SDAE), community leaders and local authorities and local business people, but principally through focus group discussions with community and association members in sites where the iTC's service providers carried out their activities as contracted with iTC.

The Outcome Harvesting method and approach applied to this evaluation is further illustrated in the flow diagram in Figure 1 below. The diagram indicates the systematic nature of the process which harvested outcome being each cross-checked and triangulated with (in most cases) all boundary actors involved in influencing the outcome. Most outcomes involved multiple boundary actors and therefore information is checked from multiple sources before the outcome is deemed to be verified."

<sup>26</sup> The Canadian International Development Research Centre (IDRC) developed this definition of outcomes about ten years ago. Subsequently it has become widely used by development and social change programmes. See [http://www.idrc.ca/en/ev-26586-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-26586-201-1-DO_TOPIC.html) and the Outcome Mapping Learning Community website at [www.outcomemapping.ca](http://www.outcomemapping.ca)

<sup>27</sup> "While, at first glance, this appears to suggest concentrating on easier, less important, short-term achievements, in fact it does the

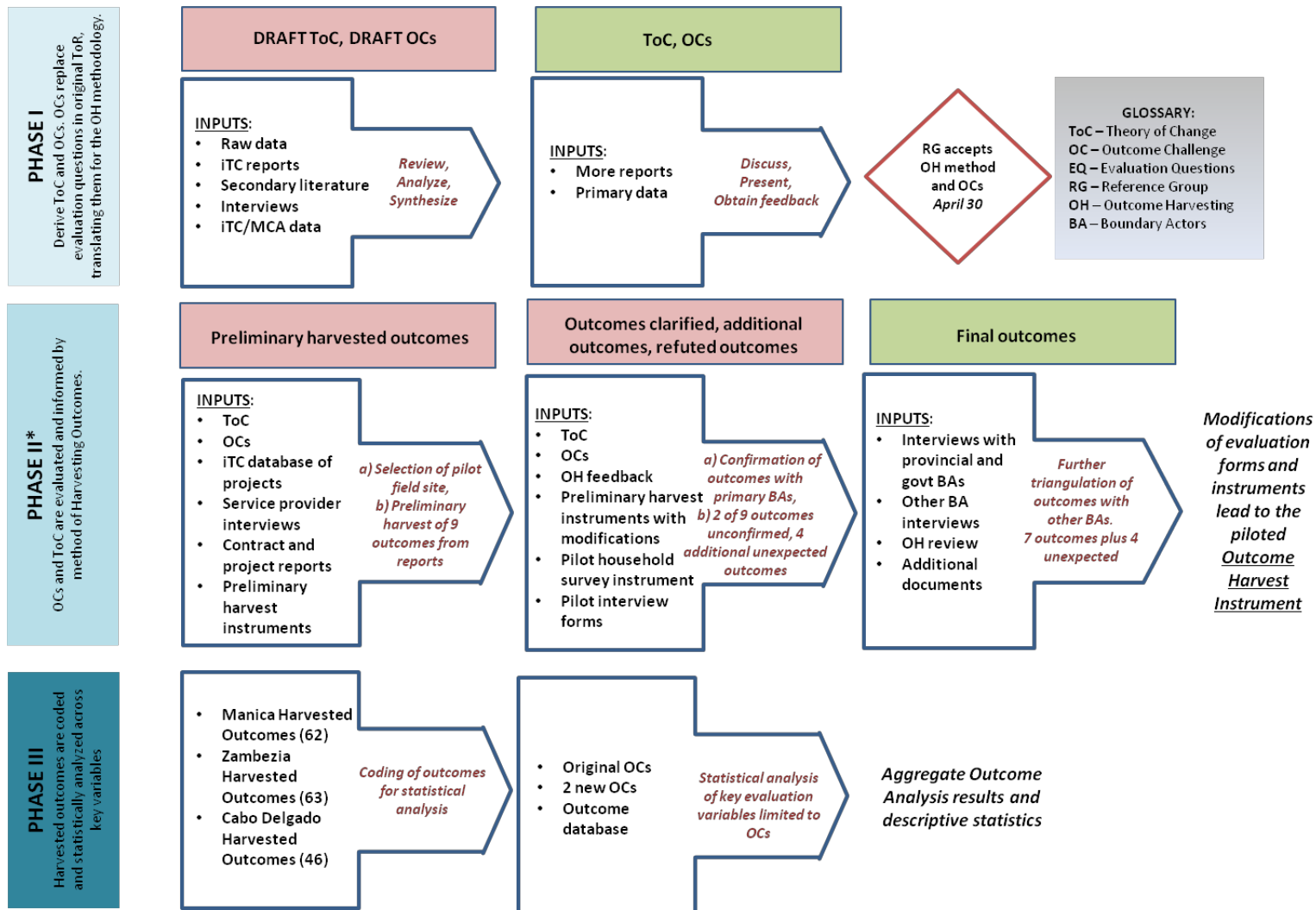
opposite. It focuses attention on incremental, often subtle changes, without which the large-scale, more prominent achievements in human well-being cannot be attained or sustained." Sarah Earl, et al, op. cit., page 21

<sup>28</sup> S. Earl, et al, op.cit., page 21

<sup>29</sup> S. Earl, et al, op.cit., page 18

Figure 2. Illustration of Approach to Outcome Harvesting Methodology

METHODOLOGY FLOW DIAGRAM – EVALUATION OF THE MOZAMBIQUE COMMUNITY LAND USE FUND



\*Team repeated the process (first done in Nampula Province) with piloted outcome harvest forms, other evaluation instruments, and provincial iTC reports in Cabo Delgado, Manica, and Zambezia to harvest outcomes (raw, triangulated data).

### 4.3 Outcome Mapping Core Concepts

Outcome Mapping (OM) is a flexible but disciplined approach to the development of projects, programs and organisations, ideally at all stages of planning, monitoring and evaluation.<sup>30</sup> Because the iTC programme did not begin its planning phase using OM, this evaluation takes some key concepts and methods from outcome mapping, but builds a procedure for retrospective evaluation using the outcome mapping-inspired outcome harvesting tool (see Annex 3 for a brief note on retrospective evaluation using outcome harvesting and Annex 4 for more details on the outcome harvesting approach applied in this evaluation).

Outcome harvesting begins with a focus on a change agent whose mandate is to influence change in the behaviours of other social actors.<sup>31</sup> In this evaluation, the Change Agent is KPMG in partnership with service providers. Boundary actors<sup>32</sup> are groups, communities, organisations or institutions—and the individuals within them—important to achieving outcome challenges. In this case KPMG, as the change agent, may plausibly influence but not control the outcomes (see Figure 3).

For this evaluation, we are evaluating KPMG/service providers in the two iTC branches (iTC/G6 and iTC/MCA) as the Change Agent for both components contracted by the G6 donor group in 2006 and by MCC/MCA in 2009 to achieve common objectives that are supported in principle under the 1997 Land Law and its subsequent modifications.

#### 4.3.1 Boundary Actors

Boundary actors are actors which the implementing organisation (KPMG/service providers) seeks to influence/coordinate. Service providers are not boundary actors, since they are an integral part of the change agent.

The key boundary actors that KPMG/iTC set out to influence or to coordinate with include (see Figure 3):

- Local communities and their members (as defined in the 1997 Land Law),
- Producer associations composed mostly of local land users residing within or neighbouring the target communities.

Other boundary actors with which iTC works in order to influence positive changes in the key boundary actors include:

- Local leaders (regulos) of communities;
- Units of local government (District, Administrative Posts, Localities)
- Governmental agencies, including the SPGC, SDAE, Provincial and District offices of the Forestry Department;
- Members of civil society particularly those addressing land issues and rural development, such as the Rural Association for Mutual Support (ORAM) the national farmers union UNAC and various other NGOs involved with rural development, and the Mozambican Business Confederation (CTA)<sup>33</sup>; and
- Private sector financial institutions, investors inside and outside of communities including large national/international investors in partnership with foreign interests, associations that fulfil many functions and roles as an investor and wealthy individuals and families with small investment initiatives in rural areas.

<sup>30</sup> See Earl, S., Carden, F. and T. Smutylo (2001). OM refers to the planning stage as "Intentional Design", to monitoring as "Outcome and Performance Monitoring" and to evaluation as "Evaluation Planning"

<sup>31</sup> These are named in our modified outcome mapping as boundary actors

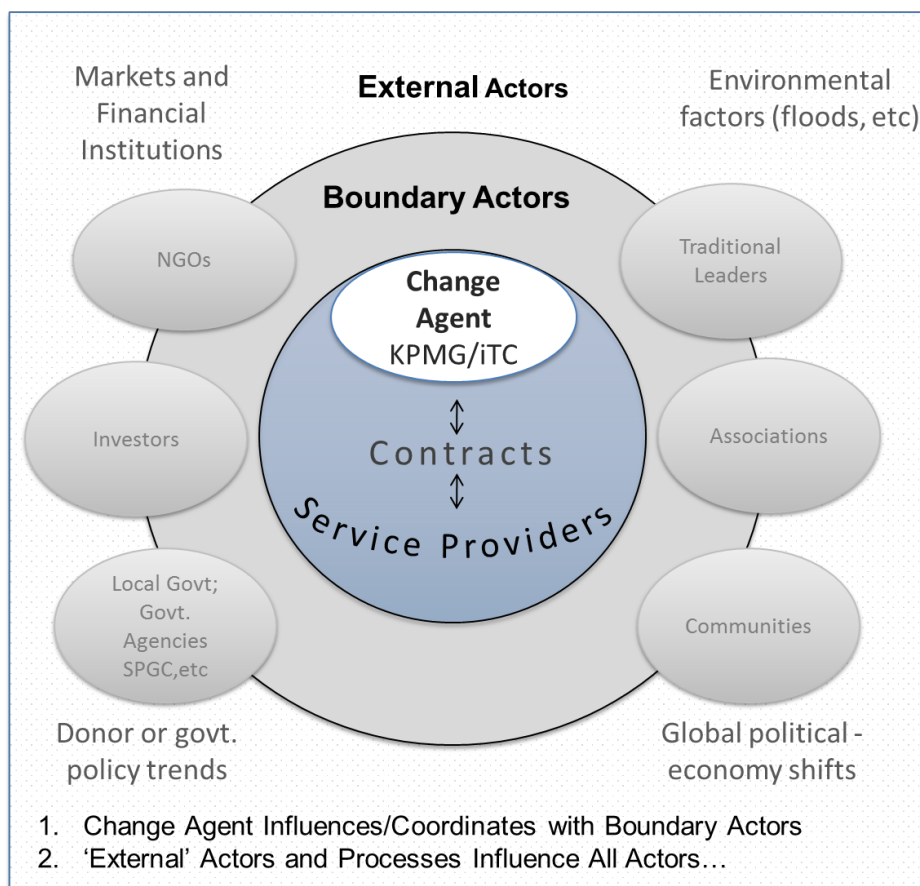
<sup>32</sup> At times Boundary Actors share similar goals and interests with Change Agents, and sometimes they do not share similar goals and interests

<sup>33</sup> UNAC is the União Nacional de Camponeses. CTA is the Confederação das Associações Económicas

Outcomes are influenced in some usually positive way by the change agent and its service providers. However, only rarely are the changes in behaviour or relationships confirmed as "harvested outcomes" achieved by the change agent alone. In most case, multiple boundary actors collaborate in their achievement. The outcome harvesting approach requires of team members to verify outcomes with as many (in most cases, all) of the boundary actors who in some way influenced the achievement of the outcome. By obtaining this information from multiple sources, team members have a high

probability of correctly confirming outcomes with reference to actors in some way involved in their achievement. This confirmation means that it is highly unlikely that the team will conclude that the change agent has positively influenced the occurrence of an outcome when no such outcome has occurred or when it would have occurred in the absence of any intervention by the change agent through its service provider.

Figure 3. Conceptual Diagram of Change Agent and Select Boundary Actors



#### 4.3.2 Outcomes

Outcomes are Changes in Key Boundary Actors' Behaviours/Activities and Relationships. Key boundary actors in this phase of the iTC programme are communities and associations. Achieving outcomes is key to accomplishing the development goals of Change Agent.

Box 2 shows an example of an outcome: Who changed? How? When? Where? And what is the significance of the change?

The evaluation relies on service providers for information about the boundary actors and their changes in behaviours and/or relationships.



Service providers are under contract to assist communities and associations with social preparation, and with their negotiations with investors to encourage sustainable and mutually beneficial investments.<sup>34</sup>

*Box 2: Description of an Outcome in Manica*

a. *Boundary Actor which changed?*  
*Nhamaonha Community*

b. *What was the change in the Boundary Actor?*  
*Decided to form a CGRN.*

*This action changed the way that decisions are made about access to and use of the community's natural resources, including land use mapping, a zoning sketch, drafting of a community development agenda, election and training of CGRN and a Fiscal Committee. This process strengthens community governance of natural resources.*

c. *When did the Boundary Actor make the change?*  
*July, 2010*

d. *Where did the change take place?*  
*Nhamaonha community*

e. *Significance: Shows iTC progress toward improving management capacities of CGRN (Outcome challenge 2—see below).*

There are also a number of “external” actors and processes that are beyond direct control or influence of iTC (see Figure 2), but that may have significant influence on the ability of iTC to meet its objectives. For example, these can include shifts in broader donor priorities and policies (and the exit or entry of key donor actors), changes in national policies and the actions of key political figures and shifts in global political-economic relations linked to the actions of international financial institutions and markets or environmental factors such as floods.

#### 4.3.3 Outcome Harvesting Limitations

Initially Outcome Mapping and Outcome Harvesting were developed for specific types of programs dealing with capacity building activities, whereas other approaches may be

less linked to a particular type of intervention.<sup>35</sup> As iTC did a great deal of capacity development, the approach is appropriate. The focus on measuring behaviour change is therefore central to the concept, but can be somewhat limiting in terms of drawing direct causal linkages between different types of interventions and the outputs they may elicit. As discussed earlier, the focus on behaviour change means that outcomes can be linked to program activities, but this must be presented as an element of contribution rather than attributing program impact. It is very useful as a mechanism for learning, but less useful as a tool for accountability.

Additionally, only outcomes that informants are aware of can be captured by the process, and thus relies on their understanding that this change is occurring. Often this can be difficult to draw out in discussions as working backwards from outcomes may present a new way of thinking about understanding change for participants<sup>36</sup>.

This evaluation recognizes these limitations, and built into the design other data sources to draw out as much as possible those causal linkages between program outputs and outcomes. These include data collected from Change Agent reports, as well as other discussions and interviews. Related to this data, the team also acknowledges the additional limitations from the absence of a ToC or baseline data. With these limitations in mind, this evaluation will attempt to at least describe the linkages of outputs to outcomes in qualitative terms from strong to weak, according to the outcome evidence collected.

## 4.4 Methodology

### 4.4.1 Sampling

#### *Manica (iTC/G6)*

In Manica, there were a total of 48 completed contracts; twenty-six on-going contracts were excluded. Thirteen contracts involved community

<sup>34</sup> Except in one very specific way (see Outcome Challenge 7 in Table 5), we do not consider the service providers to be boundary actors, since they are formally contracted by KPMG or MCA and are under the direct control of KPMG or MCA, at least in regard to their contracted activities with KPMG

<sup>35</sup> See Roduner, D. et al. (2008) “Logical Framework Approach and Outcome Mapping: A Constructive Attempt of Sythesis”, AGRIDEA and NADEL, Zurich.

<sup>36</sup> Wilson-Grau, R. and H. Britt (2012) “Outcome Harvesting”, Ford Foundation, MENA Office.

or association land interventions. Five of these contracts were chosen and within them 12 sites were sampled. Thus the Manica sample covers completed delimitation interventions (involving community boundary delimitation, social preparation, CGRN formation) and completed demarcation interventions (involving legalization of associations, social preparation, and demarcation of association claimed land). The sample was stratified: one half comprised communities from pre-2010 interventions and the other half from 2010-2012 interventions. One community site was included specifically because it was the only case where the CGRN had reached three agreements with outside investors, and was thus of major interest for the evaluation.

#### *Zambézia (iTC/MCA)*

In Zambézia, the sample selection started with the thirteen contracts which had been awarded. Six of them had been finished and had final reports. The initial decision was to cover all 6 of these contracts. However, the Service providers for one had no staff member in the areas following the end of its iTC contract. That contract was excluded and replaced with another contract managed by the same service providers that was near completion and for which a final report was provided to the ET by the end of fieldwork.

Zambézia contracts were generally for large areas under the overall authority of a regulo 1 (regulos) or local leader or chief and members of that area all recognized his overall authority. Under these areas, communities or povoações were identified individually and were assisted by service providers either individually or in some cases in groups of 2 or more communities (facilitating service provider work and reducing costs). Delimitations, however, were done at the community level so that lower level regulos had the boundaries of their communities delimited in individual delimitations rather than as a single delimitation of the area of the whole community covered by the regulo 1. Within the six contracts, the team contacted a total of 22 communities. It met with as many of the CGRNs and associations (pre-existing and those formed by iTC) as possible, without regard to whether or not they

had land demarcated to them. Some outcomes refer to areas covered by a regulo 1 and the larger administrative area under the regulo. Separate meetings were held with CGRNs and associations. Outcomes for CGRNs and associations refer to the specific association or CGRN and because of service providers' grouping of povoações for carrying out their work, might cover more than one povoação.

Specific communities (povoações or larger localidades), associations and CGRNs were selected by the team. The team interviewed those associations (including older associations which did not demarcate land) found within selected povações even though iTC only identifies those which it legalized or demarcated.

#### *Cabo Delgado (iTC/G6)*

In Cabo Delgado 6 projects were selected. However most of these projects were clusters created during the contract process to expedite, facilitate and reduce costs. As such, various communities (often non-contiguous) with diverse land-related issues were included in the same contract. One community was selected in each of the clusters.

iTC listed 23 contracts that iTC provided. Three did not have approved final reports. Thus selection of the 6 was from the universe of 20 contracts for which final reports were available.

#### **4.4.2 Derivation of Outcome Harvesting**

Work on selected sites and communities normally started with a review of the service providers' final reports and other reports that were made available by iTC or the service providers. The team would meet with service providers to review their interactions with selected communities and to obtain their views of the major accomplishments and the problems that they had encountered. The team would then normally set out with an ex ante list of probable outcome harvests to be verified in the field in discussions with communities, CGRNs, and associations. In selected sites in each province (2 communities and 2 associations in Manica; 2 communities in Zambézia; and 2 communities in Cabo Delgado), the household interview teams interviewed

samples of households about participation of members in community organisations and about family investments in the education of their children, land use and house and farm assets. Meetings were also held with local, district and provincial authorities to validate outcomes harvested and to obtain their views on their interaction as boundary actors with service providers and iTC in general.

In some cases, unforeseen outcomes would emerge and two new categories of outcome challenges—outcome challenges 9<sup>37</sup> and 10<sup>38</sup>—were derived from field observation. Other outcomes not clearly evident from service provider reports also emerged in the field and were harvested and verified from multiple sources. Outcomes harvested were normally checked with the team's outcome harvesting expert for accuracy and then recorded in final form.

Harvested outcomes were then coded by the four professionals involved in fieldwork in Mozambique. Corrections made in the coding process improved data quality. Data were then analysed using SPSS; tables in this report and its annexes were produced.

For further discussion of the evaluation methodology, please refer to Annexes 3, 4 and 9.

## 4.5 Outcome Challenges

Ten Outcome Challenges (OCs) grouped into five programmatic themes capture what the iTC Program has been actually trying to do to influence key boundary actors in the direction of achieving the goals described in the ToC.

- 1) Preparation of communities to encourage investments.
- 2) Preparation of associations to encourage investments.

- 3) Actual commitments of investments (funds, management, technical knowledge, financing and marketing knowledge) in rural communities.
- 4) Capacities of the implementers of the iTC Program to do their jobs.
- 5) Empowerment of rural people

### 4.5.1 Preparation of Communities<sup>39</sup>

The provisional ToC implies that one of the iTC's goals is to change local community relations among people and between people and natural resources from relatively atomized and insecure conditions to organized and secure conditions at the community level<sup>40</sup>. To make such a general statement more useable, we broke it into three Outcome Challenges at the community level:

- **Delimitation.** One OC is to improve the strength of communities' claims to land by delimitation of the community land boundaries and the issuance of a formal certificate as to the location of those boundaries. This act of delimitation requires consensus as to the definition of community land, the negotiation of each community's boundaries with neighbouring communities, clarifying the history of land settlement and use in the community to support the legitimacy and legality of land defined to "belong" to one community and not another and to identify lands for potential new investments.
- **CGRN**<sup>41</sup>. This Outcome Challenge is the organization of a Community Councils for Management of Natural Resources (CGRNs) with the legitimacy of local agreement and with the State's authorization to manage the community rights to its land. The CGRN is a change in behaviours and relationships among community members, including the traditional leaders, for a more democratic

<sup>37</sup> Outcome Challenge 9: Women and men (including those of lower social standing) will participate more equally in the governance of the CGRNs and Associations and other local institutions.

<sup>38</sup> Outcome Challenge 10: People in communities and associations become more empowered through coordinated action including forming alliances and partnerships with outside institutions to achieve collective goals.

<sup>39</sup> We use the term "preparation of communities" to include the "social preparation" activities introduced formally into iTC procedures after

2009 as well as the delimitation of community boundaries, the formation and strengthening of the community Council for the Management of Natural Resources (CGRN), and the resolution of land related conflicts.

<sup>40</sup> See the definition of "community" in the Technical Annex of the Land Law, as well as in the Forestry Law of 1999 and in Decree 15/2000 and other regulations and decrees.

<sup>41</sup> The formation of community level councils for the management of natural resources has been a complex undertaking.

expression of community desires for the uses of natural resources within the community land boundaries.

- **Reduction of Conflicts.** This OC is the removal of existing disputes with individuals

and groups affecting the outer boundaries of communities and the boundaries of existing private concessions within the community boundaries.

Table 1. Outcome Challenges Concerning Community Preparation for Investment

#	Outcome Challenges identified from the ToC	Changes Envisioned in Communities
1	Communities will improve their security of tenure	The “Social Preparation” of communities mobilizes community leaders and members to arrive at the collective decision as to the location of community lands, community decision to request assistance for carrying out delimitations of community boundaries, actual delimitations  Community designation of people to securely store SPGC issued community delimitation certificates ( <i>certidões</i> )
2	Community Councils for the Management of Natural Resources—CGRNs (or in some communities the “Group of Nine”) –will demonstrate improved natural resource management capacities	Communities will be doing more adequate land use planning, showing more adept financial and natural resource management (such as use of “ <i>fiscais</i> ” for forest monitoring), incorporating both genders and various social groupings in the CGRNs, preparation of community agenda for development, and demonstrating in other ways improved community natural resource management behaviours.
3	Communities will demonstrate that conflicts over land boundaries can be managed successfully	Relationships among communities improve as conflicts over land boundaries are resolved. Relations among communities and private holders of concessions improve as conflicts over the boundaries of those concessions are resolved.

#### 4.5.2 Preparation of Associations

The second main theme of iTC is the preparation of associations of agricultural

producers (and associations of other types, e.g. tourism) for encouraging direct investments through these associations, as captured in Outcome Challenges 4 and 5 (see Table 3):<sup>42</sup>

Table 2. Outcome Challenges Preparing Associations for Investments

#	Outcome Challenges identified from the ToC	Changes envisioned in Associations
4	Community (and occasionally outside) investors will be organised into legally constituted Associations, which reach agreements with communities about access to land	Creation and legalization of producer associations
5	Associations and other Investors will apply for formal DUATS for documenting access to specific pieces of land	Formalization of existing holdings or the legal acquisition of new lands

#### 4.5.3 Actual Investments

The preparation of communities and the preparation of associations in terms of land tenure security and the organizational capabilities of their management units have many

applications, but a main concern is with stimulating investments, as outlined above in the Theory of Change. The term “investment” includes bringing of capital, technology, management, labour to facilitate fair and

<sup>42</sup> The preparation of Associations is usually for encouraging investment through the associations directly, while the preparation of

Communities for investments is more indirect in that the idea is to encourage community agreements with investors

sustainable improvements in productivity and people’s lives. The investors can be from outside communities or members of the communities themselves. In the evaluation exercise, the ET found a few large-scale, outside investors, but many more small-scale local investors working with communities. Large investments are made by outside investors, but the local population has made many small investments in the communities themselves, albeit without the requisite technical guidance needed for success. “Investments” also refer to decisions of rural families to educate and to protect the health of their children, make long term improvements in the productivity of their lands and livestock, acquire enterprise and household assets.

The sixth Outcome Challenge is to encourage fair and sustainable investments in many senses of that term, in the short run through direct activities

of the iTC and in the longer run through iTC creation of the conditions for such investments. Many investments of rural people are done in alignment with Government educational, health and physical infrastructure investments.

The expectation is that since communities are more secure in their land tenure and their management more capable, and since Associations are stronger and securely hold natural resources, investments of capital, management, technology, financing and marketing connections will emerge through the strengthening of associations. The evaluation explores to what extent the iTC had been involved directly in encouraging investments as well as indirectly through preparing communities and associations for investments which may occur after the completion of iTC activities with communities and associations.

Table 3. Outcome for Rural Investments

#	Outcome Challenges identified from the ToC	Changes envisioned in iTC effectiveness
6	Raise Investment in rural areas	Communities are more secure in their land tenure and their management ability is improved; Associations are stronger and securely hold natural resources. So investments of capital, management, technology, financing and marketing connections will emerge.

#### 4.5.4 The management capabilities of iTC’s Change Agent will improve

The fourth theme is the recognition that design and implementation activities will change over time and even the initial management structure will be challenged. The OC is the improvement of the iTC program over time.

There are two Outcome Challenges under this fourth theme. The first has to do with improving the abilities of KPMG as the fund manager and the service providers as implementers which work with communities, associations, governmental units, Government agencies, and other NGOs. The OC focuses on how successfully the iTC team builds the capacities of service providers while adapting management techniques to the complex situations encountered in the field.

A second aspect of this theme has to do with building stronger linkages with other Boundary Actors so that the objectives of the iTC and the objectives of the Boundary Actors become more aligned producing cumulative achievements (see Table 5). These BAs include local Government units, Government agencies, other NGOs and critically outside investors. The outside investors worry about the risks of reaching agreements with communities and whether they will be honoured. Investors have seen that agreements not perceived to have been negotiated in a respectful way, including all parties within the community, and meeting community aspirations, are unlikely to be respected. More socially responsible or pragmatic investors are seeking ways of achieving equitable agreements, viable in the long term and respected by all parties for years to come.





Table 4. Outcome Challenges Concerning Effective Relationships among KPMG/iTC, Service providers and Boundary Actors

#	Outcome Challenges identified from the ToC	Changes envisioned in iTC effectiveness
7	Service providers collaborating with KPMG/iTC will improve their capacities for supporting community and Association preparation and investments	Over time the % of rejections of Certificate applications decrease, and the time and cost of delimitations and demarcations decrease.
8	The objectives and interests of governmental agencies, NGOs, traditional leaders and other Boundary Actors as well as the iTC team (KPMG and service providers) will become more aligned	iTC/SPs assess the alignment of iTC and other BAs objectives, then define strategies for dealing with differing degrees of alignments. The aim is to increase common actions for preparing communities, associations Government, and outside investors for encouraging investments.

#### 4.5.5 Local Empowerment

In most communities and associations, a major change is occurring in the involvement of low-status men and women who typically had not been involved in local management of natural resources in the past. Such people are no active participants in the formation and operations of the CGRNs and Associations, in some cases occupying leadership positions within these organizations. Gender traditions of separating men and women are giving way to meetings where at least both meet in the same place. While men still do most of the talking, women also intervene as they see fit and men at least listen to

ideas and opinions voiced by women. In many groups, women occupy leadership positions and are not shy about expressing their views and actually contributing actively to their operations. Some local authorities consider CGRNs and associations as partners in local resource management, although this sharing of local influence over resource matters is a sensitive topic. Some struggles between newly created CGRNs and local authorities are inevitable depending on the incentives in place for community and individual gain.

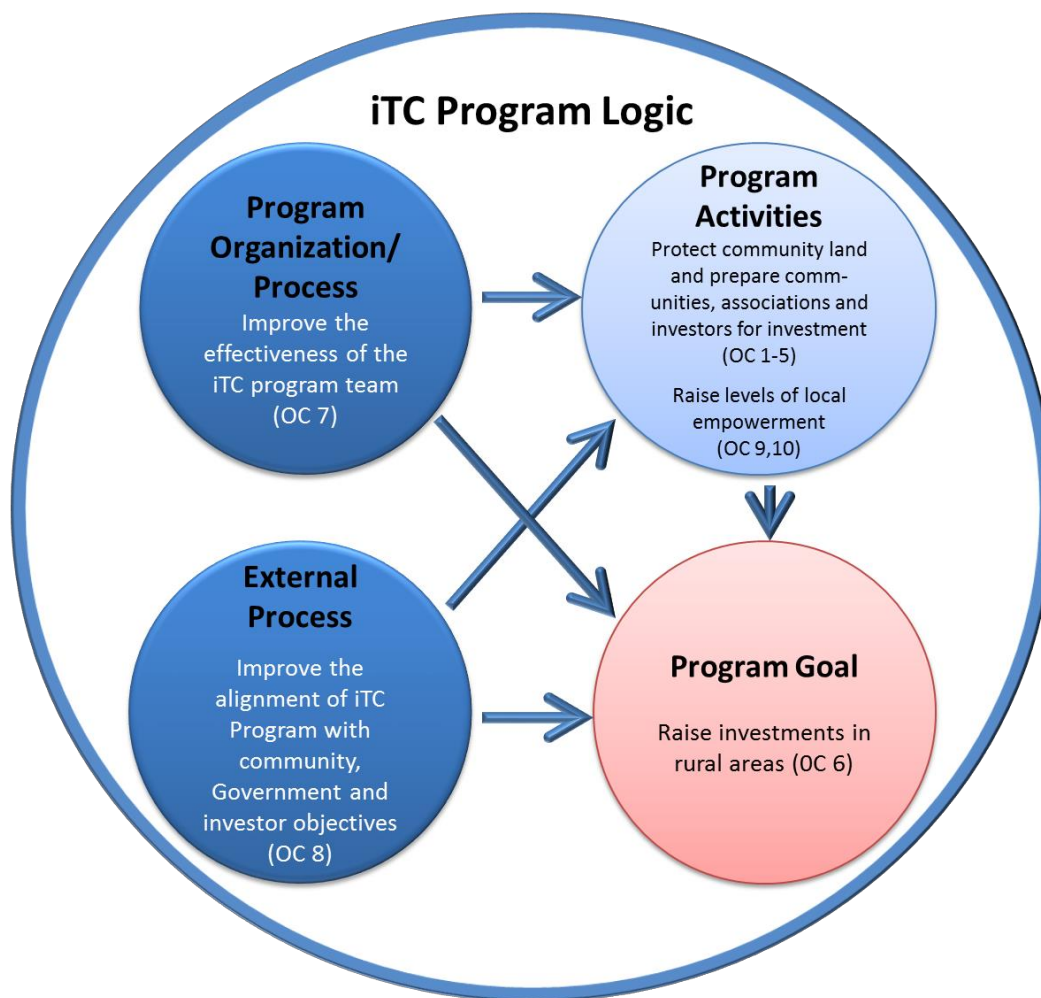
Table 5. Outcome Challenges Concerning Local Empowerment

#	Outcome Challenges identified from the ToC	Changes envisioned in iTC effectiveness
9	The empowerment of local women and men from various social strata will be achieved in the governance of the CGRNs/associations and other local institutions.	Low status individuals found to become active participants, have their voices heard, occupy positions of importance within community institutions and become involved in community decision making
10	Citizens in communities/associations will become more empowered through coordinated action.	Communities begin forming alliances with outside organisations, Government agencies and private institutions, businesses and investors leading to improvements in welfare in the communities and a substantial portion of their population.

We also noted in conversations with community and association leaders, that there is a growing sense of local people having stronger voices socially, economically and politically in their localities, Administrative Posts and Districts. They sense this growing influence as deriving from their community organisations and their linkages with other communities and associations

to address their common concerns. This phenomenon is not yet widespread, but it was clearly expressed in local discourse, and it re-appeared in several sites, as our fieldwork progressed. (This process is likely to continue but could develop faster and lead to stronger alliances where it receives a modicum of support.

Figure 4. ToC logic converted into Outcome Challenges



**Summary of Outcome Challenges:**

- OC 1: Change in community organized commitment to the delimitation of boundaries
- OC 2: Improved community relations (CGRN/Regulos) for the management of natural resources
- OC 3: Reduced conflicts over land
- OC 4: Improved capacities of producer associations for managing investments
- OC 5: Greater security of land tenure for associations
- OC 6: Increasing investments
- OC 7: Greater effectiveness of iTC team (management and Service Providers)

OC 8: Better alignment of iTC and BA (government, NGOs, investors’) objectives and activities

OC 9: Wider participation of women and men of all social groups in community resource management

OC10: Stronger alliances of communities and associations for advancing their interests

The five components summarized above do not operate sequentially. The task of iTC management and aligned Boundary Actors is to manoeuvre these components through time so as to encourage investments in rural areas.

#### 4.6 Ability to Generalise on the Basis of Evaluation Findings

Any sample is valid only for the population from which it is drawn and generalization beyond that population is risky. For practical and theoretical reasons the evaluation team and the Reference Group selected three provinces (Manica, Zambézia and Cabo Delgado) as “representative” of the overall iTC programme based on their history, when they entered the programme, the types of land issues that they faced and the main types of communities<sup>43</sup>. The sample is representative of programme outcomes in these three provinces. The findings are indicative of issues which would likely emerge if Outcome Harvesting or some other evaluation method were used in provinces other than those selected for the evaluation. Conclusions and recommendations based on these findings are valid for the three selected provinces and indicative of issues that a future iTC will want to check using Outcome Harvesting or some other participatory approach in all areas in which it chooses to operate.

Tables presented in the report cover counts and percentages of outcomes harvested and confirm in 91% of the cases that outcomes reported did in fact occur. The approach also identifies in each case the boundary actors (institutions or groups other than KPMG and the service providers whom it hired) which influence individual outcomes and the chain can be followed from the quantified outputs presented in tabular form in the evaluation report straight back to service provider reports, discussions with individual communities and associations and individual leaders within them and interviews with the other boundary actors who influenced each specific outcome. The data sources are robust and are documented in the database and available for review by other researchers. However, all sources of data for the evaluation were promised anonymity in order to allow them to provide data without fear of

retribution (such as service providers who might fear being excluded from participation in future iTC work, communities which might feel threatened if their opinion of the operation of service providers or of the approach taken by iTC toward some aspects of the program could lead to their exclusion from future iTC assistance, etc.). This anonymity must be respected.

That said, conclusions and recommendations are based on findings which are robust and can be checked independently<sup>44</sup>. The conclusions and recommendations arrived at are derived from the findings and are valid for communities in the three provinces surveyed and indicative for other provinces. New work in other provinces would start with a baseline exercise guided by the findings, conclusions and recommendations from this report and employing Outcome Mapping or some similar tool, would establish what land issues are of greatest importance in communities to be served, if the land-related issues are similar to those which the team found are reported in this evaluation. Where similar issues are observed, conclusions and recommendations based on findings in the three provinces will orient the new iTC toward general activities and ways of carrying them out which have a high likelihood of being appropriate; however, an on-going consultative process with communities served will determine which of conclusions and recommendations are most relevant and what new issues have emerged since the evaluation was done or what issues are location-specific and require interventions tailored to meet these specific and emerging challenges. The conclusions and recommendations of this evaluation will be a good starting point for future iTC work, but program design will have to incorporate a high degree of flexibility and inclusive community consultation so that the problems specific to any given point in time or geographical space are addressed in ways that are appropriate to community needs.

<sup>43</sup> The team leader ran a large survey of agricultural credit for Bank Pertanian (Malaysia) and the study team followed the same approach: selecting three states as representative of credit issues for peninsular Malaysia.

<sup>44</sup> Availability of time and other resources did not allow the team to check this question itself by having two researchers replicate each other's work independently in the same community to determine if the same outcomes would be found and the same boundary actors influencing their achievement.

# Findings

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## 5. FINDINGS

### 5.1 Main findings: Verification of Planned Outputs from the Logical Framework

#### Introduction: Analysis of Outputs

This section refers to outputs from the logical framework. These outputs were covered in the terms of reference for the consultancy; however, the evaluation was redirected toward outcome challenges at the April 30th meeting of the Reference Group with the evaluation team. An evaluation based on outcome harvesting would normally concentrate on outcomes, which represent changes in behaviour and relationships influenced by the Change Agent rather than on standard evaluation outputs. However, in response to requests made by the reference group reflecting needs of its members for more traditional measures of project results, the evaluation team is providing additional information pertaining to 'outputs' in this section. If outputs can later be coupled with more accurate data on the costs required to produce them, designers of the new iTC could thus be informed of approaches that are more or less cost-effective so that they can choose approaches which provide the best value to communities and to the partners who support them to achieve tenure improvements protecting their land and other resources and leading to inclusive investments.

#### Output 1.1-- Number of delimited community lands and demarcated association lands

During the period 2006-2012, one of the main outputs defined in the program's logical framework and under the control of the Change Agent (KPMG/Service Providers) has been the progress in delimiting community lands and demarcating producer associations' lands. It is unclear what role communities had in setting targets for delimitation and demarcation, or which of the two has higher priority for communities. The original combined target for community and association land measurements and titling was 454 communities/associations achieving improvements in tenure by the end of 2013. As of the end of 2012, a total of 390 such

measurements had been completed and recorded in the SPGCs of the eight iTC Provinces. Since targets were set without reference to expressed interests on the part of individual communities, some discrepancy is to be expected to the extent that community wishes have been taken into account.

The average rate of certificate/DUAT application processing demonstrated by the eight SPGCs is 104 total delimitations/demarcations per year. Therefore, the iTC target of 454 tenure improvements should easily be reached by the end of 2013—a positive result for the iTC in terms of achieving the pre-defined targets in the program's logical framework.



Delivering community certificate to community of Nanhala, Cabo Delgado province

However, backlogs in processing application certificates of delimitation and DUATs for demarcation are significant in all eight provincial SPGCs. By the end of 2012, 202 of these applications for certificates of delimitation and DUATs were still being processed by the SPGCs. Another 296 application currently being prepared by iTC are in its caseload and are expected to have been presented to the SPGCs by September 2013.

It is worth noting that similar work prior to the establishment of iTC by ORAM and other land-focused NGOs also left large numbers of applications whose processing was never completed. By mid-2013, iTC had produced applications for land certificates delimiting 246 communities in eight provinces. By way of



comparison, ORAM alone reported in 2009 that it had completed over 262 community delimitations over the period from 1999 to 2006 in Zambezia and from 2003 to 2009 in Niassa and Nampula.<sup>45</sup> As with iTC, ORAM completed all necessary steps of its field work, but SPGC certificates were never issued in many of these cases. (The issuance of certificates would be a better measure of project results than simple completion of all steps necessary for final action by SPGC and approval by provincial authorities.)

Without substantial improvement in the completion of applications whose processing is currently incomplete, by the end of 2013 the year the backlog from iTC applications alone (ignoring non-iTC work required of SPGC and provincial authorities) would take two to three years to clear. This delay in processing

delimitations/demarcations for which iTC has finished all its work means that several hundred communities and associations will not have achieved the full demarcation or delimitation of their land by the end of project operations.

The iTC's Situation Report to the National Advisory Council (NAC) in May, 2013 highlights the number of communities and associations and the hectares delimited and demarcated respectively. These indicators are specified in iTC's log frame<sup>46</sup>, and are important for at least partially showing the impacts of iTC on rural communities.

The G6 component of iTC, which began in 2006 and joined by the MCA funding in 2009, use the same delimitation and demarcation procedures. Their combined efforts have produced the results presented in Table 7 as of mid-2013.

**Table 6. Establishment of Boundaries for Community Lands and Producer Association Lands: Combined G6 and MCA, 8 Provinces (mid-2013)**

Activities	Targets	Submitted to the SPGCs			Being worked on in the field
		Started	Completed	In Process in SPGC and in the Districts	
Total Delimitations	454	372	217	73	82
		100.0%	58.3%	19.6%	22.0%
Total Demarcations		516	173	129	214
		100.0%	33.5%	25.0%	41.5%
Total iTC Land Surveys		888	390	202	296
		100.0%	43.9%	22.7%	33.3%
Total Area Delimited (Ha)	3,874,000	1,895,430	NA	NA	NA
Total Area Demarcated (Ha)	NA	17,560	NA	NA	NA

Source: KPMG/iTC, "Relatório de Actividades da Iniciativa de Terras Comunitárias (iTC)", Reunião do CNA, Chimoio, 14 de Maio de 2013

<sup>45</sup> ORAM's OVERVIEW – Paper for the ILC/GLTN Workshop and partner meeting, in Nairobi, Kenya, Prepared by: Calisto Ribeiro – Delegate of ORAM Nampula and Lourenço Duvane – Delegate of ORAM Zambezia, Nov., 2009

<sup>46</sup> Also specified in the log frame are two other indicators—1) the number of communities assisted in negotiations with investors or other

economic partnerships up from baseline of 30 in 2011 and 2) the number of service providers in each province for land rights training, survey, legal and paralegal services greater than the 844 people trained as of 2011

In late 2007 the Council of Ministers suspended all community land delimitations. This suspension lasted until 2010. At that time, Government made delimitations subject to simple administrative approval by SPGCs; only cases where provincial staff or authorities had some doubt had to be referred to DNTF headquarters. Nevertheless, there continue to be uncertainties and variations among Provinces as to the processing of delimitation certificates. Quan et. al, 2013, p. 6 note:

The temporary suspension of delimitations has had a lasting impact, however, due to continuing procedural uncertainties and official caution in approving delimitations of large areas. Now, iTC always seeks to delimit community utilized land and resources at suitable practical scales for community or joint- stakeholder management. These are usually “village level” delimitations below 10,000 in size (although in many cases somewhat larger), rather than delimitation of entire chieftaincies, or regulados areas under which traditional leaders hold customary political and social jurisdiction.

This emphasis on practicality and delimiting smaller “village-level” parcels instead of the broader area of the chieftaincy may have the unintended impact of limiting community member access to common pool resources beyond the delimited parcels, especially in highly desired land areas in the future.

Nevertheless, the target of 474 tenure improvements (delimitation or demarcation) has been surpassed—a positive result for the Project.

Figure 5 below shows that numbers of community delimitations and association demarcations by year since 2008. This data confirms that after 2010, the rate greatly increased especially for the work of community land delimitations. This change appears to be related 1) to the change in policy allowing delimitations to proceed and 2) to the beginning of the MCA-financed component of the iTC, which included ambitious tenure

improvement targets whose terms favoured delimitation over demarcation. Community delimitations are typically much more difficult and time consuming than association demarcations because of the large community areas and large populations.

Since 2008 iTC has produced 404 delimitations and demarcations (and associated institutional development of community CGRNs and associations). The addition of the MCA funding and activities and the geographic clustering of intervention sites for both branches of iTC in 2010 produced significant increases in delimitations until this year, when the MCA component of the iTC programme started to close out procedures.

#### Output 1.2—Reduction of per hectare cost of delimitations and demarcations.

ORAM data for delimitations of 20 communities in 2003 gives an average cost of US\$8,715 per hectare. Costs would be dependent at least in part on which provinces the sample comes from, since costs are higher in some provinces compared to others.

In the period 2020-2012 from a sample of 21 iTC community delimitations, Quan et al. found the average cost of delimitations to be US\$13,379. In inflation adjusted 2003 dollars, that \$13,379 would be worth \$10,966 in 2011 dollars.<sup>47</sup>

So, these results indicate the iTC costs of delimitation being about 25% higher than ORAM's. But these data refer to delimitations only and are based on a very different number of hectares between the ORAM sample and Quan's sample of 21 iTC communities. The comparison should be used with caution since the two cost estimates may be based on different assumptions on how administrative and other costs and fees of the entities are allocated in estimating average per hectare cost of delimitations. Additional caution is necessary due to the diverse geographies of the terrain and socio-ecological landscapes in question.

<sup>47</sup> Based on the CPI Inflation Calculator equating the buying power of the US dollar in 2003 at \$1.22 of 2011 dollars.

In the first years of the iTC when the project was being set up, administrative costs were approximately two thirds of the funds managed. That proportion has fallen substantially to about 35% in 2012; nevertheless, it is still much higher than the figure given in Quan's 2013 study. From the start of the iTC project through March, 2012, administrative costs have consumed over 48% of total project funds.

Clearly a future iTC should require that the entities that carry out delimitations use the same categories of costs, and ensure that iTC's own costs for administering the delimitations are included. A basic question is whether administrative costs are too high to be sustainable in the future. If so, it raises the further question of what changes would be required to make delimitations sustainable. The same questions could be applied to demarcations, where costs are presumably much higher.

#### Output 1.3 Number of Community-Investor Negotiations that the iTC has directly generated.

The evaluation team did not find any overall iTC report that included negotiations between communities and investors as one of its points. Reports do exist on case studies of investor-community agreements.

In our fieldwork in the three provinces the evaluation team did find some investments (19) that the iTC claims to have helped arrange during their presence in the communities. These 19 sites (communities or associations) constitute about a third of those visited. The evaluation team visited these sites a year or two after direct iTC interventions ended. About 50% of the outcomes, which the evaluation verified, had contributed in some way to investments made during that period by both internal and outside investors. Most investments were made by internal investors, were very small reflecting their scarce financial and limited surplus labour resources, and often failed to yield positive financial returns. There were few investments by outside investors, but those generally did yield positive results.

#### Output 2.1--Plan for lessons learning and policy dialogue developed and implemented

The Land Forums and NAC meetings have been held each year. However, at the last NAC meeting the iTC's main concern was the backlog in SPGCs. However, no specific action was agreed on to resolve this impediment to pre-established project results. The NAC was also concerned with the future of iTC and with the withdrawal of MCA.

#### Output 3.1--Number of Service Providers trained.

According to Quan et. al, 2013, iTC has financed, organised and delivered training courses and capacity building sessions covering: Legal knowledge and advocacy skills for paralegal advisers; survey and mapping skills; social preparation methodologies; gender and diversity; project planning, management, monitoring and financial management; land, natural resource management and environmental awareness at community level; also collaborating to assist delivery income generating skills and opportunities (notably beekeeping) to community groups assisted. By October 2012 almost 1000 people had been trained, almost half of them staff from service providers and collaborating local NGOs. Forty per cent of participants were community facilitators and leaders; a further ten per cent government officials at locality, administrative post and district levels. iTC service providers are in turn involved in delivering further training at community level both in both iTC and independently funded projects.

#### Output 3.2 "Number of Service Providers trained with iTC support"

This output would appear to duplicate Output 3.1.

#### Output 3.3 --Legal and organisational basis for new institution prepared

This is one of the three tasks of this DFID evaluation.

Using Outcome Harvesting, the team has analysed the iTC project outcomes and confirmed the validity of 91% of the outcomes reported by the Change Agent and thus showed quantitatively that iTC interventions have influenced the

achievement of said outcomes. It has also recorded the reaction of communities and other boundary actors (Government at local, district and provincial levels), its agencies (SPGC, SDAE) to the project and other actors. The team has also confirmed that iTC's influence on achieving outcomes both foreseen and unforeseen was complemented by the involvement of other actors. The limitation of the ability of these actors to support iTC interventions was noted. The improvement in service provider capacity in addressing land administration was also noted. Limited progress toward investment during the short period of iTC direct intervention was also noted, as was the horizon for major investment to occur which is much longer than the time needed to achieve tenure improvements. These tenure changes have been the main focus of iTC to date and all steps within the control of the Change Agent have largely been accomplished. Incipient empowerment of women and low status males within communities and the ability of communities and their organisations to make external alliances with entities capable of advancing their interests in achieving specific development goals was also documented through the Outcome Harvesting exercise.

## 5.2 MCA/G6 comparisons

### Program Management

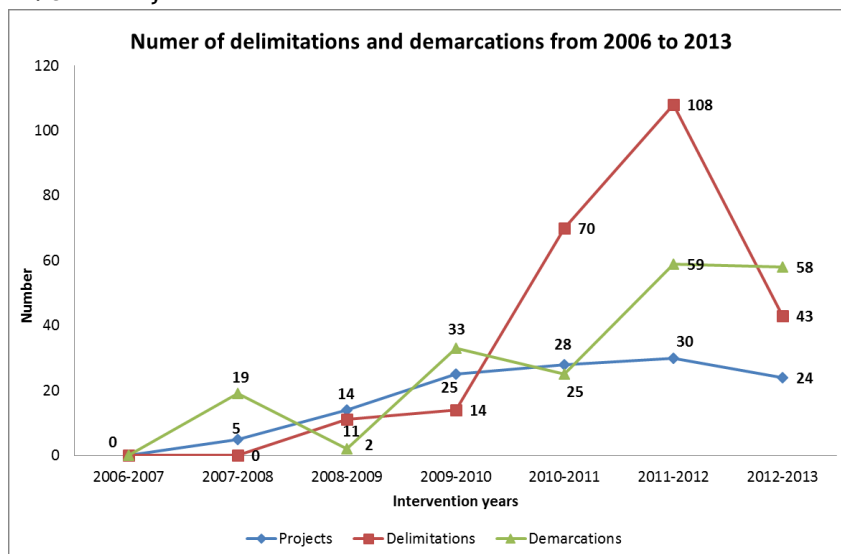
Both the G6 and MCA components of the iTC programme are managed by KPMG. However,

the MCA component has had the advantage of building on G6 component experiences which had already been operating for 3 years before MCA started its work in three additional provinces. iTC/MCA operates under MCC/MCA rules and procedures resulting in more centralised management and funds control than is the case in G6 provinces. KPMG has harmonised the two programmes but financial matters are still attended to in Maputo for MCA provinces with greater discretionary authority at provincial level in the case of G6 provinces. A future iTC will therefore be composed of some provinces without prior experience in managing major financial aspects related to the programme and others with more experience in this area.

### Cluster Approach

G6 began operating on a demand-driven model where projects were generated largely by requests from local communities and NGOs with support from local, district and provincial Governments channelled through potential service providers. MCA, on the other hand, was expected to reach ambitious targets—part of the MCC results-oriented model—particularly a 3.03 million HA target for tenure formalisations. Targets were also linked to the economic rate of return established for the project at the time of MCC's investment decision.

Figure 5. Community Land Delimitations and Association Land Demarcations





The G6 provincial managers continued to be somewhat more demand driven, but also adopted the cluster approach for contracting service providers. Reporting quantitative results for clusters of communities and associations in aggregate fashion makes assessment of outcomes within individual communities or associations difficult to assess based on service providers' reports alone.

In both components, consultations with NGOs and government agencies often resulted in "Concept Notes" identifying priority clusters of communities and associations and the activities which were to be undertaken by iTC within those clusters. Both components operated through contracts with service providers with tight budgets (generally with detailed authorizations for specified activities) and with short timeframes for their completion (usually 9-12 months).

In the MCA provinces, tenders resulted in contracts being written for larger areas of often contiguous communities in order to speed initiation and then completion of agreed activities. Perhaps this prioritization of community land by the MCA component accounts for the greater number of community land delimitations as compared to the community work done in the G6 provinces than in the MCA Provinces, with 378 and 138 association sites started, respectively.

Delimiting the boundaries of several, mostly contiguous communities in a single cluster contract has had the positive effect in the MCA component of bringing all parties to the field at the same time and resolving long-standing conflicts between communities; in some communities issues with delimitations which were apparently done imperfectly in previous years were resolved by iTC. Thus, the cluster approach directed by the MCA component toward delimiting community land boundaries was cost-effective had the

salutary effect in some cases of resolving conflicts which had been afflicting a large area. The delimitation of large amounts of land for communities provides communities with some protection against predatory "investors" and facilitates the resolution of conflicts between neighbouring communities. One service provider, Kulima, claims that communities in Nampula have said they are willing simply to have their land delimited and thus afforded some protection.<sup>48</sup>



Sketch map (elaborated by community members) showing the limits of Gunhe community, Manica province

### Demarcations and Associations

Demarcations of association land claims have been greater in number in the G6 component than in the MCA provinces. This finding is perhaps due to greater local interest being more influential in setting G6 component priorities, while MCA priority of community delimitations has come more from the ambitious area targets set for tenure formalisation from the beginning of MCA's involvement in iTC. Preparing communities for dealing with investors before

<sup>48</sup> Interview with Domenico Luizzi, Director, Kulima on 25 July 2013. The \$4000 covers direct costs of delimitation. Social preparation of communities, the formation and legalization of CGRNs, and training

add another \$2000, for which outside sources of funding would be required



carving out land for association or other investor DUATs can help avoid later disputes. The cost of such preparation, including MCA and iTC management overhead, needs serious study.

Some associations, however, have been hastily created within the short time span of contracts, trained rapidly and provided with demarcated land for agricultural purposes and encouraged to grow crops collectively, an experiment which in many cases has not produced the financial results hoped for. Lack of benefits imperil the long-term viability and survival of the associations and call into question what will happen to the DUAT land if they fail. Since the cost to an association for having land demarcated is zero, even the newest association has an incentive to request demarcation even if a good purpose for doing it does not exist; some cost sharing formula requiring associations to make partial payment of costs of demarcation might make economically unjustified demarcations less attractive and avoid future conflicts if DUATs remain in force for land pertaining to now defunct associations.

The larger backlog in SPGC processing association demarcations in comparison with processing of community applications appears to be more related to the host government policy process than to technical issues. Delimitation processes seem to proceed faster than do demarcation processes. However, inadequate resources of SPGC may also have some part in these delays. Where community consultations have been properly carried out and adequate, SPGC heads should be given a discretionary limit (perhaps 50 hectares) below which they can issue DUATs to community members without referring each case to the Provincial Agriculture Department (DPA) council meeting. Greater support provided by MCA to SPGC (compared to iTC/G6) has resulted in better service in processing delimitations. The volume of applications processed by the SPGCs dramatically increased after 2010.

#### Capacity Building

The iTC managers have noted that many service providers had a low initial level of skills related to

land issues. Given the intensive efforts required, the short-term and relatively small number of contracts do not allow for major investments in the institutional development service providers. However, it is clear that with iTC support, service providers have made considerable progress in developing capacity to deal with land issues; the collaboration of SDAE, SPFFB and SPGC has been a key factor in this improvement. Future work by iTC could include framework contracts with components for organisational development of service providers selected for long-term participation in land issues and other support to development of assisted communities and their organisations.

#### Summary of Approaches

It seems likely that future iTC work will find it advisable to incorporate aspects of both MCA and G6 components in order to meet the demands of communities and associations for improving their tenure security. The G6 monitored decentralization of management to the Provincial level and the MCA priority for clustering of delimitation of communities on both sides of contiguous boundaries seem to have worked well. Incentives (including cost-sharing) need to be put in place so that land is demarcated to associations only if there is good justification for doing so.

Tenure formalization in the G6 provinces has tended to concentrate first on high-value land such as that emerging in the Beira Agricultural Growth Corridor, irrigated land (in collaboration with PROIRRI and others), tree plantations and other high-value permanent crops or installations. Concerns that community interests may not be given the priority they deserve has led to increased demand by some communities (particularly those nearby which have had a chance to observe the iTC programme in action) for delimitation of their land as well. Community "willingness-to-pay" has been noted by Kulima in MCA provinces. It is an option that needs to be tested more widely providing legal and ethical concerns about requiring some community contribution can be answered. There is an even

stronger argument for cost-sharing as refers to demarcation of land for DUATs.

Management by results does yield high volumes of tenure formalization; however, the large areas formalised may mask communities and community organisations whose demands for formalization went unmet because they did not meet criteria focused on achieving numerical targets rather than in prioritising communities which could benefit most from iTC interventions. Should the future iTC follow MCA's target-driven approach, they might benefit from an overall management system incorporating feedback loops through the use of Outcome Mapping in programme design and Outcome Harvesting as part of the monitoring and evaluation system.

Communities with whom the evaluation team interacted have been affected in positive ways attested to by the harvested and verified outcomes. But iTC work is only one stage in a longer process of community development. Wider reaching interventions which go beyond simple tenure formalisation and organisation registration are needed and should accompany the process forward toward internally or externally based investment leading to future economic development.

### 5.3 Generalisations for the future iTC

The iTC presently operates in eight provinces, with eight different cultures, demographic patterns and each differentially influenced by government programs. There are statistical differences in the results of the two components of iTC, but it is difficult even for the iTC managers to agree with certainty as to the causes of these differences. If the service providers and chiefs of SPGCs and SDEAs had been asked for their analyses, even more variability would probably have emerged as to the reasons for these differences. Since generalizing is difficult across provinces, the future iTC must find ways to encourage periodic consultations and management flexibility to adapt iTC programme activities to these complex and varying conditions in each province.

At the same time the future iTC can learn from past experiences. One obvious need is for the iTC "change agent" to use reporting procedures to make assessment of unsatisfactory outcomes easier to relate to the inadequacies most likely to be responsible for them and also to make it easier to identify bottlenecks in processes and to correct them quickly.

For example, iTC could clearly distinguish between developing the organisational capabilities of community CGRNs and associations and identifying rights to land. Reporting has focused in the past on land rights, but much work has been done and much more is needed to strengthen CGRNs and associations as organisations capable of dealing with investors, markets, finance, and land conflicts. The organisational development efforts could be better tracked and credited to the influence of iTC as separate from the formalization of land rights.

The iTC has offered to cover the entire cost of land delimitations and demarcations. While there may be a social benefit to such subsidization of community land delimitations (encouraging more beneficial and sustainable investments in the land), the subsidization of association land claims has at times resulted in artificial titles. The traditional association has offered to its members economies of scale (marketing, finance, information) while the actual use of the land has been by individual families.

The collective exploitation of the land by many often only distantly related families has not been the norm in most provinces. However, when individual users of land are offered an association title which incorporates their individual lands at no cost to them, the association title does offer greater individual security. However, such collective titles covering individual holdings also complicate the legal protection afforded the de facto individual holdings and implies some costs in the future.

The future iTC should cover less than 100% of the costs of tenure formalisation, particularly as refers to demarcation of land for associations to

encourage more careful local consideration of the value of iTC work. The implications of association titles for the community as well as for members of the associations need to be considered.

### 5.4 Findings Elaborated According to Outcome Challenge Focus Areas

Of the valid outcomes harvested, nearly 40% attested to changes in the behaviour and/or relationships of key boundary actors contributing to the preparation of communities for investments. Another 27% of the valid citations provided evidence of progress toward the preparation of associations for investments. Valid outcomes are those, which the field research determined that there was clear evidence for the outcome being accurate.

The third largest number of outcome challenges cited (almost 16%) had to do with the empowerment of men and women in the management of CGRNs and associations as well as empowerment of the communities and associations for increasing their influence in local markets and in regional policy discussions.

Efforts by iTC to improve its effectiveness through upgrading the capacities of its service providers and through building stronger alliances with boundary actors yielded fewer examples of progress toward OCs 7 and 8 — just about 10% of the cited OCs referred to these OCs.



NAC members presents in DUAT delivering ceremony to Nhatine Agriculture Association, Gaza province

The outcome challenges with the fewest citations has to do with direct iTC influence on investments. This result is to be expected at this point in the evolution of the iTC programme, since the main focus has been on preparing communities and associations for creating the conditions for stimulating investments, and not on encouraging specific investments.

Table 7. Outcomes Harvested from iTC Projects: Manica, Zambézia and Cabo Delgado (2013)

iTC Focus Area	Relevant OCs	Outcomes Harvested	Focus Area Outcome Subtotal	% of Total OH Citations
<b>1. Preparation of Communities</b>	1	25	87	39.5%
	2	40		
	3	22		
<b>2. Preparation of Associations</b>	4	26	59	26.8%
	5	33		
<b>3. Investments directly influenced by iTC</b>	6	19	19	8.6%
<b>4. iTC Capacities</b>	7	9	21	9.5%
	8	12		
<b>5. Empowerment</b>	9	7	34	15.5%
	10	27		
<b>TOTAL</b>		220*	220	100%

\*Some outcomes pertained to two OCs, thus there are 220 OCs cited in the 156 total valid outcomes harvested.

The end of each outcome section below will provide a scoring of **strong**, **medium** or **weak** to denote the evaluation evidence showing the contribution level of the program to meet the outcome challenges. A strong score means that there was a high percentage of outcomes harvested and verified by field visits or other means that indicate program contribution to achieving the outcome. Further, there were few if any negative effects and contribution of the project was relatively clear, with minimal other

outside influences or factors. A medium score may have a high percentage of outcomes as well, but may also have some negative effects and/or the project contribution may be less clear due to the contribution of other factors outside of the control of the project. A weak score indicates that there were few outcomes harvested related to the project meeting this challenge, and/or there was a high level of negative effects recorded. There were also other factors influencing the outcome, thus allowing only weak evidence that the project was influencing the outcome.

### **Preparation of Communities (Outcome Challenges 1, 2 and 3)**

Outcomes 1, 2 and 3 prepare the community for greater land security and reducing conflicts in order to make it possible achieve investments in the future, constitute the highest percentage of outcomes harvested, nearly 40% for the study as a whole and 45% in Zambézia where the iTC programme only started in 2010. These harvested outcomes, verified through field visits provide strong evidence that community initial preparation has been significantly influenced by iTC.

#### **5.4.1 Outcome Challenge 1**

Outcome challenge 1 expects *communities will improve their security of tenure*.

One of the major accomplishments of iTC from the point of view of assisted communities is related to improving people's awareness of their rights and delimiting their boundaries to allow them to start claiming these rights—part of what iTC calls “social preparation”. In some areas, community members already knew they had some traditional rights to their land, which were reaffirmed and strengthened by the land law. However, in other areas community members had little or no idea that they had any rights. People with either type of awareness expressed their gratitude to iTC for making them more aware of their land rights and for making it possible for

them to assert these rights and to minimize conflicts.<sup>49</sup> The iTC packet of what we are calling community preparation—Delimitation—CGRN Formation—Conflict Resolution has then been the vehicle putting these improvements in communities' knowledge base into practice. One key outcome in those iTC interventions aimed at communities has been community decisions to undertake a delimitation of community land, including the commitment of time and knowledge to the definition of community boundaries by community members and by members and leaders of neighbouring communities. The behaviours of community members/leaders change from zero monitoring of community boundaries to their documentation to their documentation and careful monitoring. The relations between one community and its neighbouring communities also change from latent and often open conflict over undefined boundaries to better administered adjudications of tensions before they evolve into conflicts (this is also pertinent to Outcome Challenge 3). In some large communities with a single regulo but with several sub-regulos responsible for areas within the large community, there are tensions over internal community boundaries.

There are also issues with forestry and mining concessions given in the past without regard for community rights to these lands but that require further clarification following and even during delimitation. There are communities in which there are tensions between communities and outside investors and other outsiders who do not belong to the community but who have occupied community land without community agreement, often under conditions where the community boundaries are not clear, at least to outsiders.

In summary, one of iTC's contributions has been to provide communities with a better understanding of their land rights and in helping communities to decide to increase their tenure security by delimiting the land under their responsibility. This finding is supported by the

<sup>49</sup> They also expressed surprise and thankfulness to iTC for continuing to think of them after the activities had ended. They were gratified to learn that their opinions were respected and that their insights might

help guide new activities to provide them with additional assistance and to provide similar assistance to other communities





field verified evidence contained in the 25 harvested outcomes demonstrating real community change. Delimitation makes it possible for communities to have a better chance of enforcing their rights against those who would infringe on them. It also sets the stage for a more level playing field which may allow communities to attain more equitable results when negotiating with investors and to obtain more equitable partnerships than they would have otherwise. Delimitation also gives communities a greater standing when defending themselves against predatory “investors” who often have powerful backers and who would otherwise ignore community rights and interests after cursory consultation processes.

**Contribution score: Strong evidence to support this outcome. Relative high numbers of outcomes collected in support, few if any negative effects and contribution was clear.**

#### 5.4.2 Outcome Challenge 2

Outcome challenge 2 expects *Community Committees for the Management of Natural Resources (CGRNs) will demonstrate improved natural resource management capacities.*

Mostly resulting from the social preparation of communities in the first stage of service providers’ work, CGRNs are formed in communities not already having them at an early stage of iTC work after the community has received some training in land and forestry rights. The creation of these new local committees and their training in land use mapping, resource inventorying, preparation of community “agenda for development” and collective decision making offers the potential for fair and sustainable negotiations with potential investors, and the potential of greater democratization of decision making about natural resources.

This role of the CGRNs in democratizing decision-making is in comparison with the community leaders who have played a major role

in the authorizing of resource use in the past. Most experienced service providers are aware of the sensitivity of CGRN formation, and work with community leaders to define the new roles of both the CGRNs and the leaders themselves<sup>50</sup>.

Out of the 171 total harvested outcomes, 84 involved changes in community behaviours or relationships; and of these outcomes over 63% involved the regulos as influencing the changes in community members’ behaviours and relations, in coordination with the efforts of iTC. This collaboration with community leaders in the building of the CGRNs probably bodes well for the continuing consolidation of the CGRNs.

In practice progress on natural resource management is not without problems. When faced with potential users of community resources, CGRNs are often faced with demands from unlicensed potential users which require extended discussion and often involve powerful local interests. In other instances, the installation of the CGRNs as influences on the harvesting of timber has come too late. Deforestation has already occurred.

See Box 3 for two examples of CGRN functioning, one from Zambézia and one from Nampula.

Most CGRNs though newly formed take their work seriously but few receive anywhere near the level of support of the Nampula CGRN described above. Many CGRNs managing forest resources appoint fiscais (enforcers) or consider all members to be charged with that task. The better organised CGRNs have a good basic understanding of the land and forestry laws and of their community rights under them. They take steps necessary to enforce these rights, to the extent of even stopping logging trucks rumbling through their communities. Many leaders of CGRNs are elected democratically and women

<sup>50</sup> Quan et. al., (2013) explore the community concept and the roles of traditional leaders. Villanueva (2011) also reports on the positive impacts of community governance strengthening to help correct past

abuses of authority by some traditional leaders. He also reports that 83% of 410 community members he interviewed responded that they prefer to consult with traditional leaders concerning land conflicts



do participate, often as treasurers and in other official capacities.

One of the main benefits that should be derived from CGRNs in areas with some remaining forest albeit degraded or having land in areas forming part of a logging concession is access to the 20% of forestry licensing fees. While many CGRNs in Cabo Delgado had access to these funds, the evaluation team found few CGRNs in Zambézia and Manica which had taken all the steps necessary to obtain their 20%. This value should be paid to the local communities' resident in the respective areas of exploration.

*Box 3: CGRN Functioning*

*Deforestation in Zambézia*

*While local people could use resources for their family's use without consulting CGRNs, its members unequivocally state that outsiders had to consult the CGRN and those without proper licenses in Zambézia were invariably were told to leave and did so. However, in Zambézia the resources remaining to be protected consists mostly of second-growth and small trees being cut for making charcoal, all that remained after most communities were logged out prior to ITC intervention and which logging left no benefit whatsoever to the community.*

*CGRN activities in Nampula*

*The field test of field guides and other data-gathering instruments in Mecubure, Nampula allowed the team to observe a CGRN which had received very substantial support over a year, with training, training certificates but not IDs, equipment (tape measures & calculators for estimating wood exiting the community, bicycles, etc), t-shirts but no boots, cell phones nor uniforms identifying them as members of the CGRN. Despite this support, they asked for the items they identified as lacking plus on-going training. They had controlled local people producing charcoal and carpenters cutting wood to make doors but their ability to make their authority felt had not been tested since all this occurred before the logging season had started. In Zambézia, CGRNs received training and legalization but none of the other support given the Mecuburre CGRN. Nevertheless, the CGRNs did assert some control over local forestry activities and did turn away some low-level outsiders wanting to exploit community resources without the right to do so.*

Where communities are not receiving the fee, the reasons are:

- The CGRN does not have a bank account
- The licensing entity has not transferred the money to the account of the CGRN
- The fee is being paid, but to a different community or communities, because the concession holder is only aware of two communities while there are three communities within the concession area.
- The natural resources that are being exploited may not in fact be attracting the fee.
- Those CGRNs that do receive the money are aware that the money they receive should be for the benefit of the whole community and seem to generally spend it on improvements within the community, such as schools, maintenance of water pumps etc.
- Payment of the 20% occurred only in one community in Zambézia (Vuruka, Namacurra, Zambézia), where the contract of the service providers specifically required it to help the CGRN open a bank account. Elsewhere in Zambézia, communities have confirmed attending many meetings with service providers on land rights and establishing the CGRNs and of achieving an understanding of their land and forestry rights (including their right to a 20% share of forestry and wildlife fees). Communities in Zambézia now manifest considerable outrage over their failure have access to these funds. This understanding may eventually lead to their taking the required steps to obtain these funds.
- The legislation that regulates mining (minerals and construction material)

does not establish a set percentage for the community as in the case of the forestry tax. However, the legislation does clearly state that mining title holders are obliged to pay fair compensation for loss of land to holders of land rights whether by occupation or by application (DUAT). The same applies for those who have drilling rights for gas or petroleum. The evaluation team found no case when any compensation whatsoever was being paid for mining concessions or operations, which were established on community land.

Outcomes harvested relating to outcome challenge 2 (CGRN formation and the CGRN management of natural resources) provide good evidence for iTC meeting this challenge through the creation of the CGRNs, but mixed evidence as to their effectiveness in managing natural resources.

For those CGRNs, which do not have forest resources remaining, this management function does not get exercised, often leading to the loss of interest in the CGRNs as management structures. There are a few instances of CGRNs getting funding from the District Development Fund (FDD), but not many.

In some instances service providers have helped communities find investors, or improve their relations with investors, but usually without the support of iTC. iTC has lacked a small grants programme or other resources for improving the management capacities of CGRNs in the interim while developing relations with Investors.

**Contribution score: Medium evidence to support this outcome. High number of outcomes harvested and strong evidence of contribution, but a number of negative aspects effectiveness in natural resource management.**

### 5.4.3 Outcome Challenge 3

Outcome challenge three expects *communities will demonstrate that conflicts over land within communities, between communities and with investors can be managed successfully.*

One of the factors influencing iTC's decisions about where to direct its resources has been the need to resolve conflicts over land which had complicated relations among communities for some time. In many instances communities themselves had brought conflicts to the attention of local and district authorities; they in turn proposed that these communities be considered by iTC as possible candidates for its intervention.

Our impression is that most conflicts over land are dealt with by the parties, or by consulting with community leaders (as noted by Villanueva (2011), but many lingering ones have been identified and resolved through the delimitation process.

Concerning the preparation of communities for managing natural resources and attracting investors overall, iTC's main concern has been with establishing and consolidating the capacities of the CGRNs. In the sample of communities selected to verify outcomes, about half of the outcomes harvested were related to the formation and training of the CGRNs. A bit more than half had to do with delimitation of community land boundaries combined with the resolution of conflicts, usually done during the delimitation.

Clearly iTC efforts to prepare communities for new ways of managing their natural resources have produced real changes in community behaviours and relationships, with particular focus on the formation and training of CGRNs. Box 4 shows an example of an outcome harvested toward this outcome challenge.

## Preparation of Associations (Outcome Challenges 4 & 5)

### Box 4: Manica outcome

Example of an outcome harvested showing progress toward iTC's OC-3

Boundary Actor which exhibited change: **Gunhe Community**

What was the change in the Boundary Actor relationship: **Identification and resolution of boundary conflict with: Goi Goi Community OC-3**

When did the boundary actor make the change: **June, 2011.**

Where did the change take place: **Gunhe Community**

What did KPMG/service providers do? **Diagnostico Rural Participativo (DRP) to overcome deep suspicions of the government and iTC and mobilize community**

Overall, iTC has contributed to improving community land tenure security, improved CGRN management and resolving many border conflicts, making it more feasible for both community members and outside investors to make productive use of land whose tenure is not disputed. See Box 5 for examples of land conflict cases in Zambézia and Cabo Delgado.

**Contribution score: Strong evidence to support this outcome. High number of outcomes harvested and project contribution is clear.**

### Box 5: Land Conflict Cases

*In Zambézia, iTC's service providers worked behind the scenes to bring regulos of two communities and local authorities together to hammer out a general solution to a lingering conflict over borders, and then put it into practice by delimiting the boundaries. Long-standing differences over boundaries between the two larger communities were settled; similar dispute between smaller communities and the higher level's community were also resolved.*

### 5.4.4 Outcome Challenge 4

Outcome challenge 4 expects *communities (and occasionally outside) investors will be organised into legally constituted producer associations, which reach agreements with communities about access to land.*

Organizing farmers into cooperatives, while positive in many countries, has a history in Mozambique related to forced collectivization.<sup>51</sup> Results related to this outcome were varied across Mozambique, but much of the rural population even today will have nothing to do with any organisation bearing the name of "cooperative." Therefore, in the 1990s, the Government of Mozambique with the support of donors encouraged the formation of "associations", which in large measure are similar in approaches and goals espoused by cooperatives around the world. Many were focused on agricultural activities, particularly marketing and input supply, which in some cases yielded very positive results.<sup>52</sup>

The evaluation team encountered associations, which had existed prior to iTC, in some case years before iTC started. Some of these associations were making positive contributions to the welfare of their members. The team also encountered many associations that were newly formed, created as part of the design of iTC interventions. A good example would be the case of the association Uhuwerie N'Rima, which supplies pottery products to various points in the province of Cabo Delgado, participates in various trade fairs both provincial and nationally. The Permanent Secretary for the district of Pembator-Metuge described the association as the cartão de visita (business card) of the district.

The contracts between KPMG and service providers included the costs for the legalization of existing associations and demarcating land for these associations, ideally following the approval

<sup>51</sup> Merte L. Bowen. 2000. The state against the peasantry: Rural struggles in colonial and postcolonial Mozambique. Charlottesville: University Press of Virginia, 2000

<sup>52</sup> Such as those supported by CLUSA, CARE, World Vision, etc. with a focus on marketing and the philosophy of "farming as a business"

of community leaders, for the formation and legalization of new associations as expressed to the service providers in its initial contacts with the community.

**Contribution score: Medium evidence to support this outcome. High number of supporting outcomes harvested, but a fair number of negative outcomes cited.**

#### 5.4.5 Outcome Challenge 5

Outcome challenge 5 expects *associations and other investors will apply for formal DUATS for documenting access to service providers' land.*

iTC is a rural land tenure regularization programme, not a promoter of associations. However, to respond to the perceived interests of many rural families to legalize their customary access to land, iTC included a component in its land programme to assist rural families to apply for DUATs to the land they possess, as an association but not individually. Rather, grouping land of several families together into larger blocks reduced demarcation costs and made it easier for iTC to legalize land tenure of associations. As in other tenure regularisation programs, the theoretical expectation was that with more secure tenure, the associations and their family members would invest in the land and their enterprises. In order to deal with the individual family members' situations of tenure insecurity, iTC offered to legalize the land tenure of associations whose land claims were made up of the lands possessed by individual families. To accomplish that task, iTC had to legalize the associations or encourage/assist in the formation of new associations. However, in many cases community members and leaders recognized that DUATs could mean the permanent alienation of their traditional land rights to the association. In some cases associations were created to get a single DUAT for the members' lands as a group. In other cases communities would only accept the demarcation of DUATs for association land outside their traditional holdings such as on forests or state land.

Some of these demarcation processes have been made even more challenging by their being part of a "management by results" approach, which encouraged in some cases meeting targets in a short time without the gradual demand for such organisational forms emerging organically from farmer's expressed needs. Such results run the risk of failing to be sustainable due to lack of member interest, which seems to be happening in some Districts, although the time since they were created is usually too short to arrive at firm conclusions.

In Manica, one of the associations formed in the mid-1990s continues to exist, but with few active members and is of little use by its members. Other associations in that province seem to be working well, although not for long enough to be satisfied that they meet the needs of the members.

People have been creative in its work with associations. In Manica a group of long existing marketing associations decided to ask iTC assistance in forming an "association of associations" in order to get a DUAT for all of the lands held by the associations' members. The evaluation team encountered a variety of associations during its field verifications of harvested outcomes. Some of these associations were functioning well as organisations, but had only a limited interest in securing of DUATs and were not involved in collective production or joint marketing of the produce of their individual members. Very few associations (legalized and with DUATs) were farming the land collectively as associations.

Some of the problems that iTC has encountered with the objective of improving tenure for individual families through associations include the following:

- In order to produce DUATs and meet the objectives of the programme, KPMG/service providers have invested considerable effort to help members of communities form agricultural and livestock focused

- associations, to achieve economies of scale in their agricultural activities and to qualify for iTC financed legalization of the association and of its land tenure through DUATs. As might be expected, neither the service provider nor the farm families had much experience with the complexities of association organisation or maintenance, nor the details of how to reap benefits through associative action without having access to finance and technology, both of which are prerequisites for achieving real economies of scale.
- Service providers have had variable roles in defining the land that the associations would claim for securing DUATs. Given the short time periods of most service providers contracts, there are pressures to get local people to agree quickly as to what land they want to claim through the association for getting a DUAT. There are also pressures to quickly complete the consultations by those wanting to get a DUAT for association with other leaders and members of the surrounding communities. If these steps are not carefully done, the securing of DUATs in the short run can cause problems in the future.
  - Another question for the future iTC is the role of service providers in defining the membership of associations. As in the case of land, the association membership is a sensitive issue, and service providers in the past have felt pressures to get this issue resolved quickly to complete their contractual obligations to iTC. Quick resolutions may or may not be helpful over the long term. In some instances in Zambézia the service providers grouped together people from more than one community or spread over a very large area within a single community to form a single association. In another instance in Manica, the service providers mediated a conflict where an existing association had opposed the incorporation of several families who wanted to join. Time will tell whether these arrangements prove to be stable or lead to failure and future conflict.
  - In some instances of forming new associations, questions were raised about whether community members were sufficiently well-informed at the time the associations were being formed so that all those who might have developed an interest in joining would have a chance to do so. There are complexities for incorporating new members after the association has been formed and for the withdrawal of members who move away or lose interest in the association.
  - Within the short span of their contracts, service providers helped the associations locate land and then demarcate that land to apply for DUATs for the use of associations (both newly formed and pre-existing ones). In Zambézia, the iTC service providers were instructed to be sure that the land claims of the associations were reviewed and approved by the traditional and new leaders of the communities in which the lands are located. But with the pressures of time to meet contractual obligations, in some instances this step may have been overly shortened. In Manica, some consultations with communities were even more limited. Since DUATs are relatively permanent, the customary means for community re-acquisition of the land should the DUAT holders



abandon the land, are difficult. Community members may not understand this change in tenure permanence inherent in the DUATs, and may come to resent the denial of access to demarcated land, possibly leading to future conflicts. However, some community members may in fact understand the long-term implications of DUATs in removing land from community access but are not in a position to make their reluctance to approve a DUAT application known in the face of pressure from community leaders and local authorities to accept the application to demarcate land for DUATs.

- For older associations often created even before iTC's intervention and even for some newer ones created under iTC, membership has declined. These reductions appear to be due to two main causes: normal attrition (people dying, moving away, etc.) and from disaffection with the lack of economic benefits derived from membership. Most significantly, DUATs require a development plan—"plano de exploracao"—which is different than a business plan. The inability to complete one's development plan can place an association's DUAT, which is temporary and contingent on fulfilling the plan within five years, at risk of revocation. If the DUAT is revoked, there is still considerable uncertainty about to whom the rights to such demarcated land passes. This is less of a concern for agricultural associations as long as they can show they are cultivating together.

As illustrated in the case presented in Box 6, some DUATs are linked to tourism, and failing to fulfil their development plan places them at legal risk of losing their rights to their demarcated land.

*Box 6: The DUAT-Tourism link*

*The ecotourism association ADETUR attempted to promote ecotourism in Maganja da Costa around Lagao de Ruguria, but it lost half its membership since it was formed in 2003 due to the lack of benefits from its promotion efforts. Newly formed associations also lost active members when investments in collective machambas, cashew plantations, fishponds and other productive activities failed to yield income as expected to provide a return on the significant investment of time people put into their group activities. A major impediment to the success of associations is the lack of funding for the activities included in business plans drafted as part of iTC services, which are unfunded and which fail to link associations to outside sources of funding for their activities. Associations' capacity to implement business plans is weak. Many associations would not be able to successfully manage activities proposed in their DUAT, even if funding were available unless they also received considerable support from outside entities with competence and experience in association management of types of activities being promoted.*

DUATs are a key element providing potential investors with the tenure security that they need in order to make long-term investments (forests, tree crops, irrigation systems, wells, warehouses and the like) on land now allotted on a temporary basis through traditional tenure or on a more permanent basis in the case of lineage land. Even in areas where iTC interventions are too recent to have led to new outside investment, there has been considerable pressure on the part of community members already organised for a number of years in associations to obtain DUATs to the land they have been using or to locate land within the community which could be turned over to them in the form of a DUAT. In one community, an association ACOMAO whose demarcation was not registered in a previous exercise a number of years ago, organised other communities and associations in Mulevala to successfully lobby iTC in a unified manner to request its intervention in Mulevala. As a result of its action it and other older associations (and a newly formed one) obtained DUATs. Likewise, ADETUR Association in Maganja da Costa, with the support of local authorities and the Ministry of Tourism to obtain DUATs to land of historic interest and other land of importance to its

members around Lake Ruguria; these DUATs are crucial to its plan for ecotourism around the lake and may eventually benefit the larger community, despite slow progress along the way. Attrition in membership of some associations linked to the lack of financial results and of outside support for activities for which the associations were established, calls into question the ability of some associations to make the requisite investments on their land within three years such that the DUAT becomes permanent.

The ET found only one instance of local communities directly opposing DUATS for either associations formed by members of the same community or outside investors. (A local community in Zambézia vehemently opposed a DUAT given to outsiders for land de-annexed by Madal and stopped them from using this land.)

**Contribution score: Weak evidence to support this outcome. A fairly large number of outcomes harvested, but also and equally high degree of negative effects and considerable influence on outcomes beyond project control.**

**Investment  
(Outcome Challenge 6)**

**5.4.6 Outcome Challenge 6**

Outcome challenge 6 expects that *investment plans will be implemented*.

At the time of the service providers' interventions in the various sites, there were relatively few opportunities to actually contribute to investments either through agreements between communities and investors, or through investments done by or through associations. Only about 9% of the outcomes harvested had to do with changes in investor behaviours, actually investing, as influenced by the service providers during the periods of their work with communities and associations.

During the field verification phase of the evaluation, the teams asked local people about whether investments had been made which could have been plausibly influenced by previous

service providers' work, either directly or indirectly. In those instances when people could cite such investments, the team determined whether the investors were people from within the communities or associations or from the outside.

In order to assess the seriousness of the investment, the team investigated whether the investment made had actually worked out or not.

Where an investment was detected, 57 of the 73 investments found were internal (associations, communities and individuals investing their labour and materials on community land). Sixteen investments were by investors external to the communities. Thirty of the 57 internal investments detected were successful whereas 27 failed to produce benefits (short term failure rate of 47%).

For external investors, 15 of the 16 investments were successful (failure rate of 6%). Even with the small number of investment outcomes harvested, the high failure rate is indicative of problems with the business plans or with the execution of these plans by community members.

The results for the 143 valid outcomes with complete investment data are shown in Table 9. In just under half the outcomes (70, or 49%), no investment was detected as having been influenced by those outcomes.

**Table 8. Investments Influenced by Outcomes and Their Effects**

	Internal investment (N=57)	External Investment (N=16)	Total (N=73)
<b>Investment %</b>	78%	22%	100%
<b>Did not work</b>			
No.	27	1	28
%	47%	6%	38%
<b>Had an effect</b>			
No.	30	15	45
%	53%	94%	62%

\*Data in table are for 73 investments (out of the 143 valid outcomes having data for both variables, 51% of total).

Certainly more could be done to encourage investments, and it seems that the most fertile ground for stimulating investments is among local people, at least in terms of the numbers if not the sizes of the investments detected in this study. However, this strategy would require better-designed and implemented investment activities by the local population with access to the resources and technical assistance that is required.

**Contribution score: Weak evidence to support this outcome. Relatively few outcomes harvested. Conclusion that more time is needed to observe this outcome before strong contribution can be evidenced.**

#### **iTC Capacities (Outcome Challenges 7 & 8)**

##### **5.4.7 Outcome Challenge 7**

Outcome challenge 7 expects that the *capacity of iTC to prepare communities and associations for investments will improve.*

Achieving this outcome challenge is composed of two factors: (1) the abilities of the service providers to work with communities and their members and with associations, and (2) the linkages that iTC builds with other boundary actors to help mobilize the range of resources needed and which iTC itself does not command. Service providers contracted by KPMG/iTC will improve their capacities for supporting community and association preparation and [for] investments.

**Contribution score: Weak evidence to support this outcome. Low number of outcomes cited and some outside influence required, but will require more time to evolve.**

##### **5.4.8 Outcome Challenge 8**

Outcome challenge 8 expects boundary actor – iTC alignment will increase.

Of the sites studied where iTC has operated, we found relatively few claims of efforts made to improve the capacities of service provider to build linkages with other important boundary actors.

Only 21 valid outcome harvests (just under 10% of all harvested outcomes) were found related to outcome challenges 7 (service providers' development) and 8 (closer alignment of Government leaders and other boundary actors with iTC objectives). Both of these outcome challenges refer to the capacities of iTC to implement a complicated programme. The fee-for-service model in itself does not encourage institution-building among service providers, nearly all of whom are based largely in the provinces they are serving.

Aside from the contracts themselves, iTC management has provided opportunities, for staff of service providers to receive training, such as in the use of GPS, the deeper understanding of the Land Law and the requirements for acceptable delimitations and demarcations.

Building alliances with organisations, particularly units of local government, shows the public that iTC's objectives are aligned with those of the government. How can that alignment be demonstrated?

One example can be found in Rotanda, where the Posto Administrativo (local government) agreed to provide iTC supported Association of Irrigators of Rotanda (AIR) with an impressive building for its use. (See example of greater cooperation between Government and community organizations in Box 7.)

*Box 7: Manica Outcome for Government Cooperation with an Association*

*Who exhibited change: Local government of Rotanda*

*What was the change in the Boundary Actor: The Administrative Post of Rotanda made an investment in the AIR association, through construction of a meeting place and transferring it to AIR*

*When did the boundary actor make the change: June, 2012*

*Where did the change take place: Rotanda Sede*

*Significance: Shows alignment of local government objectives with iTC objectives*

Anecdotal evidence from SDAE and SPFFB confirms that service providers have achieved an understanding of the land and forestry laws to some degree, acquired in large measure from Government staff, and thus have been able to pass along part of this knowledge to local communities. However, the management by contracts model does not allow the long-term institutional development of service providers so that they are able to continue their development and to bring new staff up to a level of understanding of issues now possessed by older staff, who has worked through the iTC process with a number of communities. Furthermore, other skills are required beyond those acquired under iTC to see to it that DUAT development and business plans can be implemented and the skills to see these carried out through marshalling support from a broad array of boundary actors. The building of these skills or even maintaining land administration skills developed under iTC is not part of current project design.

At regulo and community, *posto administrativo*, local and district levels, there is evidence of functional alignments among iTC and local authorities and Government staff. For the verified outcomes showing progress toward iTC objectives, an average of 3 other boundary actors has contributed to producing those outcomes.

There are differences of opinion among the boundary actors about the capacities of iTC or even the need for the implementation of the Land Law. In view of the importance of these boundary actors to the success of any land programme, the relatively small number of outcomes harvested referring to this important point is an indication that considering how to improve alignment and prospective support from Government services and other boundary actors is worth more effort on the part of iTC and its supporters.

**Contribution score: Weak evidence to support this outcome. Low number of outcomes cited and other outside influences strong.**

## Empowerment (Outcome Challenges 9 and 10)

### 5.4.9 Outcome challenges 9 and 10

Outcome challenges 9 and 10 expect that *community empowerment will improve*. Empowerment groups together two related concepts: 1) greater democratization and participation of women and men from various social strata in local management of resources—outcome challenge 9 and 2) empowerment of communities and associations to achieve greater benefits by collective action in marketing or cooperation with outside entities as well as with local government entities – outcome challenge 10.

These two outcome challenges which are implicit in iTC goals emerged as the evaluation team conducted field work and discovered cases of progress toward democratization and greater inclusion of women and community empowerment based on strengthened ties with the other communities, regional development associations, marketing associations or outside investors for the common benefit of the community.

While more limited than we expected, the iTC efforts to implement a revitalized gender strategy has begun to produce results, in that seven of the outcomes harvested referenced this change in local behaviour as a focus of the community and association preparation efforts.

Community organisations (CGRNs in particular) and associations are becoming more democratic and women are being included not simply as nominal members but as active participants, including occupying leadership positions of organisations.





Community member (Woman) signing the act confirming the limits of the Gunhe community, Manica province

For outcome challenge 10, there are 27 outcomes, which document collective action benefiting the community through reaching out to outside entities and partners. In all, the valid empowerment outcomes account for nearly 16% of outcomes. For an example of empowerment through collective action, see box87.

*Box 8: Manica Outcome: Access to FDD Funding as a Result of Collective Action by Associations*

*Who exhibited change: Members of Badza Rotanda Association*

*What was the change in the Boundary Actor relationships: Change in Association access to development funds from before reactivation when there was a lack of access to District Development Fund (FDD) to access to the FDD. Before reactivation, there was no chance of getting FDD funds. After reactivation, all four associations applied for FDD funds, and two were approved and financed.*

*When did the boundary actor make the change: June-September, 2012*

*Where did the change take place: Rotanda Sede.*

*Significance of outcome: Shows how collective action can gain empowerment benefits*

More such outcomes were found in Manica and Cabo Delgado where iTC has been active for a longer period of time than in Zambézia where the programme only started in 2010 and where all valid empowerment outcomes account for just under 10% of all valid outcomes.

In summary, iTC has influenced communities and their leadership and organisations to become more democratic and to effectively incorporate women as well as men from various social strata in decision-making. iTC has also had a positive influence on empowering communities to make external alliances, which benefit the community or its members.

**Contribution score: Strong evidence to support this outcome. Relatively high number of outcomes cited and contribution is clearly linked to the project.**

#### 5.4.10 Other Influential Boundary Actors

Each outcome description has to include the basic information about “who changed and what about that boundary actor changed, and where and when did the change occur?” The outcomes that we have seen in the previous tables represent changes in key boundary actors that iTC attempted to influence. However, iTC can only try and cooperate with these other boundary actors. On average there are nearly 3 other boundary actors that work with iTC in producing changes contributing to the achievement of the 10 OCs.

The iTC is encouraging such cooperation in the two main foci of its work, namely the preparation of 1) communities on their land and resource rights and by tenure improvements and 2) associations for investments. Both outcomes have the highest number of citations showing the involvement of other boundary actors. Service providers are adept at working with other organisations organizing locally and regionally to achieve the goals of local people starting from the springboard of iTC interventions in land rights.

#### 5.5 Strength of Evidence

Evidence for all findings is very strong at the level showing protection of land assets through delimitation and provision of land rights to associations and other investors (demarcation). The linkages of land demarcation and delimitation outputs with both of these areas provide security to the community and to members of the community and others wanting to make



investments. Evidence that these outcomes have in fact occurred comes from an average of 3 different boundary actors as well as service provider records and interviews. Thus the preconditions for investment are strongly confirmed and some investments are made locally by the community using their revenues from forestry fees (20%) and by associations on their land (community machambas and other types of investments).

As to the level of durability of these associations, in terms of how soundly and well constituted they are, the evidence from this evaluation is much weaker. From outcomes gathered and project documents, this evaluation gathers that many of the new associations formed by iTC on-the-fly may not be sustainable. Another question is whether the security of tenure provided by delimitations will eventually lead to investment. The household survey in particular was shown to be of little value in assessing impacts of such putative investments which will take a long time to materialize, in most cases years, particularly with the low level conflict which is now returning to plague some rural areas. This is therefore another area of weak evidentiary support for the ToC.

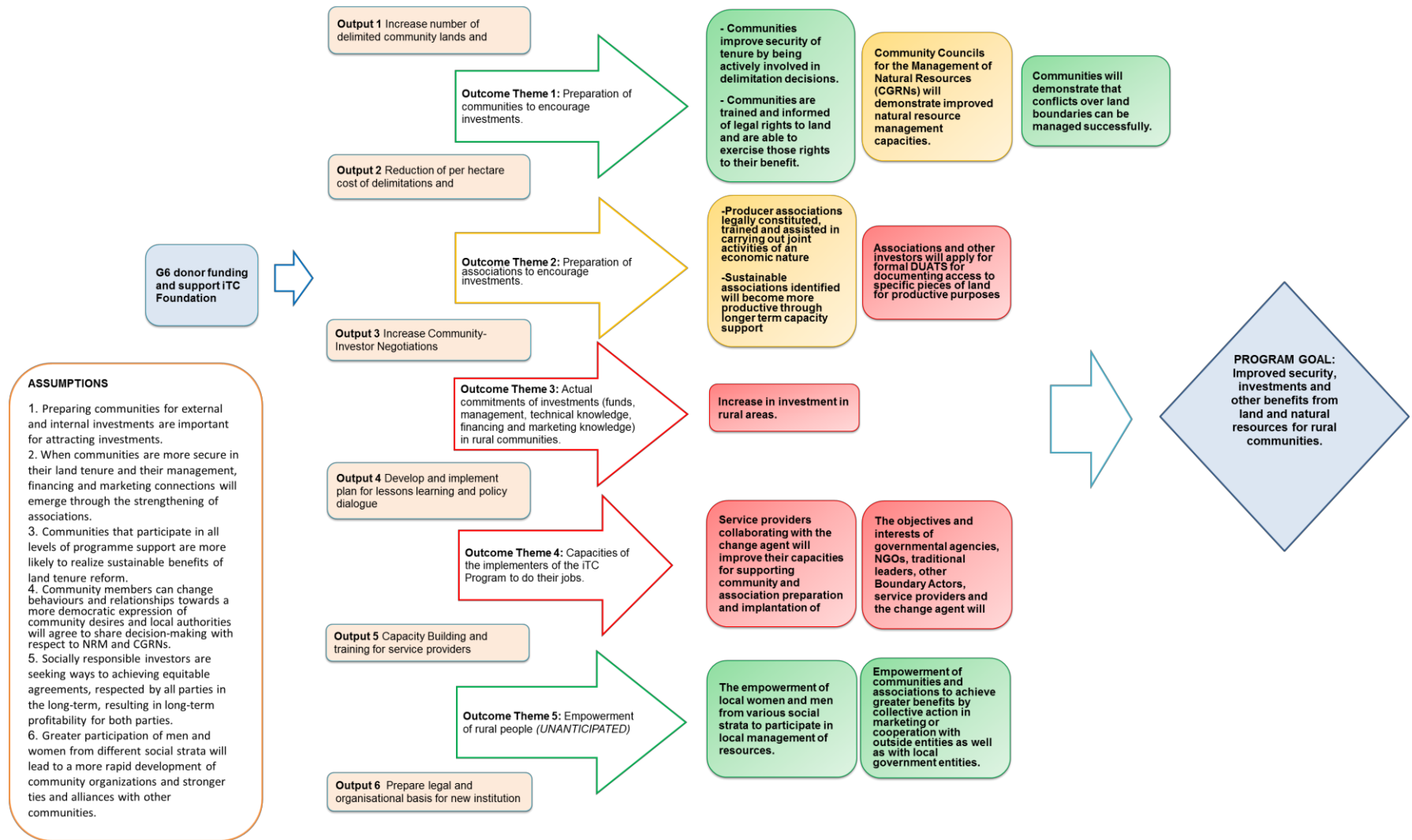
At the first level, the evidence is very robust that the project has provided improved tenure security. The question of whether investments will eventually be made in communities with improved tenure security (either by community members themselves or outside) cannot be answered by any methodology at this point in time.

This report points out the need for additional support to existing boundary actors and potential future partners to support communities in making sound investments. These recommendations are also well grounded in evidence from the fieldwork, including interviews with the communities, SPGC, SDAE, and service providers.

Figure 6 below attempts to illustrate the combined contribution scores for the 10 outcome

challenges, and how they correlate the evidence for the Theory of Change. Outcome Themes and Outcome Challenges are coloured green, orange or red according the strong, medium or weak contribution that can be shown by this evaluation.

Figure 6. Strength of Evidence for Theory of Change



# Conclusions with Implications for the New iTC

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## 6. CONCLUSIONS WITH IMPLICATIONS FOR THE NEW ITC

From the above findings, we offer the following general observations for possible use in the design of the new iTC:

- Efforts by iTC to improve its effectiveness through upgrading the capacities of its service providers and through building stronger alliances with boundary actors could be given greater emphasis in the new iTC.
- Investments that work are still much needed in rural areas. Special efforts could be considered to support investment in the future. The iTC and most of its providers are adept at preparing communities and associations for investments. The new iTC could make good use of these skills for constructing agreements between investors, particularly local ones, and communities and associations.
- The service providers have been attentive to local cooperation with various boundary actors. The new iTC could focus on the methods of aligning of interests with the objectives of iTC to make the fieldwork move even more smoothly. Following on these more general findings and implications, there are other more specific findings, which have significant implications for the future iTC foundation. These include the potential for developing stronger relationships with District Agricultural and Economic Services (SDAE), the need to prevent a significant time gap between the close of the current iTC structure and the start-up of the new foundation in order to avoid potential knowledge loss, and other key issues.

### 6.1 Provincial and District-Level Government Boundary Actors

**SDAE'S Role:** The agricultural extension technicians from SDAE who work in rural areas in

the Posto Administrativo and Locality levels are an important resource for iTC's service providers. In most cases these individuals know the agricultural producers and the possessors of forests in their areas and the histories of past land conflicts, past issuances of Certidoes and DUATS. This local expertise often proves to be very important for the introduction of iTC service providers to local groups and farmers in order to provide context and an orientation of sorts concerning local land histories, including the names and locations of the traditional leaders. While these agricultural technicians are mostly expected to help farmers with their agricultural production and marketing problems, they have been involved closely with the organisation of associations in the past 10-15 years, and the documentation of their land possessions.

As with any boundary actor, there are multiple interests and power dynamics at play, and it has been clear from our interviews that SDAE could fill a larger role, but also that certain individuals in different SDAE offices have facilitated illegal logger access to areas outside of a logger's license (if they have one) or telling CGRN members that they only have a right to 15% of taxes from commercial forest products rather than 20%. It is therefore in iTC's interest to engage closely with SDAE members to develop ways of maximizing achievement of iTC objectives while minimizing activities that undermine such objectives. SDAE staff's practical experience with land issues relating to agricultural and forestry practices means that SDAE can contribute much more than in the past to helping achieve iTC objectives. Support to upgrade their technical skills related to specific investment opportunities would be needed.

**SPGC's Role:** SPGC has difficulties in dealing with the demands from iTC for processing applications for Certidoes and DUATS. Comparing through-put rates with the expected iTC processes in Manica (by November 2013) indicates that it may take the Manica SPGC many years to process the backlog. The iTC does not have the data at hand yet to calculate the time needed to process the backlog. In several of the

rural sites we have visited, the local people and provincial and district land administration officials expressed some frustration with iTC-related activities. This frustration was due to the lack of official documents (Certidao de Delimitacao, DUAT, legalization of a CGRN or of an association) that show the documented completion of the delimitation/CGRN processes or the completion of the association formation. In some cases this lack of finalizing the processes of iTC is due to the delays in processing of cases by the District and Provincial government. In others delays may be due to neglect by the service providers.

An important factor in many delays is the limited capacity of staff of SPGC working at the district level to conduct field boundary surveys. For example, there is no SPGC technician in Espungabera (Manica Province) or anywhere else in the large Mossarize District for conducting field surveys. When the need arises, it is necessary for a technician to be brought from Chimoio, a six-hour journey one way, requiring a technician, transportation, housing, and food for several days. Government capacity to conduct services towards iTC's objectives has been a central focus of iTC/MCA. The evaluation team has noted fast turnaround times for processing documents in Nampula and Zambézia, but interviews with SPGC directors in these provinces indicate that there is still a need for improved collaboration, not leaving applications to the last minute and identifying problems more quickly.

## 6.2 Access to Maps and Information at all Government Levels

There are no readily available copies of maps of the land under the administrative responsibilities of Districts, Postos Administrativos or Localities available to these units of local government though at the national level there is sufficient data down to the Administrative Post level, but no readily accessible map of locality boundaries. With the frequent changing of the heads of local government agencies every two or three years, those who find themselves in such positions have few means for learning about the location of

povoados, transportation networks, existing development projects, potential projects, or information about lands and resources in the area under their administrative responsibilities. Some of the geographic information needed to produce these maps at appropriate scales exists. To conclude this point, there is a need for exploring options for producing these maps, and for providing local administrators with the training and archiving facilities needed.

The evaluation team also found that the information available to the public about possession of land in the Districts is practically non-existent. The "Atlas" of land in Moussorize, for example, is composed of some sheets of a topographic map produced from photos in 1950 at a scale of 1:250,000. There is a mylar overlay for each sheet, where past SPGC technicians have sketched in pencil the approximate boundaries of concessions and some DUATS where the area is sufficiently large to be drawn at the map's scale. In the Manica District SPGC office the old Atlas has topographic sheets at a scale of 1:50,000, with mylar overlays on which the Technician has sketched in past concessions and even has tried to sketch in recently approved DUATS.

For delimited community lands, the technician uses the topographic maps depicting streams, rivers, roads and even elevations to draw in the community boundaries from the evidence gathered in the boundary field delimitation exercise. Straight lines connect physical points, meaning that the actual boundaries following landmarks known by local citizens are not being captured in the maps.

Geospatial data concerning parcel boundaries gathered with GPS units is sent to the SPGC in the provincial capital for incorporation into digital maps, and the results are not available to the District SPGC technician. The "maps" produced for accompanying the Certificates or DUATs are often sketches and/or at a scale and level of detail which does not allow the location of the land and its boundaries and those of its neighbours.



The quality and scale of maps available locally needs considerable improvement if local administrations are to improve their ability to monitor land transactions and manage land and other resources.

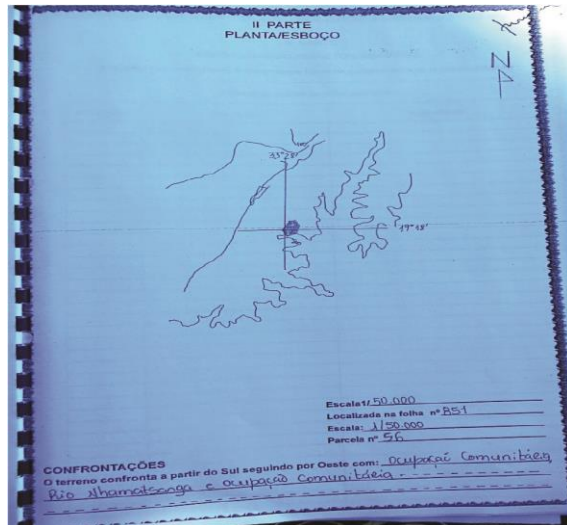


Figure 7. Sketch of Parcel Described in the DUAT for the Irmaos Unidos Association

For the community land Certidões, the SPGC communicates minimal information about the community boundaries through its maps, although it is unclear why this happens (See Figure 5). To conclude, SPGC map information provided to the public and to land administrators in Postos Administrativos, Districts, localities and communities will definitely require improvement.

### 6.3 Time Limits, Building Trust and Knowledge

The iTC programme relies on short-term contracts for specific services with a variety of service providers. The contracts typically last from three months to nine months, with some delayed contracts lasting slightly more than one year. There is significant frustration among some communities and service providers about the limited time in such contracts for building community relations needed for dealing with sensitive land issues and for assisting communities and associations with certified land possessions to link with outside markets and investors. Such limited time frames do not allow much room for accommodating certain unavoidable external factors affecting key

outcomes, such as severe flooding or localized political unrest, election campaigning or health emergencies (e.g. cholera outbreaks, etc.). The future iTC could foster the building trust and accommodating local politics, environmental factors and other dynamics further through its contracts, methodologies, administration and finance, as these time-related issues require efforts at various sites of intervention in various forms.

Time bound contracts can induce the contractor to cut costs and time in potentially negative ways. Service providers have to accomplish the required work within the constraints imposed by time and monetary resources. See Box 9 for an example.

#### Box 9 : Negative Implications of Time-Bound Contracts

One way of reducing costs was to create associations which covered two separate communities. For example, the Vuruka community (Namacurra) was composed of 6 smaller communities; in each case 2 communities were grouped together apparently to economize on meetings; in forming associations, the same two communities were grouped together to form a single association with 10 people only from each of the two communities allowed to join. In another community, Muixtahopa a single association was formed even though the community is 10 kilometers long and the people from Muixtahopa Sede had to walk two hours to get to meetings which were held in the other extreme of Muixtahopa where a grain mill was located; the same held true for getting to the communal machamba which was even farther away. It would have been more sensible (though more costly) to form two associations in such a big community. It is possible that cost and time limitations are at fault for creating associations which are ex post unworkable, or simply due to a lack of time for the service providers to understand the internal dynamics of communities sufficiently to help them organize in more sensible ways.

One of the great strengths of the iTC programme is that it has developed contracts for delimitations and demarcations as well as conflict mediation and the social preparation of communities with a variety of service providers, which have employed and trained people who previously had little experience with rural land issues, or who had such experience but on a limited basis. The very

rich experience of these people and the organisations that they work for is a valuable asset for Mozambique as the country tries to deal with the competing demands for land and the still low levels of investment in agriculture and rural people. An institutional response is needed for building on this expertise in the preparation of new generations of land administration specialists and for the conduct of future efforts to secure land tenure arrangements and encourage investments.

#### **6.4 CGRNs, Authority, NRM and Benefits from Concessions**

The CGRN administration of community members' and community land rights has not been widely discussed outside of the communities themselves, although we heard some ideas, which are worth further discussion for the new ITC.

Transactions in land occur and boundaries change, even though the institutional arrangements for documenting and protecting certain rights do not effectively reach most rural areas. While the State's institutions develop, the CGRN's could provide a service to the community members by offering to archive and index the transactions, which do occur. In actual fact knowledge about land transactions exists within the community, particularly in the minds of the *regulos* and more recently in the minds of the CGRN members. Most communities are quite large with populations in the thousands and the land area in the thousands of hectares. So, a small investment in the CGRNs for this administrative role would be potentially of significant benefit in terms of the population served and the land area affected. Transactions or boundary changes in rural communities are usually not frequent so that should the CGRN take on the recording and archiving of such transactions the administrative burden would not be great, but the accuracy of the information about land rights would be greatly improved.

In terms of the capacities of CGRNs to negotiate with investors, in our field verifications of the harvested outcomes, we repeatedly encountered

community CGRNs without Certificates of Delimitation, without useable maps of community lands and their potentials, and without CGRN by-laws, legal registration with the *Posto Administrativo*, and without publication in the *Boletim da Republica* (required for legal constitution). Particularly important for many communities with forestry and tourism potential is the lack of a CGRN bank account and the personnel trained to manage CGRN finances.

The CGRNs' and associations cannot function effectively without proper management of their resources and their finances. The limited availability of the licensing fees and negligible access to District Development Funds mean that these incipient organisations may wither for lack of adequate resources and hence positive financial outcomes for members and the larger community will not be forthcoming.

As far as ITC is concerned, the substantial work of boundary delimitation and CGRN formation has been done, lingering land conflicts have been resolved, associations have been formed and DUATs approved. These are very positive accomplishments for ITC. However, there often remains important organisational development work, which is necessary for actually establishing the CGRNs and associations as potential and credible partners in the process of stimulating investments in production and in developing the capacities of local people.

CGRNs serve as new spaces for authority and decision-making roles, which can democratise the role of local *regulos* (in some cases *regulos* are members of CGRNs). As CGRNs continue to function, it is important for service providers to note disagreements and issues that arise in meetings with community leaders and CGRN members. Struggles for authority can greatly affect transactions with investors, benefit distribution to community member and other key issues. The ITC may decide to dedicate part of its remaining resources for its service providers and cooperating institutions, to complete the formal constitution and strengthening of CGRNs, particularly those with investment potentials in the



short term. But such strengthening should also be monitored in terms of changes in behaviours and relationships of CGRNs and local authority entities. It will be important to periodically monitor and evaluate these changes.

### **6.5 A Need for Further Debate: Unresolved Issues with Associations**

To summarize some of the implications of our findings regarding associations, we raise the following concerns for future consideration and debate:

Many associations, particularly those existing prior to iTC intervention, benefited significantly from iTC support in confirming their land rights through a DUAT and capacity building initiatives. Other, more recent associations that group families together with pre-existing, common bonds may also function over time and will benefit from greater tenure security provided by the DUAT.

However, some associations were created by iTC without their being a clear, organic demand on the part of members of the community. The danger is that insufficient time was invested in the organisation of some associations due to pressures on service providers to complete their contractual obligations to iTC. The issue is how to estimate the extent of the “organic demand” for creating associations? Perhaps some cost sharing with iTC for the formation and demarcating land for associations could weed out some groups formed simply to take advantage of “free” services which in fact absorb a significant part of iTC resources.

Association development plans describing the types of activities which the associations proposed to carry out in order to meet the terms for obtaining their provisional DUAT and making it permanent depended on the members finding the resources needed to implement these development plans. It was not the function of iTC to provide financing or to provide technical support to the associations once formed and demarcated. The evaluation team noted that some associations in which iTC has invested substantial funds and time, are failing, in part at

least due to lack of financing and technical support after the end of iTC interventions.

When associations fail, their DUATs may become contentious, particularly if confirmed as permanent. Loss of this land to community control could become a source of future conflicts.

Future iTC efforts require reflection on the conditions that should exist: a) before resources are put into new association formation or the reactivation of moribund ones and b) before iTC decides to support demarcation of DUATs for associations, many of which have little social cohesion, nor prior shared experience. If the main purpose of the association DUATs is to provide greater security of tenure for members’ lands, then the issue of separating individual family lands from the association land for sale, mortgage or inheritance will deserve service provider attention.

### **6.6 iTC Encouragement of Investments: Accompanying Communities After iTC**

There is a danger that the recently formed CGRNs and associations will not function for lack of demand and opportunity. Even with successful delimitations and demarcations of land parcels and successful institutional development of CGRNs and associations, there is substantial danger that these advancements will fade away unless there is a programme linking these local groups with markets and investors. In future contracts with service providers, iTC could include a component for helping communities find funding for small scale investment projects around which they could link communities and associations with markets, technical assistance, financing and even investors at small scales.

After all the investment in communities to document land tenure rights, these communities are often left with an asset base but with no post-project support to turn the asset into a sustainable economic activity. There are experiences abroad and in Mozambique to draw on for some ideas about the accompanying of communities, to link

investors to local communities<sup>53</sup>, especially those living in high valued natural resource environments. Organisations such as CLUSA are currently working on organizing communities, finding investors and negotiating contracts that benefit local communities financially with employment opportunities such as in tourism lodges in South Africa and activities where these communities become new equity owners and greatly benefit from employment opportunities. In South Africa, Mozambique and Zimbabwe, the Ford Foundation is supporting the Netherlands Development Agency (SNV) to map and report on inclusive business models.

Some modest results have translated into governments' endorsing the Maputo Declaration on inclusive business; private sector companies came on board. Other development organisations are starting to promote similar or complementary initiatives like GAPI's Green Businesses Initiative and SIDA's Business for Development.

In South Africa, where much of the land transferred under the Land Reform Programme is no longer economically active, the Vumelana Advisory Fund<sup>54</sup> has been set up to encourage partnerships between private investors and communities that have acquired land under the South Africa Land Reform Programme. The strategy is for the fund to reduce the risks that private investors perceive in reaching agreements with land reform communities. The fund does that in specific places where there seems to be a possibility of community-investor agreement by financing the hiring of a Financial Service specialists, a Legal Service Specialist and a Community Facilitation Specialist to structure a relationship agreement between investor and community. If the two parties subsequently agree to work together as defined in an agreement, the investor repays the costs of the three specialists. If there is no deal, then Vumelana absorbs the costs of the three specialists. The Vumelana Advisory Fund has

been operating for a little over a year. Some smaller deals have been arranged, but its major successes have come from a few very large deals involving energy companies.

This initiative is addressing the many of same issues that iTC has found to be of critical importance in Mozambique. Service provider staff and other local expertise developed through iTC could play important roles in providing communities with similar investment advisory services.

## 6.7 iTC Management Findings

### 6.7.1 Contracting, iTC Financial Management and Regional/Local Politics

The financial resources of the iTC/G6 and the iTC/MCA branches of iTC have been managed slightly differently, with the G6 branch giving more autonomy to the Provincial iTC offices to contract service providers, monitor their performance, and pay for services when performance has been acceptable. In the MCA component, all financial decisions have been approved in the MCA office in Maputo, and all payments have to be made by that office.

iTC's management contracts service providers to implement the iTC programme in each province. Thus provincial iTC managers by necessity have to have close professional relationships with the provincial service providers. These relationships deepen over time as the mutual confidence in each other's abilities builds, and after some aspiring service providers have withdrawn because of capability limitations. If this relationship is interrupted by the involvement of staff in Maputo in all contract related decisions, then the formal empirical results that are communicable over long distances become the defining elements of the iTC-service provider's relationships. Maintaining professional commitments to achieving the complex changes in communities, associations and investors, which the iTC programme envisions becomes much more difficult.

<sup>53</sup> Bache, Mathieu, C. Tanner, E.C.L. Zimba, and W. Anseeuw, "Community-investor partnerships: lessons from Pro Parcerias in

Mozambique" paper prepared for the World Bank Conference on Land and Poverty, Washington D.C., April, 2013  
<sup>54</sup> ([www.vumelana.org.za](http://www.vumelana.org.za))



The designers of the new iTC have the opportunity to tilt the financial management procedures toward the best mix of central oversight and provincial flexibility and responsibility. It should be understood as well that local and regional politics and frictions between competing service providers greatly affect iTC's connections with a range of boundary actors. Several service providers' staff commented in interviews regarding their hopes for the future iTC that they were worried that a new centralized iTC foundation based in Maputo may lead to privileging service providers in Maputo, thus squeezing out potential contracts with regional service providers. While there is no indication that this will happen, the concern has nevertheless been voiced. But on another level, many service providers are worried about their ability to keep their doors open in the future and their ability to serve as gatekeepers based on their years of experience in rural areas. Losing this access and knowledge would be a waste, but iTC should consider the extent to which regional politics and power dynamics among service providers and their ability to serve as gatekeepers for communities in addition to government entities. This is an issue in need of open debate.

Beyond these political issues, provincial service providers also require much more support for overhead costs if they are to survive as institutions. Many offices are falling apart and lack basic resources to cover expenses beyond the direct expenses of contracted activities with KPMG. The extent to which the budget can support such costs should also be openly debated in the formation of the new iTC.

#### 6.7.2 Service providers Reporting and Leaving Traces

The reports that iTC requires of the service providers often are quite voluminous but at the same time key annexes are often missing or bound separately. In many cases these bulky reports include page-after-page of signatures of people who have attended meetings organised by the service providers. Is gathering these signatures the best way to verify that people's participation in meetings actually took place, and

is this information actually used? One possibility might be to apply other techniques, such as producing GPS-labelled photos of the meetings would be more useful and less demanding on reporting and archiving of the reports. However, every form of recording tool raises ethical concerns, particularly concerning who ultimately is allowed to collect, possess and control access to the products of such recorded information. Participants should receive a copy and thus have an opportunity to review and refute the reports and to confirm the topic of a meeting, whether full participation occurred, whether consultations were transparent or coercive.

In many of the communities and associations visited, where delimitations and demarcations have been completed and where CGRNs and associations have been formed, there is no documentation of those achievements. While the wheels of bureaucracies move slowly, iTC could consider the following issues and questions in order to leave more traces of their efforts at key sites:

- iTC management could require the service providers to submit evidence periodically of completion of each step in processes undertaken and the date of completion.
- What should be the form of this evidence? One option is to write documents in triplicate, with one copy to iTC management, one to the local community/association and one to the Chef de Posto Administrativo.
- What flow-charts should be maintained and how frequently should they be updated by checking with the service providers?
- What should happen if a process appears to be stuck? Should iTC warn the service providers if the delay is at a point controlled by the service providers, or should iTC inform the supervisor of the delaying entity in the cases of governmental



agencies showing excessive delays?

- In order to contribute to the administrative capacities of the Posto Administrativos for administering the information provided by iTC, might it be possible for iTC to provide them with cabinets for storing documents, plus archive folders, two-hole punches, staplers and staples? Could iTC also work with the service providers to plot maps at a useable scale to provide to the Posto Administrativos?

### 6.7.3 Clustering of Intervention Sites

Contracts were generally of short duration, varying from 3 to 12 months, most commonly 9-12 months. Their cost was generally in the \$50,000 - \$100,000 range. These resources of time and money were just barely sufficient according to various service providers to cover the cost of the work with communities but failed to provide a margin for service providers overhead or for its institutional development.

One feature of these contracts was the clustering of interventions sites geographically to reduce transport costs and time and to reduce the number of meetings, which had to be organised and staffed. This clustering had implications for the likelihood for success and for reporting in ways that made sense and for developing cohesive organisations.

What is sensible for reducing operational costs for service providers can make it hard for managers and evaluators to monitor achievements as contractors tend to group multiple sites into a single report. If qualitatively different interventions are aggregated under a single contract, identifying costs for each type of intervention and associated outcomes can be difficult, adding to reporting difficulties for service providers and monitoring problems for managers

As it moves forward, iTC management needs to look carefully at groupings, which suggest expediency to make sure that there is an organic

reason for them to be made before giving its approval and requiring reporting in ways that assist monitoring and identification of problems as they emerge.

## 6.8 Policy Issues Revealed During Fieldwork

### 6.8.1 The 10,000 hectare (ha) Limit

The evaluation team encountered a number of communities, which were delimited at slightly less than 10,000 hectares, despite the fact that Article 35(d) of the 1997 Land Law stated that the Provincial Governor had to provide a despacho (approval) relating to the land application by local communities. However, this section was altered by Decree 50/2007 of 16 October to now state that the approval of the entity that was permitted to authorise the application for the right of use and benefit of land in accordance to article 22 of the Land Law. This means that all land applications for land delimitation above 10,000 ha had to await the authorisation of the national Council of Ministers.

This requirement has led to a community being divided into 'smaller communities' in order that their land delimitation application not exceed 10,000 ha. This then creates a sense of confusion as one community claimed they had a boundary conflict with a foreign investor when in fact this community does not share a boundary with the particular investor. This particular case happened in Tratara (Cabo Delgado). It was only after having discussions with the Regulo that it was understood that he is the regulo for 6 villages, Tratara, Nacuta and 4 others that are not indicated in the map below. All three communities that got delimited according to the iTC contract are all just villages and not communities as such. For instance the Regulo explained because they have good land for growing rice, there are many machambas in this community that are cultivated for rice but by people from outside of this village. The people from Tratara will then cultivate cassava in other villages. Figure 8 below indicates where the foreign investor (concessionaire) is in relation to the community of Tratara.

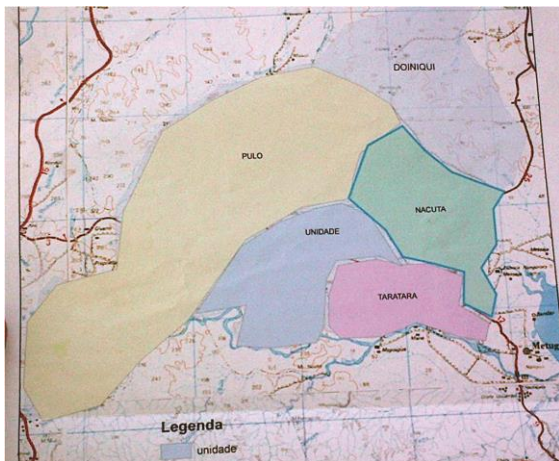


Figure 8. Locations of Investor Dominique in Relation to Tratara

### 6.8.2 Finding Land for Associations

Our findings have shown the variation of circumstances under which iTC engages with existing associations and in many cases pushes for the creation of new associations. Developing a robust approach to supporting associations will require a serious debate of the roles, experiences and territorial legitimacy of associations.

In Manica, most associations engaged by iTC already existed prior to iTC. Furthermore, demarcation of association land, be it for a new or for an already established association, was generally carried out on land which was already being cultivated by members of the association.

In Zambézia, the role of service providers especially for new associations is highly problematic, especially when they attempt to demarcate land. In one case in Zambézia, land belonging to a company was de-annexed and a new association formed to manage the land. But the majority of people who were cultivating that company land illegally were not allowed to become members of the association. The upshot is that the association has the right to that land on paper; the local community will not countenance association members use of the land, which is in fact used by local cultivators already. The association was a completely new entity with no roots in the community.

Some of the older associations have been able to keep cultivating their lands. This seems to be successful economically. However, they often cannot achieve the economies of scale that associations might attain if their members had access to new technology, training needed to use it efficiently and the capital needed to acquire it.

In other cases, the association was a new idea created and introduced by iTC. Its membership had no prior social or territorial basis for existence as a cohesive entity. iTC helped form them and then helped the founding members to meet with community leaders and to select land to be allocated as a DUAT for the brand new association. Thus the new members of the new association were encouraged to produce collectively and were investing collective labour for the first time on a newly allocated space; this decision was largely the result of iTC's offer to cover the entire costs of getting a DUAT for a parcel of land for the newly established association. Labour invested by members was often wasted since results, if any, were not commensurate with members effort. Often, new associations did not receive needed technical assistance and made costly mistakes such as digging fishponds in a flood zone, plant tree seedlings in a flood zone, and planting crops out of their appropriate season.

The implications of these findings for policy debate and possible policy changes need to be considered. What kinds of associations in terms of their histories, membership and situation vis-à-vis community land tenure relations should iTC engage in the future? Is there a policy reason for iTC to encourage the formation of new associations? If not, should iTC expend resources on their formation? In what ways does iTC seek to influence future policy changes with respect to land for associations in Mozambique? What will be the fate of DUATs of land provided to associations which have ceased to exist or which exist on paper but not in practice: will it revert to community control or will it be transferred to third parties with or without community advice or consent?

### 6.8.3 SPGC Capacities

Overall there appears to be a serious backlog of applications for demarcations and delimitations in at least some of the SPGCs, despite investments made through the MCA Compact. Assuming modest results in the remaining months of the iTC programme, the rate of SPGC processing of applications could mean delays of months or years before the iTC work in tenure improvement is processed.

Serious discussion is needed on how to improve the capacity of the SPGCs to process applications for Community Certidões and Association DUATs and how to encourage Government support for rapid processing of these documents.

### 6.8.4 Centralisation or Decentralisation of Land Administration?

An important foundation of land administration is the mapping of land and other natural resources. Other important duties include identifying the boundaries of units of government charged with the administration of land rights, planning for the development of resources and human habitat, encouraging the sustainable use of natural resources, the collection of fees and taxes, resolution of difficult land conflicts.

If maps are not available at local units of government where land administration is usually best situated, effectiveness is reduced and opportunities for corruption are increased. As shown in earlier sections of this report, maps are not available at District, Posto Administrativo or locality levels, and certainly not at community level. It seems appropriate to challenge IT experts and management specialists to devise systems that make this vital information much more widely accessible than is presently the case.

### 6.8.5 Guidelines for Investors

FAO has developed some guidelines which member countries may consider using in their programs affecting land tenure. There is considerable interest in Mozambique in

encouraging fair and sustainable agreements between communities and investors. International and national investors who express interest in engaging in agreements with communities might find these guidelines to be helpful.<sup>55</sup> Their adoption can lead to stronger partnerships between private sector investors and communities as companies try to show their corporate social responsibility.

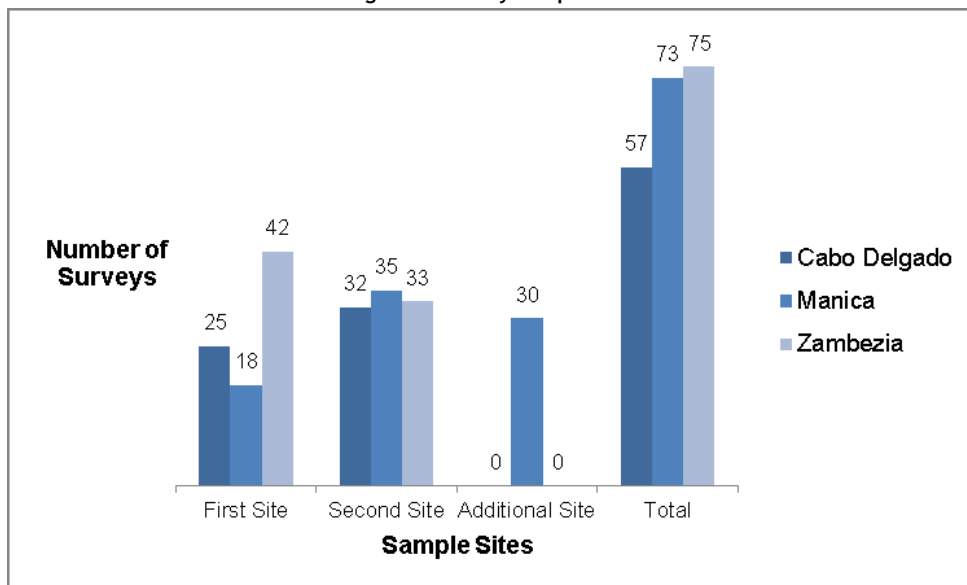
## 6.9 Survey Triangulation: Findings from the Household Survey

If the future iTC Foundation incorporates an Outcome Mapping design, then at various stages of monitoring it may be useful to conduct limited and very specific surveys of households involved in and excluded from membership in particular boundary actor groups (e.g. communities, associations, CGRNs, etc.). Such surveys could triangulate information on investments at the household scale or participation levels in iTC-related or other activities. However, to gain a deeper insight into household socio-economic status, power-relations vis-à-vis community leaders, association and other entities it may be more cost effective to conduct selective short ethnographies in key sites. Ethnographic data would provide much more in-depth information with important nuances for learning lessons than the broader outcome harvest tool or expensive surveys that generate low accuracy quantitative data typically geared towards measuring outputs, not outcomes.

Our team gathered limited data with household interviews in 2 to 3 community sites in each province (see Figure 9). This activity served as a form of triangulation and boundary actor assessment of the types of investments in children, land and other long-term improvements (see Annex 7 further discussion and Annex 8 for a copy of the household interview guide). The data gathered were not intended to be comparative or to be analysed with inferential statistics, as this would be inappropriate.

<sup>55</sup> For more information, please see FAO's Voluntary Guidelines on Governance of Tenure <http://www.fao.org/nr/tenure/en>

Figure 9. Survey Sample Sites



Many of the contract completion dates in the 7 sampled sites for the household interviews were fairly recent (most after 2011). Thus, it is too soon to gauge the effects of iTC interventions in terms of household investments in land, education and durable goods. Only 4 of the 7 surveyed sites had at least 1 household that had invested in an older child's ability to attend higher-level classes outside of these communities in or after the year of iTC intervention. Such investments would be a good indicator to measure in future iTC assessments. Broad survey data for inferring outputs such as income, however, may not produce the most essential information for future monitoring and evaluation of the new iTC. Such tools should be viewed critically, as investing in smaller teams doing longer-term ethnographic work would provide much richer information to complement Outcome Harvesting data.

### 6.10 From Baseline to baseline, iTC can plan and measure its success with Outcome Mapping and Outcome Harvesting

The design team working on a new iTC programme is exploring various sources of inspiration. One idea that has emerged from this evaluation is the use of the outcome harvesting tool for helping the design team assesses what

the past iTC has achieved in meeting its strategic goals under conditions of great complexity and uncertainty. In addition to considering outcome harvesting for at least part of iTC's programme evaluation, the design team has to present an overall plan to Government, donors and NGOs for the functioning and evolution of a new iTC. If the design process is not too far advanced, the design team might consider the use of aspects of its precursor, Outcome Mapping, for planning of the new iTC programme.

Outcome Harvesting and Mapping are both highly participatory tools based on the principle that development actors should be involved in the planning, monitoring and evaluation of an intervention that will affect them, either as implementers or as the subjects of change. Therefore, an important planning step for the new iTC would be to discuss this evaluation report's findings, conclusions and lessons learned with provincial iTC staff and with service providers and draw out their perspectives on the implications of what has been achieved, and how iTC has contributed. Similarly, consultations to the evaluation with community members and associations in a representative sampling of the geographical areas covered by iTC (and not just in those areas sampled for harvesting of



outcomes for this evaluation) should inform the new iTC strategic plan.

Both tools are also posited on the principle that social change and development such as that pursued by iTC are fundamentally about individuals, groups, communities, organisations, institutions and other social actors doing significantly different things. Consequently, the boundary actors for the new iTC's programme using the Outcome Mapping approach would be a "historical scan" of the current behaviour, relationships, policies and practices of the social actors that iTC is interested in influencing.

By adapting the developmental Outcome Mapping definition of **outcome**, conventional results-management tools such as the log frame can be focused on what matters most to iTC: the changes in social actors that iTC will set out to influence in the next period. For example, a central part of this iTC evaluation involved transforming the iTC programme objectives into "outcome challenges" to make explicit the desired changes in behaviour and relations that iTC aimed to influence in communities, associations, investors, community leaders, local government units, government agencies, and NGOs. For the new iTC, the log frame's "outcomes" can be described as outcome challenges. Similarly, the log frame's "outcome indicators" can be conceived as outcome mapping's "progress markers", which are specific, intermediate changes to which iTC aims to contribute on the way to outcome challenges.

Innovation is at the core of the iTC initiative and by definition that means there may often be considerable disagreement concerning the nature of the development challenge or what to do to confront the challenge, or both. And even when there is agreement about the problem and how to solve it, there will be great uncertainty about what will work and what will be the results. This complexity means that treating iTC as if it is a tried and proven model, will be unwise. Experimentation and trial and error are

necessary, and thus what is planned, both in terms of activities and results, has to be continuously assessed and revised.

For example, iTC aims to influence communities and their organisations to make changes in their relationship to land tenure and investment. It also aims to contribute to changing the way that social actors, who constitute an enabling environment for commercial investment in farming, do business. This requires that these social actors change their policies and practices for designing and carrying agricultural investments so that the small farmer, as well as the investor, benefits. Little of this can be predicted with any degree of certainty; most of it must be closely watched. Therefore, whether or not Outcome Mapping is used, we suggest that the design team consider Outcome Harvesting,<sup>56</sup> an adaptable, flexible tool to enable the iTC staff to keep their eyes on what matters and recognise and learn in real-time from what truly is or is not working in order to make timely adjustments to improve the programme.

Periodically, perhaps every six months, the iTC staff can use the outcome harvesting tool to **monitor** the outcomes: the demonstrable changes in the behaviour, relationships, policies or practices of those boundary actors to which the iTC programme has actually contributed. They strive to identify the negative as well as the positive, the expected and the unexpected outcomes. Also, they register how the iTC programme contributed, however small, partial, unintended or distant in time (i.e., not necessarily in the preceding six months) the iTC activities may have been. Upon review by management, some outcomes can be substantiated with knowledgeable, independent third parties in order to deepen understanding or verify accuracy. The outcome information is can then be classified and entered into a data base.

Annually, Outcome Harvesting can be used to carry out a light **formative internal evaluation**. The outcomes stored in the data sources, including those of the previous 12 months, would

<sup>56</sup> This tool was inspired by Outcome Mapping and has been used in dozens of evaluations of the programmes of a diversity of funding agencies, including the Ford Foundation, Open Society Institute, IDRC, Hivos, PSO, Novib, the UN Fund to end Violence Against Women,

ActionAid, Oxfam International and the World Bank Institute. Some have incorporated the principles of Outcome Harvesting into their own monitoring and evaluation systems. See: <http://www.outcomemapping.ca/resource/resource.php?id=37.4>



be compared and contrasted with the original baseline. From this learning, decisions would be made on what to do in the next twelve months to enhance progress, correct errors and generally improve the prospects for progress based on hard evidence of what is working and not working. Thus, rather than waiting until the end of the project to harvest outcomes — actual changes in “boundary actors” — and compare and contrast with original project objectives cum outcome challenges, throughout implementation progress would be assessed, lessons learnt and timely decisions made to improve the project in course.

The iTC design team faces the dilemma how to describe the influences of iTC — **attribution** versus **contribution**. Social change initiatives such as iTC face understandable demands to be accountable for results. Complex processes of social change, however, necessarily involve multiple actors and factors and thus multiple causes for the same effect. Consequently, seeking to attribute changes solely to what iTC did, means either the attributable results would be few and mostly insignificant or iTC would falsely attribute to its actions changes that in fact are the fruit of many other actors and factors. For fifteen years, there has been a movement, led by IDRC and served by Outcome Mapping and more recently Outcome Harvesting, amongst other tools, to demonstrate that in international development the attribution/contribution dilemma is a false one. That is, it is increasingly recognised that contributing along with others to change can be valuable and significant and in fact, is the way that development and social change generally comes about. Outcome Harvesting is a tool to understand how iTC has contributed to outcomes.

In the last year of the iTC programme, the design team could incorporate a **summative external evaluation**, contracted to a third party, which would have the outcomes in the database with which to build their evaluation. Thus, the evaluators will be able to focus on the trends and processes of change revealed by outcomes harvested at various times over the course of the project (instead of having to harvest outcomes retrospectively). The evaluators will be able to

substantiate patterns they perceive in clusters of outcomes with other sources of data to independently enrich their understanding of what iTC had achieved and how. They will also be able to go beyond simple comparing and contrasting with the original baseline and delve deeply into how the **baseline evolved** over time: what changes were brought about, what were the contributions of other actors and factors in addition to iTC. And they will contribute historical, hard evidence to the new baseline, as well as to inform the decisions needing to be taken about iTC into the future.

# Recommendations

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## 7. RECOMMENDATIONS

Despite the lack of baseline data from communities, the intensive work of the Evaluation Team using the Outcome Harvesting methodology has produced a retrospective evaluation from which a number of conclusions concerning the iTC programme have been derived. From these, the ET can confidently present the major accomplishments of the programme. These conclusions have been confirmed by the teams' work in the field and by its analysis of data obtained through Outcome Harvesting including confirmation of outcomes through triangulation of results presented by the change agent KPMG and its service providers with large numbers of diverse boundary actors. The team has also come to some conclusions on differences between iTC/G6 and iTC/MCA. The team found interprovincial differences which are noted.

Based on its conclusions, the team would like to recommend consideration of possible steps for closing out the existing iTC programme as well as those relevant for the design of the new programme based on what has worked better or less well in the current programme. The team recognises its own limitations as evaluators. It is committed to avoiding the temptation to pronounce definitively on topics which, though they may have come up in field work and led to some observations concerning how they were handled by the existing programme, may not on their own provide clear evidence for their best treatment in a new programme. Those designing the new programme are privy to information not available to the team.

Therefore, the ET will limit its recommendations to those on which definitive evidence is derived from the evaluation. On issues where the evidence is less convincing or where other factors beyond its experience may be involved, the evaluation team points out issues that, in its opinion, need to be considered or debated further in deciding how to specifically handle them in the new iTC programme. On issues which were emerging at the time the evaluation was underway, the team will limit itself to pointing out

alternatives that are open to the new iTC to the extent that these issues impact land rights and opportunities to make optimal use of natural resources for benefit of the communities. The team hopes that in considering these recommendations, those designing the new iTC programme will succeed in crafting a programme more closely tailored to the needs of rural communities in Mozambique which iTC serves.

### 7.1 Recommendations for Outcome Challenges

#### 7.1.1 Recommendations for Community Preparation

##### 7.1.1a *Outcome Challenge 1: Communities will know their rights and improve their security of tenure*

Communities place real value on knowing their rights and on the greater security that delimitation provides them in protecting their land and related rights. In new areas for iTC such as Zambézia, communities expressed their gratitude to iTC for opening their eyes to the fact that they had certain rights and for giving them a general idea of what those rights were. In provinces such as Manica where iTC had been working for a longer period of time, this appreciation was less evident. Communities also demonstrated clear satisfaction with the greater security of tenure derived from the delimitation of their land; one service provider stated that communities it served in Zambézia and Nampula had manifested their willingness to pay to have their land delimited. Communities confirmed that they had invested substantial time and effort to learn what their rights were and accompanied those carrying out the delimitation in numbers far exceeding those required to actually mark community boundaries. The iTC succeeded in delimiting several communities in Zambézia where previous attempt at delimitation had failed or had been left incomplete, settling long-standing conflicts in the process. The iTC/MCA through its ambitious area targets and clustering of communities and other procedures encouraged rapid progress on delimitation.

**Recommendation:** The new iTC may find it cost-effective to adopt ambitious area target, concept notes and other aspects of the iTC/MCA

approach to meet the large demand of communities for knowledge about their land rights and for delimitation and protection of their land. Large areas especially in the northern provinces have not been delimited. The iTC also has the opportunity of reviewing SPGC registries and reviewing earlier delimitations, correcting any errors encountered and bring past delimitations up to current standards. The willingness to pay of communities should also be tested and, if confirmed, incorporated into the iTC programme to maximise resources available for delimitation.



Community members elaborating sketch Map of OUA community, Niassa Province

*7.1.1b Outcome Challenge 2: CGRNs established and demonstrate improved natural resource management capacities*

CGRNs have been established in most communities and have participated actively in the delimitation process. Most members understand their community's basic rights and are able to protect against intrusion by outsiders from other communities but have difficulty standing up to well-connected outsiders and negotiating from a position of equality with outside investors. To date, CGRNs and the communities that they represent recognise their right to a percentage of forestry and wildlife taxes, but that few have succeeded in obtaining their 20% share of these taxes. No communities were identified which had succeeded in negotiating a portion of revenues from mining operations. CGRNs have incorporated some lower status individuals (including men and women) in leadership roles. Their role in managing community resources has

the potential for putting the CGRN into conflict with local authorities.

**Recommendations:** Additional and ongoing support is needed for CGRNs after the end of iTC direct interventions. The *fiscais* appointed by the CGRNs to watch over community resources need additional training and equipment beyond that provided by iTC. A system of ongoing support is needed so that when investors approach communities with investment proposals, CGRNs can count on the outside experts in their corner to guide their lead role in community consultations and to provide them with an accurate assessment of benefits to both the community and the investor of potential investments.

As the current iTC winding up, part of unspent funds might be channelled to helping CGRNs in obtaining their 20% share of forestry and wildlife taxes, including support for opening up bank accounts required for the transfer of these funds, periodic audits, etc. Given its importance in many areas, might the new iTC also consider assisting communities in negotiating revenue-sharing agreements with mining operations?

*7.1.1c Outcome Challenge 3: Communities demonstrate that land conflicts can be managed successfully*

**Conclusion:** The iTC intervention has resolved conflicts, some of them long-standing, between two or more communities. Its interventions have also resolved some conflicts between communities and outside private parties. Some communities have found that internal land conflicts have also been reduced following the iTC's work focusing on community preparation.

**7.1.2 Recommendations for Preparing Associations for Investments**

*7.1.2a Outcome Challenge 4: Community investors, organised into legalised associations will reach agreements with communities about access to land*

The iTC has successfully assisted existing associations and helped form and legally constitute new associations; it has helped both

newly formed and well-established associations to reach agreement with communities on access to land. In some associations, especially newly formed ones, the decline in membership calls into question the associations' long term viability and their ability to survive as economic entities. Most associations which have achieved agreements with communities concerning land have focused on agricultural activities. In some cases in Zambézia, community land was not easily identified due to the fact that large amounts of community land were under forestry or mining concessions or already allocated through local lineage structures which took precedence over community allocation of land to associations for demarcation.

*7.1.2b Outcome Challenge 5: Associations and other Investors apply for formal DUATs for documenting access to specific pieces of land*

The iTC largely succeeded in assisting associations and external investors to apply for and demarcate specific pieces of land. However, the shaky nature of some of the associations and the fact that in some cases land titled to the association is being used individually contain elements which could produce future land conflicts if DUATs fall vacant or individuals and groups cannot agree on land allocation within the DUAT. The iTC/MCA, because of its ambitious area targets, has concentrated more on delimitation than on small demarcations. The evaluation team also notes that all costs of demarcation done under the programme were born by iTC.

**Recommendations:** The new iTC may want to consider the viability of new associations and the revival of defunct or moribund ones to be sure that they represent an organic development meeting community needs or those of some of its members without harming overall community interests. It may also want to consider the implications of demarcating land under a collective DUAT to an association when in fact said land is being used individually. The new iTC may want to consider cost-sharing arrangements for demarcating land to associations so that cost becomes a factor in associations' decision-

making prior to applying for community land to be demarcated in their favour. The fairness of DUATs for private investors is often dubious in terms of what benefits that granting such DUATs may provide to communities. The new iTC may wish to establish a mechanism for ongoing support to allow communities to analyse benefits accruing to the community and the investor prior to consultations and before permitting land to be demarcated in favour of investors. The new iTC may also want to reflect on what happens to DUAT land when associations or private investors fail and to offer appropriate solutions that allow abandoned land to revert to community control.

**7.1.3 Recommendations for Effective Stakeholder Relationships**

*7.1.3a Outcome Challenge 6: Investment plans implemented*

The iTC's interventions lay the groundwork which makes it possible for communities, associations and individual investors to have greater security of tenure. Its work thus sets the stage for investments. However, in only a small number of cases do investments actually take place during the short period in which service providers are actively working in communities under contracts covered by iTC. However, the evaluation team did confirm that many investments have arisen after the end of iTC's direct interventions; this fact indicates that the assumptions implicit in the iTC programme and made explicit in the ToC concerning laying the foundation for investments were correct.

The core competence of many service providers lies in areas unrelated to the preparation of investment plans in rural areas. Service providers do not have the resources to support chosen internal investments over an extended period of time nor expertise needed to negotiate fair investment plans with external investors.

**Recommendations:** Noting that most investments are likely to emerge after direct iTC interventions related to improving tenure security have ceased, a mechanism needs to be put in place so that communities and associations can obtain the external assistance which they need to make sure that investments that are implemented



have a high likelihood of success and of improving the welfare of their proponents and the community more generally. The new iTC itself or an alliance with other partners need to establish a framework which allows specialised service providers to advise and assist communities in making internal investments and to assist them in negotiations with external investors.

*7.1.3b Outcome Challenge 7: Service providers improve capacities to help communities & associations*

The ET confirmed that service providers' understanding of land issues and their capacity to deal with them in an effective way had increased as a result of their work under contract to KPMG in implementing the iTC programme, short as most of these contracts were (usually 9-12 months). KPMG had a role in developing this capacity but the service providers' interaction with other boundary actors (particularly SPGC and SPFFB) were instrumental in improving service providers' capacities on land and other natural resources.

**Recommendation:** The new iTC needs to decide how current service providers' skills in other areas could be improved to support post-iTC investments. This could be done by using framework contracts or other mechanisms and focusing on service providers who are expected to play an ongoing role in their given geographic areas of operation. It also needs to establish a mechanism making available special expertise as required facilitating internal and external investments. The new iTC may want to provide some kind of long term institutional support or the covering of part of the overhead and costs of service providers having appropriate skills to the tasks communities face.

*7.1.3c Outcome Challenge 8: Governmental, NGO, and other boundary actor objectives become more aligned with those of iTC*

The ET concluded that few if any of iTC's accomplishments could be uniquely attributed to its interventions alone. Rather, it confirmed that collaboration of other boundary actors was essential to achieving outcomes favourable to

meeting community needs and that iTC succeeded in marshalling other boundary actors in support of these achievements. The evaluation team noted in particular that MCA support to SPGC seemed to be conducive to more rapid processing of land delimitations and demarcations for the entire iTC. It also noted that delays in processing some demarcations were more related to provincial Government constraints than technical difficulties encountered by Government services. The team also observed increased alignment by local authorities, NGOs, Government services and provincial government with iTC's objectives through joint work on achieving them.

**Recommendation:** The new iTC may want to consider providing additional support to boundary actors (particularly SPGC and SPFFB) to allow them to better support iTC activities. It may also want to seek other ways of convincing Government authorities to recognise and support a closer congruence with iTC's objectives.

**7.1.4 Recommendations for Community Empowerment**

*7.1.4 a Outcome Challenge 9: Women and men participate more equally in the governance of the CGRNs, Associations and other local institutions*

The ET found strong indications of broader based participation by lower status members of communities (women and some men with lower positions within the local community hierarchy). The evaluation team viewed this participation as one indication of greater community empowerment as a result of the iTC interventions than had been expected prior to fieldwork. Individuals who in the past would have been mere observers (if that) of a process of change such as the one which iTC promoted were found to be active participants, be more likely to have their voices heard and to occupy positions of importance within community institutions. Organisations of which they were members, including CGRNs, were becoming new actors in community decision making which had in the past been dominated by community leaders, high status individuals and local authorities alone.

**Recommendation:** The new iTC may want to build on past achievements to encourage additional empowerment of low status individuals to achieve more representative community institutions.

*7.1.4b Outcome Challenge10: People in communities and associations become more empowered by coordinated action*

The ET observed the beginnings of communities' forming alliances with outside organisations, Government agencies and private institutions, businesses and investors in ways that were likely to lead to improvements in community welfare or in that of substantial fractions of their population. The iTC had contributed to improving communities' confidence in themselves and their ability to use of greater knowledge of their rights, more secure tenure and community organisations capable of protecting their natural resources, in order to negotiate for support or to arrange for beneficial agreements with outside entities.

**Recommendation:** The new iTC may want to increase empowerment of communities and their members, and take into account their changes in behaviour in its new programme. The assessment of the status of individual empowerment and of community and association ability to negotiate alliances should be incorporated in baseline observation of communities and in subsequently in tracking their development over time. The new iTC should consider ways by which communities and their organisations or associations could be helped to forge these alliances and establish partnerships at a faster rate and on more advantageous terms.

## 7.2 Recommendations on Additional Issues

### 7.2.1 The Future iTC Management

The ET noted that though few investments emerged during the course of iTC's interventions themselves, substantial numbers of investments have emerged thereafter. Most such investments have been internal investments on a small scale of which about half have failed. Smaller numbers of external investments have been observed, and

most of these appear to have provided some positive benefits.

**Recommendations:** A mechanism to support a broad gamut of investment types and to make available expertise relevant to individual investment packages is needed. The question is: should such support come from the new iTC directly or from arrangements made with other programmes and separate sources of funding?

### 7.2.2 The issue of Centralised Control

Delays have been noted as a result of centralised control of decision making and limited financial authority at the provincial level, particularly in iTC/MCA provinces.

**Recommendation:** The new iTC may choose to provide provincial managers greater decision-making authority and higher financial decision limits in order to expedite interventions and allow steams to adjust overall programme norms to local conditions and needs.

### 7.2.3 Shortcomings in the M&E System

The ET concluded that the iTC M&E system is less than ideal in identifying bottlenecks, their causes and proximate solutions. Flow charts and simple systems for tracking of key activities and outputs were found to be inadequate for identifying and dealing with delays in iTC processes in terms of identifying exactly with whom, where and concerning. Because of the failure to establish cost centres related to various activities, it is not possible to accurately estimate the costs of various types of activities and hence their contribution to value-for-money to the communities. Even the estimation of the cost per hectare of delimitation is wrought with uncertainty.

**Recommendation:** The new iTC may seek to identify new approaches to deal with bottlenecks encountered in processes of tenure improvement and to incorporate them into the new programme's design. If simple and separate accounts are maintained for various activities, their contributions to the welfare of communities and their associations would be easier to determine in ways which help improve project

management and lead to cost-effective ways of resolving bottlenecks.

#### 7.2.4 Improved Documentation

The team concluded that local land administration could be improved by leaving better documentation in the hands of communities, community leaders and local authorities.

**Recommendation:** The new iTC may want to consider providing some limited financial and technical support so that copies of service providers reports, delimitations, demarcations and legalisation of associations and CGRNs (such as records of steps completed thus far and participatory maps) could be made available to local authorities. Local administrations would then be capable of managing a greater percentage of land issues within their communities and communicating actions taken periodically to SPGC to keep central land records in sync with permanent changes registered at the local level.

#### 7.2.5 Clustering

The ET concluded that the clustering of interventions promoted greater efficiency and increased programme outreach allowing it to cover more communities. The team further concluded that clusters which included different communities with shared boundaries led to the resolution of long standing conflicts over land. However, it also found that reporting by service providers failed to provide a one-to-one correspondence between outcomes for individual units and the interventions related to them, making evaluation more difficult.

**Recommendation:** The new iTC should retain the cluster approach to interventions to preserve efficiency and to maximise the numbers of communities that can be covered as well as the area delimited/demarcated in the new programme. However, it may want to encourage service providers to report on their activities in a more precise way in order to improve monitoring and evaluation.

#### 7.2.6 Outcome Harvesting

The ET concludes that Outcome Harvesting is an effective tool for retrospective evaluation. It

comes to this conclusion based on its experience acquired on this evaluation. None of the four members of the team in the field had prior experience with the Outcome Harvesting methodology but had the full support of one member who co-developed the approach with the global Outcome Mapping community. The team is satisfied that Outcome Harvesting is a good methodology for retrospective evaluation, particularly in the absence of a baseline establishing major indices of desired changes to be produced by the intervention.

**Recommendation:** The ET supports incorporating Outcome Harvesting as part of the monitoring and evaluation system employed to improve the future iTC programme and suggests that consideration be given to include Outcome Mapping as a guiding principle for overall programme design. The ET is convinced that it would be feasible to gather baseline data focusing on the behaviour of communities, their members and that of other boundary actors and to measure these changes in this behaviour periodically throughout the time of programme operation using an Outcome Harvesting approach. The team suggests that this approach would facilitate corrections to implementation and would allow the new programme to respond more rapidly to observed deficiencies and changing conditions and to take advantage of new opportunities as they emerge. An approach focusing on communities, associations and the various boundary actors involved in tenure improvements and subsequent changes leading to mutually beneficial investment is more cost-effective for project management and for measuring behavioural changes which iTC is attempting to achieve than by recourse to large household surveys which will be unable to capture such changes even with large samples.

#### 7.2.7 Policies that the future iTC may wish to address

The ET concludes that large-scale land acquisitions (LSLAs) and area development schemes such as BAGC, PROIRRI and the Nacala Corridor are major issues that are affecting or will affect communities served by the new iTC. It further concludes that in-depth

analysis of the impacts such projects could have on communities and the development of proposals for mitigating negative impacts on and maximising benefits to communities are major policy themes which the new iTC may wish to address.

**Recommendation:** The new iTC may want to consider LSLAs and area development schemes from the point of view of communities to enhance the Reference Group's ability to guide the new iTC programme as it deals with these new challenges and opportunities. It will want to consider how such independent studies affect its relations both with Government and with communities and CSOs that are working with them if the new iTC chooses to support policy research, it needs to consider if such research is best managed by a single staff member or a small unit focused on economic, natural resource and policy. Whatever way it might choose to organise policy-oriented research, close coordination with the iTC legal counsel would be needed to translate policy findings into draft legislation written in ways which favour community welfare. Legal counsel role would extend to interpreting what the implications for new legislation and amendments mean for the day-to-day workings of iTC as well as for achieving broader goals. The new iTC might also decide to leave policy work to other organisations.

#### 7.2.8 Lack of Community Consultation

The ET concludes that large scale land agreements and concessions have been established in the past without any or with inadequate consultation with communities.

**Recommendation:** The new iTC needs to decide how best to encourage more effective, informed and documented community consultations and prior review of proposed agreements before concessions are permitted to be granted.

#### 7.2.9 Application of the Land Law

The ET concluded that Article 35(d) of the Land Law requiring any delimitation above 10,000 hectares to be approved by the Council of Ministers is leading to behaviour on the part of communities and those assisting them which complicates communities' ability to protect and to

make best use of their natural resources. Communities should delimit their land in ways that make most sense for them and makes it more difficult for outside entities to define the best use of land development in their stead and without holding full and fair community consultations.

**Recommendation:** The new iTC may find it useful to review and possibly advocate changing Article 35(d) of the land law to provide substantial benefit to communities. If it decides to carry out this review, communities would need to be consulted.

#### 7.2.10 Decentralisation

The ET concluded that local land administration could be improved by providing relatively minimal resources to provincial and district land administration units over an extended period of time. It believes that overall efficacy could be improved by decentralising some functions such as recording of rights to community land, updating of community development agendas and land use maps, and enforcing sustainable use of their natural resources.

**Recommendation:** The new iTC should consider some decentralisation of management to facilitate the work of the coming programme. It would have to decide on appropriate limits for provincial managers to improve assistance to communities.

#### 7.2.11 Community Rights

The ET concluded that past agreements and grants of concessions may not have adequately protected community rights and often these rights were still not being respected even when communities were aware via training provided by iTC.

**Recommendation:** The new iTC may want encourage investors to follow FAO Voluntary Guidelines on Land Governance and Mozambique's own rules so that agreements with investors can be negotiated which are fairer to communities.



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