

# SERVICES Land Tenure and Property Rights

## Sector Overview

Establishing land tenure security and strong property rights is critical to overcoming challenges in developing nations related to agricultural production, economic growth, conflict, vulnerable populations, and natural resource management. Food security, large scale land acquisition, climate change induced migration, urban slum growth, forced displacement, and violent insurgency are all closely linked to issues of insecure property rights and unequal or inadequate access to land and resources. As one of USAID's foremost providers of technical services in land tenure and property rights reform, Tetra Tech ARD is well-versed in how to address complex Land Tenure and Property Rights (LTPR) issues through technical assistance, awareness raising, training and capacity building, and development of analytical tools and impact evaluation methodology.

Tetra Tech has implemented 30 LTPR projects over the past 5 years, including long-term, multi-faceted, interventions in Afghanistan, Burkina Faso, Central African Republic, Colombia, Ethiopia, East Timor, Guinea, Kenya, Lesotho, Liberia, Rwanda, and Sudan. In addition, Tetra Tech has implemented four Global task orders focused on property rights issues that have provided technical assistance to USAID missions, provided training to USAID and host country decision makers, developed communication products and outreach strategies, and provided USAID with a suite of tools and methodologies (LTPR Matrix and assessment and impact evaluation tools) to help conceptualize LTPR constraints and interventions to improve project design. Our home office LTPR team comprises of experts drawn from a variety of disciplines and technical areas including agriculture, communication, conflict resolution, economics, environment and natural resources, governance, land administration, land law, land use planning, and business management. This team is complemented by a solid team of contract, finance, recruitment, and project management specialists, and supplemented by a pool of qualified consultants providing technical expertise as needed. We endeavor to capture institutional best practices and lessons learned, extend those lessons through training and outreach programs, and improve upon project implementation.

Sector Capabilities include:

- Land policy and legal reform
- Land administration (including administrative law, registration, surveying, GIS and land use planning)
- Property regularization and formalization



- Land reform, resettlement, and restitution
- Biodiversity conservation and resource governance
- Tenure and Global Climate Change
- Women's and vulnerable groups' access to land and resources
- Land market development
- Conflict prevention and dispute resolution
- Land tenure training, capacity building, and institutional strengthening
- Informal settlements upgrading
- Public information and outreach
- Impact evaluation

We also work on strengthening community governance and developing alternative models (co-management, conservations, trusts, business, or equity sharing) to improve management of common pool resources and increase tenure security and investment on customary lands.

## Tetra Tech's Integrated Approach

We have a proven track record of working at high levels of government to design policy and institutional frameworks, linking those frameworks to broader development goals, and building the stakeholder (communities, investors, NGOs) partnerships and capacity) partnerships that are critical to converting policy into effective action. We are seasoned in working with central ministries and agencies responsible for property rights reforms as well as with mayors, municipal staff, citizen groups, and communities to improve coordination and program implementation, transfer skills and support

trainings tailored to their needs as they understand them. Through technical assistance, we have inter alia drafted laws and implementing regulations, conducted systematic land regularization and registration, utilized appropriate technologies for land information data maintenance, promoted land restitution, strengthened government entities, raised public awareness of land rights, installed mechanisms for land conflict mitigation and management, and carried out participatory land use planning. We recognize that a comprehensive integrated approach, spanning national level policy to local community based solutions, is requisite for effective project implementation. Our integrated approach addresses legal, institutional,

and behavioral challenges through interventions such as those listed in the box titled *Technical Themes and Components*.

## Technical Themes and Components

Land Tenure and Property Rights (LTPR) deals with the ownership, distribution, governance and administration of rights to land and natural resources. It cross cuts all other sectors including AEG, ENR, GID, WR&I and IKM and includes programmatically:

- Land tenure reform – land policy, legal reform, rights strengthening and equitable rights distribution
- Land reform and resettlement – redistribution of land and property in society
- Gender and vulnerable populations – assisting women, youth, and indigenous and marginalized populations to gain fair access to land, property and resources through rights clarification, outreach and enforcement
- Public information and outreach – informing people of rights and empowering and enabling them to act upon them
- Conflict mediation/mitigation and dispute resolution to protect rights
- Land Administration – registration, titling, surveying, mapping, demarcation, zoning, GIS and land information systems to connect rights in law with real land and property
- Property rights governance to promote equity, regulate self-interests, minimize corruption and empower the poor through devolution and decentralization
- Land market development to facilitate property transactions, increase access to financial capital and spur investment, but with safeguards to minimize distress transactions.
- Training to strengthen understanding of property rights, rights delivery and enforcement
- Tools and methodologies to guide LTPR impact and sequencing assessments

### Developing Land and Environmental Policies

Establishment of appropriate policy is a critical step in fostering secure land rights and sustainable natural resource management. Tetra Tech has demonstrated experience around the world in reforming policies and developing appropriate laws and regulations. For example, under the USAID-funded South Sudan Rural Land Governance Project, we assisted the National Land Commission with developing the National Land Policy and strengthening state and county governments in its implementation. In Liberia, Tetra Tech is improving the legal and policy environment for LTPR and natural resource management. Under three successive projects in Ethiopia from 2005 to present, we have worked with the Ethiopian government to strengthen institutions and laws related to land certification in the highlands, and under the current Land Administration to Nurture Development program, we are extending work on policy development and legal reform to the pastoral areas of Ethiopia for purposes of reducing conflict and creating partnerships between communities and investors that better secure community rights while increasing investment opportunities. Under our Colombia Land and Rural Development project, we are assisting the Government of Colombia on policies related to formalization, restitution, and rural development to address problems of conflict and displacement.

**Land Rights Verification and Registration** Parcel identification, demarcation, rights verification, and registration all relate the rights of landholders (as conveyed in law) to their physical land parcels and property to enhance and realize tenure security. Under the Senegal Diamniadio Project Preparation Institutional/Land Management Issues project, identification and verification of property ownership and claims were undertaken to ensure that people displaced by port development received full and fair compensation. Under our Strengthening Property Rights in Timor Leste project, we assisted the national and local governments with recording over 54,000 claims in all 13 districts, developed an extensive public information and awareness “know your rights” campaign, and facilitated peaceful resolution of land-related disputes within project areas. Under the Strengthening Ethiopian Land Tenure Policy and Administration Program, approximately 855 men and 269 women were trained in various aspects of land certification and administration, and 704,754 parcels belonging to 146,825 households were certified with accurate parcel maps over the course of the project. We have also implemented land rights/land claims identification and registration activities in Afghanistan, Burkina Faso, Central Africa Republic, and Lesotho and worked on community level demarcation and formalization in Sudan and Liberia.

**Institutional Capacity Building** Under the USAID-funded PRRGP contract, Tetra Tech provides training to national decision makers globally in areas of land tenure reform, policy, land administration, conflict resolution, and

natural resource governance using adult learning and participatory methods. Under the Ethiopia Land Tenure and Administration program, Tetra Tech trained more than 1,100 participants on land registration, cadastral surveying, land registry office management, and land information and land use planning. And under our South Sudan Rural Land Governance Project, we selected and trained staff of over 30 country Land Authority Offices on their roles, responsibilities, and functions embodied in the 1009 Land Act. Tetra Tech has implemented formal training and capacity building components under various projects, including in East Timor and Burkina Faso, to strengthen the efficiency and effectiveness of government and civil society agents in law, governance, and land administration.

**Land Information Management Systems** Tetra Tech's Information and Knowledge Management Group provides appropriate geospatial solutions for Tetra Tech's LTPR project portfolio through a wide range of technical guidance and in-field support. As part of the Sudan Customary Land Tenure Project, methodologies were developed and executed that resulted in the documentation and endorsement of community boundaries previously undocumented. Field data collection approaches have been shared and the capacity built in East Timor as part of an effort to register over 54,000 land claims, which are subsequently stored and managed in a geographic information system (GIS). Successful integration of satellite imagery in numerous land projects has enhanced and delivered time efficiencies when combined with GPS technology as demonstrated in the Central Africa Republic Conflict Diamond work and will be adopted as part of the Kenya SECURE project. In Colombia, Tetra Tech piloted a land information management system for the titling of vacant public lands while under an MCC Burkina Faso Land titling project, our home office GIS expertise guided and built local capacity in the use of industry leading land registration software. In Afghanistan, we worked with key government partners to pilot an integrated land information system that identified private and public land and developed the model for land rights formalization for roll out in municipalities and management of state land.

**Communal Land Rights Strengthening and Support** Indigenous and other minority groups have been granted special communal rights to their traditional lands in many countries. In Ecuador, Tetra Tech analyzed the impact of USAID projects aimed at strengthening the territorial rights of indigenous organizations. On the Customary Land Tenure Project in Sudan, Tetra Tech advanced the concept of Community Land Councils (CLCs) to regulate customary land rights, and strengthen local advocacy on land-use planning. By 2008, over 6,500 people attended meetings to endorse previously demarcated lands in communal areas of Blue Nile State, and over 35 CLCs were formed and operational. Similar work was undertaken in East Timor and Ethiopia where our projects assisted communities and local authorities in gaining a greater voice and decision making in land ownership and management. Through MIDAS in Colombia, Tetra Tech has assisted indigenous communities to modify inherited management plans and has improved governance in

## Current and Recent Projects

- Afghanistan Land Reform in Afghanistan (LARA) (USAID) (2011–2014)
- Africa Property Rights and Artisanal Diamond Development (PRADD II) (USAID) (2013–2018)
- Burkina Faso Land Services Technical Assistance (MCA-Burkina Faso) (2009–2012)
- Colombia Afro-Colombian and Indigenous Program (ACIP) (USAID) (2011–2016)
- Colombia Land and Rural Development Program (USAID) (2013 – 2018)
- Colombia Public Policy Program (Land) (USAID) (2010 –2015)
- DRC and Burundi Capacity Building for Responsible Minerals Trade (CBRMT) (USAID) (2014–2017)
- East Timor: Strengthening Property Rights in Timor-Leste (SPRTL) (USAID) (2007–2012)
- Ethiopia Land Administration to Nurture Development Program (LAND) (USAID) (2013–2018)
- Ethiopia Land Administration and Policy Program (ELAP) (USAID) (2008–2013)
- Global: Property Rights and Resource Governance (PRRG) (USAID) (2007–2013)
- Global: Tenure and Global Climate Change (TGCC) (USAID) (2013–2018)
- Kenya Securing Rights to Land and Natural Resources for Biodiversity and Livelihoods in the North Coast (USAID) (2009–2012)
- Kosovo Property Rights Program (PRP) (USAID) (2014–2018)
- Lesotho Land Regularization and Lesotho Modernization of Land Services (MCA Lesotho) (2009–2013)
- Liberia Land Conflict Resolution Project (LCRP) (USAID) (2011–2014)
- Liberia Land Governance Support Activity (LGSA) (USAID) (2015–2020)
- Liberia Land Policy and Institutional Support (LPIS) Project (USAID) (2010–2013)
- Liberia Land Rights and Community Forestry Program (LRCFP) (USAID) (2007–2009)
- Rwanda Conflict Management and Mitigation (USAID) (2007–2008)
- South Sudan Rural Land Governance Project (SRLG) (USAID) (2011–2014)

**Tetra Tech** provides scientific and industry-leading solutions to tackle the world's most complex challenges. Our service areas include agriculture and economic growth, democracy and governance, energy, environment and natural resources, land tenure and property rights, water supply and sanitation, architecture/engineering services and construction, and global security. For federal agencies, governments, multilateral banks, and multinational corporations, Tetra Tech creates practical, environmentally responsible solutions that ensure sustainable development.



the Emberá indigenous territory of Chigorodó, through the formation of an indigenous cooperative for the management of natural resources.

**Conflict** Colombia is currently facing a crisis where millions of individuals, often among the most disadvantaged, have been displaced from their lands and in many cases, have lost their property rights. Under the Colombia MIDAS project, Tetra Tech worked to help the government address the issues faced by the displaced through workshops, studies, and legal reforms. Studies have been conducted on the characteristics of displacement in Colombia and the requirements of a restitution program. With a team of highly qualified lawyers, we designed a set of special judicial procedures to reconstitute land to the displaced, based on international and transitional justice principles. These proposals were incorporated by the Government and by a group of opponent congressmen into the Victims Law project; work is currently underway under the Colombia Land and Rural Development Program to reconstitute and formalize rights of the displaced and provide beneficiaries with improved rural livelihoods. Over the last 5 years, we have implemented complex land projects in a variety of conflict zones including Afghanistan, conflict diamond zones in Central Africa Republic, Colombia, East Timor, Rwanda, and Sri Lanka.

#### **Communication, Public Information, and Awareness**

Public information, awareness, and advocacy strengthen land

rights delivery and help to devolve land administration and governance to local governments and communities through public sector and civil society. Communication components enhancing rights awareness and advocacy are cross-cutting in a number of Tetra Tech projects including those in Senegal, Ethiopia, and East Timor. For these projects (and others), we have adapted various media to local conditions and developed radio and print media; produced and disseminated YouTube videos, songs, dances, dramas, and promotional clothing; and sponsored and conducted community meetings. The PRRG project conducted LTPR trainings in Washington, D.C., and around the world, targeted toward US Government officials and host country decision-makers. A drama performed in Kenya on the topic of women's inheritance rights in view of the HIV epidemic brought senior African policy-makers to tears.

## **USAID CONTRACTING MECHANISMS**

Our work on land tenure and property rights has been funded mainly by the US Government, specifically USAID and the Millennium Challenge Corporation through full and open procurements and two important Indefinite Quantity Contracts (IQCs): The Prosperity, Livelihoods and Conserving Ecosystems (PLACE) IQC, and The Rural and Agricultural Incomes with a Sustainable Environment (RAISE and RAISE PLUS) IQC. However, in August 2012 a consortium led by Tetra Tech was selected as one of four holders of the Strengthening Tenure and Resource Rights (STARR) IQC, which is now the main contracting vehicle of USAID for work on land tenure and property rights.

### **Secure Tenure & Resource Rights (STARR) IQC**

Tetra Tech is a holder of the Strengthening Tenure and Resource Rights (STARR) IQC. The objective of STARR is to support USAID strategic objectives by addressing constraints to non-transparent and ineffective land tenure and property rights systems. Through a multi-disciplinary approach, STARR will address complex resource tenure issues in order to promote food security, economic growth, climate change adaptation and mitigation, conflict prevention and mitigation, biodiversity protection and natural resource management, and reduction in the spread of infectious diseases such as HIV/AIDS. STARR will advance USAID Forward strategies and best practices by building knowledge, testing hypotheses, and implementing innovative approaches to strengthening property rights and resource tenure as a means to advance key USG strategic foreign assistance goals.

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