

Joint Review of the Mama Graon Vanuatu Land Program (MGP) MANAGEMENT RESPONSE

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Through: David Momcilovic, First Secretary, Port Vila
Date Approved:

Aid Activity Summary:

Aid Activity Name	Vanuatu Land Program
AidWorks initiative number	INI501
Commencement date	In-country commencement January 2011
Total Australian \$	\$20.3 million (\$4.8 million contributed by the New Zealand Aid Programme until 2013)
Delivery organisation(s)	Land Equity International
Implementing Partner(s)	Ministry of Lands, Ministry of Justice, Malvatumauri National Council of Chiefs, Land Sector Coordination Unit, Vanuatu Cultural Centre, Department of Local Authorities
Country/Region	Vanuatu
Primary Sector	Public organisations

Joint Review Summary

Review Objective: The program design recommended an implementation review at the 18-month mark of the 5-year program due to the uncertainty of the operational environment, and because this was also the halfway point for NZ funding. This joint review by the governments of Australia, New Zealand and Vanuatu provided an analysis of important lessons to inform program refinements.

The review had three principal objectives:

1. To demonstrate program accountability to all key stakeholders and the broader public;
2. To assess:
 - a. *relevance of support* – whether the program design continues to be relevant to the national context; responsiveness to emergent issues;
 - b. *efficiency of implementation* – whether more outputs could have been delivered with same inputs, or whether the same outputs could have been delivered with less inputs;
 - c. *effectiveness of approach* , – has advisory support resulted in outputs and intermediate outcomes that are expected to lead to end-of-program outcomes?
3. To recommend ways to overcome identified problems.

Review Completion Date: 31 December 2012

Joint Review Team: Johnson Wabaiat, Co-Team Leader (GoV representative); Robyn Renneberg, Co-Team Leader (M&E Specialist); Mary Pati, PGS Solutions (Land Administration Specialist); and Michael Taurakoto, Wan Smolbag, (Civil Society representative), with support from Anna Naupa, Senior Program Manager, AusAID (Review Manager) and Patricia Fred, Assistant Program Manager, AusAID.

Management Response

AusAID is committed to ongoing improvements in program performance – in line with the aid effectiveness agenda, as well as Australia’s commitment to the Busan Partnership, the Accra Agenda for Aid and the Paris Declaration –to ensure the efficient and effective use of all development resources according to value for money principles.

The Australian aid program’s Performance Assessment and Evaluation Policy requires aid activities to be evaluated at least once during implementation. The purpose of these ongoing evaluations is threefold:

- To assess progress against objectives;
- To improve implementation quality; and/or
- To inform the design of any follow-on phases or new activities.

The MGP Joint Review provided an opportunity to review the relevance and effectiveness of AusAID and NZAP’s support to Vanuatu’s land sector, as well as an opportunity to assess the efficiency of the delivery mechanism. The Joint Review was participatory and inclusive, and many stakeholders and partners had the opportunity to input to the review. The Joint Review team also met with chiefs and custom landholders in the Tafea, Shefa, Malampa and Sanma provinces, ensuring a wide range of consultations.

Overall the Joint Review found that the MGP is highly relevant to Vanuatu’s development needs but is challenged by the limited policy guidance in the Vanuatu Government’s key development strategies and weak leadership and management from GoV stakeholders. The Joint Review noted that despite these operational constraints, MGP has made reasonable progress on activities where partners have been actively engaged and demonstrate good leadership (e.g. Malvatumauri, and the Survey and Valuation Units within the Department of Lands). However, despite the significance of these achievements in an extremely difficult operating environment, there is an opportunity to refine the focus of the MGP and explore alternative delivery mechanisms.

- AusAID recognises that further discussion must be had with GoV regarding whether land is a development priority through the partnership discussions.
- AusAID agrees with the review recommendation that the design of MGP should be refined.
- AusAID will continue to work closely with the members of the MGP Management Committee (including NZAP) and Land Equity International to address the recommendations.
- AusAID agrees with all recommendations in the joint review and will take appropriate actions to fulfill the recommendations, where AusAID has a specified role, as outlined in

the following section.

- AusAID acknowledges that the Ministry of Lands and the Malvatumauri will have also prepared agency-level responses to the joint review recommendations and will discuss these with all partners in a working group session on 11 March 2013.

Response to Review Recommendations (includes only those that specify a role for AusAID):

Recommendation 1: GoV and AusAID to agree if land is to be a development priority through the partnership discussions. If not, support to the sector should end at the completion of MGP.

Response: Agree

Actions:

- AusAID and New Zealand to discuss and agree to essential actions for continued support of the current 2013 work plan, to be communicated at the 11 March 2013 Joint Review working group meeting and to also be formalized in writing following this meeting:
 - GoV to provide clear guidance on its plans for the Vanuatu Land Governance Committee, including how to make this committee more strategic and provide stronger leadership. A VLGC meeting should be held to discuss the JR outcomes before June 2013.
 - The Land Sector Coordination Unit (LSCU) must be staffed and operational (the program can fund two positions).
 - Recurrent budget allocations (MGP is currently approximately 60% of MOL's recurrent budget) – land sector assistance to be proportional to this.
 - GoV to demonstrate steps in response to alleged corruption within the ministry and prevention of this in the future.
- If some or all of these actions are not taken by 30 June 2013, the work plan will be revised to focus on support to the Malvatumauri only.
- Donor support (from Australia and NZ) beyond mid-2015 will be clearly linked to both available funding and clear evidence of GoV commitment to reforming the sector.
- Should GoV agree that the land sector is a priority, then the relative priority of the sector will need to be agreed between the two governments.

Recommendation 3: GoV and development partners to refine the design of MGP, taking into account the review findings and the impact of the completion of the NZ component.

Response: Agree

Actions:

- Steps to refine the MGP design to commence following the joint working group meeting on the Joint Review recommendations as soon as possible. The AusAID SPM will coordinate with the PMC to establish a 3-4 person subset to work on this activity (this may result in a consolidation of implementing partners). A facilitator with program design expertise will be engaged by AusAID to assist with this process. Refinements to the design will commence in 2014, however allowances for a transition period will be

made.

- Program expenditure has been tracking slowly, therefore a refining of the design may reduce planned allocations for this year and out-years.
- AusAID to confirm NZAP's plans for anticipated under-spend of their contribution (approx. \$1 million) and discussion future options (e.g. no-cost extension).

Estimated budget: AUD20,000

Recommendation 4: Develop a Partnership Agreement (PA) with all partners to address roles and responsibilities, principles, mechanisms to monitor partner commitment (e.g. quarterly meetings) and conflict resolution processes.

Response: Agree in part

Actions:

- MGP is actively pursuing PAs with the five main implementing partners and to date has signed one with the Ministry of Justice outlining roles and responsibilities for the program-funded Provincial Custom Land Officers).
- However, at a high-level there remains a misunderstanding as to partners' roles and responsibilities (i.e. between the donors and the Vanuatu Government). Therefore AusAID will discuss and agree on a 6-monthly updating of the Tripartite Agreement between the governments of Vanuatu, Australia and New Zealand, in the form of an addendum.
- The Program Management Committee will annually review its terms of reference regarding roles and responsibilities to ensure that partners continue to meet their operational obligations.
- The engagement of a facilitator for the initial partnership addendum may be required. Estimated cost is AUD2,000.

Recommendation 6: The MGP should develop a capacity development strategy to guide advisers and partners on the processes for the identification and selection of the most appropriate capacity development strategies.

Response: Agree

Actions:

The AusAID SPM to include this strategy in the LEI Contract deliverables for 2013, which will require a contract amendment.

Recommendation 7: The MGP to improve its efficiency by reviewing the appropriateness of the Imprest Account.

Response: Agree

Actions:

The AusAID SPM has already had discussions with the Program Director regarding the

appropriateness of the Imprest Account, considering that it has only been used to fund VKS Fieldworker workshops to date, but a balance of over \$1 million remains. The AusAID SPM will discuss reallocation of Imprest Budget to other program activities as part of the refining of the design, which will be reflected in a contract amendment with Land Equity International. This is likely to take place in Sept/Oct 2013.

Recommendation 10: The Program Director and AusAID SPM to meet regularly with the PDs for AusAID's Governance for Growth and the World Bank's Jastis Blong Evriwan program to ensure communication lines are open and effective.

Response: Agree

Actions:

The three programs already share regular email updates and have program-to-program meetings. AusAID SPM to establish a more structured schedule of quarterly meetings between the three programs. A first meeting is planned for April 2013.

Recommendation 15: Make substantial changes to respond to the issues identified in the Joint Review. Continue the MGP with all partners. Negotiate milestones that must be met by 30 June 2013 with partners who are not fully engaged. Discontinue support if milestones are not met.

Response: Agree in part

Actions:

- Ongoing support to the program in these areas will depend on:
 - Letter between donors and GoV agreeing to essential actions noted under Recommendation (1) including:
 - At least one VLGC meeting must be conducted before 30 June 2013. GoV must brief the VLGC of the joint review and its recommendations. *Note: DG Lands has undertaken to hold this meeting on 22 March 2013 and will also be reviewing the composition of the VLGC.*
 - The Land Sector Coordination Unit must be fully resourced and operational. MGP can provide initial support for two positions, with one to be filled by 30 June 2013 and the need for a second position to be assessed by September 2013.
 - The DG of Lands to articulate a strategy and plan to address the leadership of the land sector.
 - The DG of Lands to articulate a strategy and plan to address corruption in the land sector.
 - All tripartite (Vanuatu-Australia-New Zealand) partners will conduct high-level 6-monthly meetings between the DG Lands and the Counsellors of the donor partners, to confirm the roles and responsibilities outlined in the Tripartite Agreement for the Mama Graon Program.
 - If these actions are not met by 30 June 2013, then funding for DOL activities will be suspended. Funding for Malvatumauri activities will not be affected due to the strong leadership and commitment demonstrated.
- AusAID to engage a facilitator for the Joint Review working group to assist with the development of an action plan responding to the review recommendations (by 11

March 2013). AusAID's conditions will be factored into the negotiation of this action plan with partners.

- AusAID to meet with NZAP as soon as possible to determine options for further partnership beyond December 2013. An anticipated \$1 million under-spend of NZ's contribution to MGP is expected and AusAID will seek guidance as to whether to refund this to NZ or to reallocate into other MGP activities, subject to prioritization of land sector support).

Other Issues

There has been considerable media interest in the findings of the Joint Review of MGP. The PMC partners have agreed that following the development of an action plan addressing the review recommendations in early April 2013, the Joint Review report will be made public alongside the action plan. The report and next steps will be made available on both the AusAID and Vanuatu Ministry of Lands websites and a joint statement regarding the JR and the next steps will be released to the media.

AusAID's Governance for Growth program will be undertaking a fiduciary risk assessment of the Ministry of Lands in April 2013, in relation to its support to the energy sector. There is an opportunity to extend this assessment to include the Department of Lands.