

Mama Graon Vanuatu Land Program



ANNUAL REPORT FOR 2012

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This report is a result of extensive consultations by the Vanuatu Land Program with key stakeholders within the Government of Vanuatu and civil society. AusAID and the New Zealand Government jointly fund the Vanuatu Land Program and the views expressed in this work do not necessarily represent the views of the Commonwealth of Australia or the Government of New Zealand.

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ACRONYMS

ADD	Activity Design Document
AUD	Australian Dollars
AusAID	Australian Agency for International Development
C&E	Communication and Education
CLTU	Customary Land Tribunal Unit
DCDB	Digital Cadastral Data Base
DoJ	Department of Justice
DoL	Department of Lands
GIS	Geographic Information System
GoV	Government of Vanuatu
ITC	Information Technology and Communication
JBE	Jastis Blong Evriwan (World Bank Justice for the Poor Program)
LEI	Land Equity International
LIS	Land Information System
LGAF	Land Governance Assessment Framework
LGU	Local Government Unit
LSF	Land Sector Framework
M&E	Monitoring and Evaluation
MoLNR	Ministry of Lands and Natural Resources
NCC	National Council of Chiefs
NZAID	New Zealand's Aid and International Development Agency (now New Zealand Government)
PAA	Policy and Action Agenda (2006 – 2015)
PDD	Program Design Document
PMC	Vanuatu Land Program Management Committee
VANRIS	Vanuatu Resource Information System
VKS	Vanuatu Cultural Centre
VANLAS	Vanuatu Land Administration System
VLGC	Vanuatu Land Governance Committee
VUV	Vatu (Vanuatu currency)

EXECUTIVE SUMMARY

This Annual Report for 2012 covers the period of the Mama Graon – Vanuatu Land Program from November 2011 through to the end of December 2012. A draft Annual Report was submitted and approved in October 2012. Following endorsement by the Program Management Committee it was agreed that future Annual Reports would be submitted by the 31 January of the following calendar year allowing for the Annual Report to cover the full period of the Annual Plan. This will enable a more meaningful assessment to be provided of the whole Annual Plan period.

The report highlights the progress that has been made in the implementation of a the Program activities as detailed in the Annual Plan for 2012; details progress towards achieving end-of-program outcomes; details the key issues and the lessons that have been learnt; identifies important factors impacting on the adequacy of outcomes and deliverables and provides a self-assessment of the performance of Land Equity International, the service provider; and assesses the overall ongoing relevance of the Program.

During the period of September through to December 2012 a Joint Review of the Program was undertaken. A Joint Review Report was submitted by the Joint Review team that assess the Program, its relevance, implementation and the various issues it is facing.

Following the slow start during the Inception Plan period, there has been significant progress made in a number of Program activities.

Malvatumauri and Customary Land Tribunal Unit:

- Provincial consultations have taken place in 5 provinces - Tafea, Malampa, Sanma, Penama and Shefa to present to present the 19 Resolutions. All provincial consultations have been led by the President of the MNCC.
- A proposal has been prepared to amalgamate the Malvatumauri and CLTU into one department. This follows on from recommendations made following a review of these organisations in 2011
- Training modules for the CLT Act have been prepared and pilot training undertaken at Epau, Nguna and Eratap.
- Publicity literature has been printed for the Malvatumauri and CLTU.
- Gender training has been provided to Malvatumauri, CLTU and selected chiefs from Vaturisu.

Department of Lands:

- All images records from eRegistry and eSurvey have been transferred into SAPERION.
- Backlog of un-registered applications lodged prior to 2012 has been reduced to approximately 1,000 applications.
- Improved manual land registration procedures have been implemented and Principal Registration Officer has a commitment to register all new applications within 20 working days.
- A review has been completed of lease execution, enforcement and planning activities and numerous recommendations have been agreed upon.

- Review of cadastral surveying activities and Survey Act completed and Survey Directions have been prepared.
- Review of the geodetic survey network completed.
- GIS User Group fully operational and is now accepted as a Technical Working Group of iGov.
- The scanning of survey coordinate sheets has been completed (14,000) and 90% of coordinates entered as part of the DCDB upgrade.
- Valuation parcel data has been collected for all 4,141 residential and commercial properties in Port Vila Municipality.
- Draft Valuation Zone Maps have been prepared for Port Vial Municipality.

Urban Planning:

- Completion of a review of the foreshore development process and associated legislation.

Cross Cutting and Support Activities:

- A Communication Strategy has been endorsed.
- Ongoing programs of press, radio and TV activities have been supported to enable various land related activities to be discussed.
- A draft M&E Plan has been completed
- A draft Gender Strategy and Workplan has been completed.

The self-assessment of Land Equity International identifies that all milestones were completed in a timely manner and in accordance with the milestone scheduled provided in the contract (as amended). The self-assessment also identifies some management issues that were faced during the year. These include; official complaints from the Nagriamel political party; official complaints from within the Program; issues with the implementation of the adviser assessments and complaints against adviser. Steps were taken to address each of these matters some of which involved changes to quality procedures as well as documentation.

Ongoing Relevance of the Program: The Program continues to focus on ensuring that activities are relevant and that they are moving forward in addressing the 2006 National Land Summit resolutions as well as supporting the Land Sector Framework (LSF). Land continues to be a key development issue for Vanuatu and as such there are numerous challenges being faced as the program supports the Program partners in implementing key activities. End-of-program outcomes which have been workshopped with Program partners are also a focus for ensuring Program relevance and managing Program activities.

The Program undertook an audit, in August 2012, of activities that are being undertaken through the Program in support of the Land Sector Framework. This audit highlighted that the Program is supporting numerous strategies under many of the LSF themes and that there is a high relevance of Program activities in supporting the LSF.

It has been recognised for some time that some parts of the design were overly ambitious and lacked clarity in direction. This is especially the case for Objective A1 activities and the program has been progressively refocusing the areas of support.

The country driven or user driven approach remains problematic at this stage of the Program, given the weak management ownership and commitment to the Program. Significant capacity building is required especially in relation to management principles and human resource management.

End-of-Program Outcomes: An M&E workshop was held in November with Program partners to better define the end-of-program outcomes.

The following table summarises the agreed end-of-program outcomes and provides an indication of progress by Program partners towards achieving the end-of-program outcomes.

End of Program Outcomes Matrix

Components	Expected outcomes	Progress as % of Achieving Outcome
A1. Informed collective decisions by customary landholders	<ul style="list-style-type: none"> Processes are available to communities to have their custom boundaries mapped, their chiefly structures identified; in 2015 at least 3 pilots will have been run; The defined priority resolutions from the 19 resolutions adopted by the MNCC at their annual meeting of April 2012 are being implemented; A process to protect customary land rights is designed 	<p>Not Started</p> <p>5%</p> <p>Not started</p>
A2. Participatory land governance	<ul style="list-style-type: none"> Functioning participatory mechanisms (sustainable, gender inclusive) in place for the governance of land at sub-national levels; Custom owner groups are better informed on land lease issues, and participate more effectively in formal land dealings. 	<p>Not started</p> <p>5%</p>
A3. Registry	<ul style="list-style-type: none"> The land registration process meets the needs of 95% of clients; All applications are registered in the same order as lodgements, and within 20 working days; All land registry records are accessible through the e-Registry. 	<p>50%</p> <p>25%</p> <p>25%</p>
A3. Lease planning	<ul style="list-style-type: none"> The COIF process is transparent and involves all stakeholders (MNCC custom land officers assist DOL in identifying chiefs); All leases are drafted by registered (members of a professional association) professionals following strict guidelines; Documentation in Bislama is accessible to all. 	<p>5%</p> <p>5%</p> <p>Not started</p>
A3. Lease enforcement	<ul style="list-style-type: none"> 95% of all Land rents are collected annually. 	<p>10%</p>
B1. Customary Land Tribunals	<ul style="list-style-type: none"> As a result of training, the appeals to decisions by CLTs are reduced; CLTU have proper management, administrative procedures, equipment and a computerized database; Reviewed CLTU Act 	<p>10%</p> <p>Not started</p> <p>15%</p>
B2. IT systems	<ul style="list-style-type: none"> VANLAS (Vanuatuland Administration System) is functioning and servicing the needs of the staff of DOL, and of the land professionals. 	<p>Not started</p>
B2. Survey	<ul style="list-style-type: none"> Survey directions are designed, distributed and complied with by registered surveyors; DOL offers immediate and efficient services to surveyors. 	<p>50%</p> <p>25%</p>

B2. Valuation	<ul style="list-style-type: none"> An updated Valuation Role provides meaningful valuations for land rates, and fair values for land dealings 	25%
	<ul style="list-style-type: none"> Valuation standards are designed, training is provided, and registered valuers comply with the standards. 	75%

M&E and Gender: The Program has struggled to gain strong Program partner commitment to a number of the cross cutting issues. It has been difficult to convene workshops and there has been limited ownership of these activities by the program partners and LSCU. A draft M&E Plan and draft Gender Strategy and Workplan have been prepared but these still need to be workshopped and accepted by Program partners.

Issues and Lessons Learnt: The report details the key issues faced and lessons learnt during the 2012 reporting period. These include:

- **Powers of the Minister:** These are having a significant impact on the public perception of the Program and resulting in accusations of corrupt practices occurring within the MoL.
- **Limited Capacity and Resources:** The Program faces significant challenges in supporting the implementation of a number of the activities proposed by Program partners. The capacity of DoL to support some of the strategic Program initiatives remains problematic due to the limited access to human resources. This is especially the case in the area of IT.
- **Land Registry Office:** The capacity of the Land Registry Office to develop sound land registration practices still remains problematic. There has been a lack of engagement by DoL management to address even the most fundamental of land registration problems.
- **Vanuatu Cultural Centre:** VKS still continue to demonstrate an unwillingness to engage with the Program principally as a result of what are seen as fundamental differences in relation to the approach to land in Vanuatu. The program did fund the 2012 male and female field workers workshops.
- **Adviser Recruitment:** Issues were encountered during the year in relation to 2 advisers. The adviser recruitment process although it was initially cumbersome has proven to be solid. It is noticeable that there is more ownership of activities undertaken by advisers recruited through the selection process.
- **Program Management:** Program management has been problematic and has had the most significant impact on Program implementation. There has been a lack of commitment to the Program by the DG of Lands and the Acting Director of Lands and there have been issues in engagement with the LSCU. It is clear that the Program requires a champion as well as sound management commitment.

Conflict Management Issues: The Program was strongly criticised by a number of external sources which included the Nagriamel political party. Over time these matters were suitably addressed and it was during these incidents that the Program did receive strong support from senior management within government.

There was also internal criticism level at the Program which remained unchallenged and not addressed by the management of MOL or DoL. This criticism had a damaging effect on some Program relationships.

Implementation of the Annual Plan: Progress towards implementing the activities approved in the annual plan are summarised in the following table.

PART A		
Objective A – 1	Informed Collective Decisions by Customary Landholders	Progress of Implementation
Improved Customary Governance of Land by the Malvatumauri	<ul style="list-style-type: none"> The Malvatumauri will commence a process of registering Area, Sub Area/Ward & Village Councils of Chiefs around the country. The VKS field works will provide support in undertaking this activity. Malvatumauri will undertake an assessment of the 19 resolutions from the Customary Land Workshop and develop a strategy and work plan to address each of the resolutions. 	<p>Progress has been slow – delays in recruitment of the Provincial Customary Land Officers. Not able to engage with VKS Field Workers</p> <p>Strategy and work plan completed. Provincial consultations undertaken in 5 provinces. MNCC adopted the 19 resolutions as their “road map” for moving forward.</p>
Improved stakeholder and public understanding and awareness of customary land practices (including gender and relational land issues)	<ul style="list-style-type: none"> Research activities will be funded. This will require the submission of research proposals, approval by a nominated committee, undertaking research and then putting the research into the public domain for actioning. Support will be provided to the VKS Field Workers for their annual workshop and support activities. Public awareness and gender strategies and frameworks will be developed to support communication and education and gender aimed at improving stakeholder and public awareness of customary land issues. The creation of a GIS database of customary markers and historical sites will be supported along with support for updating the information maintained by VKS. 	<p>No progress as a result of lack of engagement from the VKS.</p> <p>Male and female Field Worker Workshops conducted.</p> <p>Communication and Education Strategy developed. Gender Strategy developed.</p> <p>No progress as a result of lack of engagement from the VKS.</p>
Improve decision-making by customary landholders	<ul style="list-style-type: none"> 6 Provincial Custom Land Officers will be recruited through the CLTU. They will be provided with extensive training prior to being mobilised to their respective provinces. 	Provincial Customary Land Officers recruited and training provided.
Objective A – 2	Participatory Land Governance	
Support the effective and participatory sector wide governance of	<ul style="list-style-type: none"> Support will be provided to the land sector committees. 	<p>Support provided to land sector committees as required. 5 PMC meetings convened during the period.</p>

land		
Establish and/or improve participatory, sustainable mechanisms that will facilitate regional and local governance of land	<ul style="list-style-type: none"> A National Participatory Governance Adviser will be recruited to support the LSCU. The adviser will also, with support from the Provincial Custom Land Officers, undertake a review of various provincial and local government activities to enable an assessment of local capacity to be undertaken. 	Due to management and administrative delays within the MoL this position was not filled.
Improve the participatory mechanisms that facilitate formal dealings in land	<ul style="list-style-type: none"> Vanuatu will undertake a Land Governance Assessment Framework that will establish a bench mark for governance and land administration activities from which Program progress can be measured over the duration of the Program and beyond. Support will be provided to professional associations and an assessment undertaken of an appropriate mechanism to be established in Vanuatu to represent the various land professional groups, including surveyors, valuers, real estate, GIS etc. A review of all land related legislation and regulation will be reviewed with the aim of assessing the amount of legislative review that is required. Assess appropriate participatory and sustainable approaches that would ensure open, accountable and transparent dealings with regard to customary land leases and also enable custom owners to participate in development activities over their land. 	<p>A decision was made to delay this activity until 2013 and ensure there was government commitment to the implementation of LGAF.</p> <p>Initial meetings have been held for the formation of a Vanuatu Land Professionals Association. Draft Constitution has been prepared.</p> <p>Although the MoL gave approval for this activity to proceed, it was delayed due to the election period. Will commence in early 2013.</p> <p>Due to activities by JbE in this space a decision was made to support the JbE activities in preference to potentially duplicating activities.</p>
Objective A – Effective and Enabling Services		
3		
Establish a functioning Land Registry and Information Service	<ul style="list-style-type: none"> Continuing support for the reduction in the backlog of un-registered land registration documents. Develop registration procedures to improve the efficiency of operations of the land registry. 	<p>Support has continued although progress has been much slower than anticipated.</p> <p>New registration procedures have been developed in consultation with the PRO and staff. PRO is reluctant to introduce any of the agreed changes.</p>

	<ul style="list-style-type: none"> A contract to scan all of the un-scanned land registry documents for inclusion in the computer based land registry system. 	As a result of lack of action in implementing much need changes in manual registration procedures by the PRO a decision has been made to place this activity on hold until manual procedures are improved.
Establish an effective land lease and development planning, assessment, permitting and enforcement service	<ul style="list-style-type: none"> Support will be provided for the development of regulations required to implement and manage the Foreshore Development Act. Development of a strategy for managing urban development and support the preparation of development controls. Review the recommendations from the VSTLRI and develop a strategy for support. Implementation of the strategy will commence during the year. 	<p>Support provided and activities foreshore development activities based on the recommendations are proceeding.</p> <p>A review by Governance for Growth question the direction of this activity and also limited capacity meant this activity did not proceed.</p> <p>A review by Governance for Growth question the direction of this activity and also limited capacity meant this activity did not proceed.</p>
Deliver a National land awareness, knowledge and gender mainstreaming campaign	<ul style="list-style-type: none"> Through this sub-component all communication and education and gender activities will be coordinated. 	Communication and Education initiatives progress but were very much Program driven with limited Program partner ownership. Gender Strategy was completed.
Demonstrate effective organisational models and service delivery arrangements	<ul style="list-style-type: none"> It is not planned to provide any specific support for this sub-component during the annual planning period. 	Training was provided to Program staff and specifically DoL staff on customer service. A customer service model was developed for DoL.

PART B

Objective B – A strengthened Customary Lands Tribunal consistent with the GoV's national plans

Legislative Review	<ul style="list-style-type: none"> Support the review and legal drafting of any proposed amendments to the Customary Land Tribunal Act. Undertake public consultation and public awareness activities associated with any proposed amendments to the legislation. 	<p>This activity was taken over and funded by the MoJSS.</p> <p>No action due to above.</p>
Mediation Support Services	<ul style="list-style-type: none"> An assessment will be undertaken to determine the benefits of mediations as part of the dispute resolution process. This will also involve a 	Due to delays in the legislative review there was no action in relation to

	review of the mediation activities undertaken through the Legal Sector Strengthening Project.	mediation.
Public Awareness and Training	<ul style="list-style-type: none"> A Communication Strategy and work plan will be developed with support from the Communication and Education Adviser. Support will be provided to develop C&E material and to train staff. 	Communication Strategy developed and communication material developed for the CLTU
Capacity Development of Customary Land Unit	<ul style="list-style-type: none"> Support the development of the capacity of the CLTU <ul style="list-style-type: none"> Management training and develop procedures. Review institutional arrangements Recruit Provincial Customary Land Officers Develop training programs and provide training to Customary Land Tribunals 	Training modules have been developed for all facets of the CLT Act. Pilot training has been undertaken on Efate to test the modules. Provincial Customary Land Officers recruited and trained although recruitment was delayed.
Objective B – 2	A Land Information Management system that meets current and future needs and supports economic development	
IT Strategy	<ul style="list-style-type: none"> System Requirement Specifications will be developed which will create a data model for land administration data DoL and external stakeholders and will define the data linkages within DoL. Systems Engineer will be engaged to commence the process of developing each of the computer based applications within DoL 	Information Systems Strategic Plan and System Requirement Specifications developed. Due to human resource issues in IT the development of these processes did not proceed.
Land Survey Records	<ul style="list-style-type: none"> A review of the geodetic network will be undertaken to assess the current networks ability to support survey activities, climate change monitoring and tectonic plate movement. Digital Cadastral Database will be updated so that it is able to provide the framework for all spatial data in Vanuatu related to land ownership and land leasing. 	Review of geodetic network undertaken and recommendations made on future actions required by the SG. Updating of all data in the DCDB 95% completed.
Mapping and Imagery	<ul style="list-style-type: none"> Support the GIS User Group Organisation, management and use of spatial data 	Ongoing support provided. Support on data management provided.
Valuation Services	<ul style="list-style-type: none"> Valuation database computer system will be updated A valuation zoning system is to be developed to improve valuation procedures and the collection of government revenues. 	Field work completed and data collected on 4,141 properties in Port Vila Municipality. Data entry 90% complete. Valuation Zone Map and Rate Tables developed for Port Vila. Reluctance by the Valuation Unit to implement.

1. INTRODUCTION

1.1 Overview of the Program

The Mama Graon – Vanuatu Land Program is a long-term commitment by the Government of Vanuatu (GoV). The GoV is committed to improving the welfare and quality of life of its people through the challenges defined in the GoV Priority Action Agenda (PAA) for 2006 – 2015 as follows:

- Achieve higher and sustainable economic growth to create jobs and raise incomes while conserving resources for future generations;
- Ensure macro-economic stability to create a stable investment climate; and
- Raise standards of service delivery, particularly to the rural and outer regions, to improve access to basic services while lowering the costs of internal trade.

The significance of land in the economic development of Vanuatu is highlighted in the government document, Planning Long, Acting Short (2009-2012) with the document focusing on “equitable and sustainable development of land while ensuring the heritage of future generations”.

A Government of Vanuatu Land Sector Framework (LSF) provides the foundation for a strategic plan to implement land sector reforms in Vanuatu. It is intended to guide government, the private sector and civil society in the use and management of Vanuatu’s land resources. The LSF is based on a *Vision* and a set of strategic objectives or themes. It outlines implementation priorities for a LSF policy and activity agenda over a ten year period and builds upon the 2006 National Land Summit resolutions and recent donor initiatives in the sector.

To support the GoV in the implementation of strategic components of the LSF, AusAID and the New Zealand Government have harmonised their development assistance to the Vanuatu land sector through funding for the Mama Graon – Vanuatu Land Program. There is a Tripartite Agreement between the governments of Vanuatu, Australia and New Zealand which was signed in December 2009.

The Government of New Zealand has delegated funding to AusAID to enable a single contract to be signed between the Government of Australia and the managing contractor, Land equity International (Contract 56636). The contract was signed on 23 December 2010 and the Program Director mobilised to Vanuatu on 16th January 2011.

2. PROGRAM DESCRIPTION

2.1 The Program Goal and Purpose

The Goal of the Mama Graon – Vanuatu Land Program is:

All Vanuatu people prosper from the equitable and sustainable development of their land, while ensuring stability and securing the heritage for future generations.

The purpose of the Mama Graon – Vanuatu Land Program is;

to improve decision making, make it more transparent, and improve land management procedures and practices, and in doing so minimise the potential for conflict. This will primarily be achieved by undertaking capacity development of:

- (a) *Vanuatu Land Governance Committee;*
- (b) *Land Sector Coordination Unit;*
- (c) *Malvatumauri National Council of Chiefs;*
- (d) *Customary land Unit; and*
- (e) *Land Registry and Information Services.*

Through the capacity development of the above organisations and agencies the key objectives of the Program are to;

- (i) improve the effectiveness of land administration and utilisation,
- (ii) improve the effectiveness and transparency of decision making; and
- (iii) raise the awareness of the rights of key stakeholders.

2.2 Program Context

In the Vanuatu Government's Priorities and Action Agenda (2006-2015) land is not recognised as one of the national strategic policies; however the importance of facilitating long term secure access to land for development is recognised as one of the policy objectives for private sector development in Vanuatu.

The government strategic document Planning Long, Acting Short (2009-2012) document has as a priority focus "equitable and sustainable development of land while ensuring the heritage of future generations". The identified strategies include focusing on the National Land Summit resolutions, strengthening land laws and also strengthening the Ministry of Lands and natural Resources. Focusing on and progressing the National Land Summit resolutions ensures that the Program supports initiatives aimed at progressing the government's priorities.

One modality adopted for the delivery of Program support has been emphasis on a "user driven approach" with the Program partners driving the activity agenda as well as the implementation of activities. This approach remains problematic with weak leadership at the senior levels especially in the Department of Lands and limited support through the Land Sector Coordination Unit. Some sections of the program have adapted well to this modality but limited upper level management support has hindered progress to some degree especially where activities require linkages to other activities. Other Program partners have faced difficulties with the user driven approach and there has been an expectation that the Program Management Office will undertake implementation activities. This has come about due to incorrect and false information being communicated. It has taken some time for the expectations

to be clarified but it is believed that there is now a better understanding of the requirements of each Program partner in relation to the implementation of activities. The activities leading up to the preparation of the 2013 Annual Plan including a 3 day Management Training course has provided the opportunity for clarification of issues and to improve communication. Efforts to support new management initiatives and training, through capacity building, have been well received by staff but there has generally been an adverse reaction or lack of support to these initiatives by management.

The modality for providing support to Program partners has until now focused on technical assistance and contract staff. It is up to the Program partners to provide justification for the need to recruit technical assistance to support specific Program activities. Alternatives to technical assistance are continually being assessed however in the very technically related fields it is difficult to utilise alternate approaches. The Department of Lands faces unique challenges in that in some sections there are not the staff with the necessary skills, or insufficient staff with skills, to successfully manage and implement the mandate of the sections.

Effectiveness and transparency of decision making: The focus has been on ensuring that the committee structures supporting the Program are operating effectively and providing support and leadership to the Program. The Vanuatu Land Program Management Committee is undertaking its role effectively and is operating under a governance structure with a Code of Conduct. The TA holds regular workshops and technical sessions with partners and stakeholders to discuss activities and progress towards outcomes. The VLGC remains problematic and a restructure of its membership is required urgently if it is to be able to undertake its main mandate of guiding land policy in Vanuatu.

Capacity Building: The Program has an emphasis on building capacity within the Program partners so as to ensure there is ongoing implementation and management of Program activities. In some areas of the program capacity building has been difficult due to limited engagement although all efforts are made to ensure that all program partners are included in capacity building initiatives. In those areas where there is good engagement capacity building has progressed satisfactorily mainly through targeted training activities and workshops. In several areas of the Program the capacity building has extended to the private sector and customary chiefs (survey, valuation and CLTU).

The Program has supported a total of 57 workshops and training courses with 46 activities being supported during 2012. This support has also included the funding of the VKS male and female Field Worker Workshops. An analysis of participant feedback on course has been very positive. In several cases training was extended at the request of participants to enable a wider and deeper coverage of topic.

2.3 Program Relevance and Implementation

Between September and December 2012 there was a Joint Review of the Program undertaken. This review, *inter alia*, looked at the overall relevance of the program. The following is an extract from the Executive Summary.

Land has not been identified as a key development sector in strategic planning documents, suggesting that it is not a high priority for the Government of Vanuatu (GoV) or the Development Partners. However, the land issues and priorities that were identified at the 2006 National Land Summit, shaped the 2009 Vanuatu Land Sector Framework (VLSF) and informed the MGP design remain. Work is underway at present to raise the status of land in relevant plans. The goal and purpose of the MGP remain relevant but there are concerns about the design. The expectations of the MGP are unrealistic and the program would benefit from a focus on a smaller number of priority areas.¹

It is not the intention of this report to address the detail in the Joint Review report but it is recommended that readers refer to the report for additional information in relation to the Program, its relevance, implementation and issues.

The Program continues to focus on ensuring that activities are relevant and that they are moving forward in addressing the 2006 National Land Summit resolutions as well as supporting the Land Sector Framework (LSF). Land continues to be a key development issue for Vanuatu and as such there are numerous challenges being faced as the program supports the Program partners in implementing key activities. End-of-program outcomes which have been workshopped with Program partners are also a focus for ensuring Program relevance and managing Program activities.

In August 2012 the Program undertook an audit of activities that are being undertaken through the Program in support of the Land Sector Framework. This audit highlighted that the Program is supporting numerous strategies under many of the LSF themes and that there is a high relevance of Program activities in supporting the LSF. The Program is making good progress in supporting: Theme 1, Enhancing the governance of land; Theme 2, Engaging Customary Groups; and Theme 3, Improving the delivery of land services. Activities have commenced in supporting; Theme 4, Creating a productive and sustainable sector and Theme 5, Ensuring access and tenure security for all groups.

There was a realisation early on in the Program that the activities under Objective A1 were very broad and not clearly defined. The Customary Land Workshop convened by the Malvatumauri National Council of Chiefs in September 2011 was seen as the opportunity to provide a clear direction on priority issues as seen by the custom owners. The 19 Resolutions adopted by the workshop have now been adopted by the Malvatumauri National Council of Chiefs (MNCC) as their “road map” and the priority resolutions are being used to drive Program support for Objective A1. The adoption of these resolutions highlights the relevance of the support being provided by the Program towards customary land activities.

The country driven or user driven approach remains problematic at this stage of the Program, given the weak management ownership and commitment to the Program. The Program is seen by many as being driven by the Program Management Office,

¹ Joint Review Report Mama Graon – Vanuatu Land Program, Final Draft, 19 December 2012

but with the very weak management support from the MoL and DoL, without this intervention there would have been minimal progress in some areas. Significant capacity building is required especially in relation to management principles and human resource management.

2.4 End-of-Program Outcomes

The Program design documents provided high level end-of –program outcomes but did not define the expected end-of-program outcomes in relation to each of the sub-component activities of the Program. During the preparation of the M&E Framework a workshop was held in November 2012 specifically to discuss end-of-program outcomes and to work with program partners to determine their expectations in relation to where activities will be by the end of the program in 2015.

Although the end-of-program outcomes have general agreement still further work is required with each of the program partners to better define several of the end-of-program outcomes. For example the following end-of-program outcome for the Malvatumauri – “The defined priority resolutions from the 19 resolutions adopted by the MNCC at their annual meeting of April 2012 are being implemented” is too broad and needs to be further refined to provide an achievable outcome.

The following table summarises the agreed of end-of-program outcomes as agree by the Program partners and provides an indication of progress by Program partners towards achieving the end-of-program outcomes.

End of Program Outcomes Matrix

Components	Expected outcomes	Progress as % of Achieving Outcome
A1. Informed collective decisions by customary landholders	<ul style="list-style-type: none"> Processes are available to communities to have their custom boundaries mapped, their chiefly structures identified; in 2015 at least 3 pilots will have been run; The defined priority resolutions from the 19 resolutions adopted by the MNCC at their annual meeting of April 2012 are being implemented; A process to protect customary land rights is designed 	<p>Not Started</p> <p>5%</p> <p>Not started</p>
A2. Participatory land governance	<ul style="list-style-type: none"> Functioning participatory mechanisms (sustainable, gender inclusive) in place for the governance of land at sub-national levels; Custom owner groups are better informed on land lease issues, and participate more effectively in formal land dealings. 	<p>Not started</p> <p>5%</p>
A3. Registry	<ul style="list-style-type: none"> The land registration process meets the needs of 95% of clients; All applications are registered in the same order as lodgements, and within 20 working days; All land registry records are accessible through the e-Registry. 	<p>50%</p> <p>25%</p> <p>25%</p>
A3. Lease planning	<ul style="list-style-type: none"> The COIF process is transparent and involves all stakeholders (MNCC custom land officers assist DOL in identifying chiefs); All leases are drafted by registered (members of a professional association) professionals following strict guidelines; Documentation in Bislama is accessible to all. 	<p>5%</p> <p>5%</p> <p>Not started</p>

A3. Lease enforcement	<ul style="list-style-type: none"> 95% of all Land rents are collected annually. 	10%
B1. Customary Land Tribunals	<ul style="list-style-type: none"> As a result of training, the appeals to decisions by CLTs are reduced; CLTU have proper management, administrative procedures, equipment and a computerized database; Reviewed CLTU Act 	10% Not started 15%
B2. IT systems	<ul style="list-style-type: none"> VANLAS (Vanuatu Land Administration System) is functioning and servicing the needs of the staff of DOL, and of the land professionals. 	Not started
B2. Survey	<ul style="list-style-type: none"> Survey directions are designed, distributed and complied with by registered surveyors; DOL offers immediate and efficient services to surveyors. 	50% 25%
B2. Valuation	<ul style="list-style-type: none"> An updated Valuation Role provides meaningful valuations for land rates, and fair values for land dealings Valuation standards are designed, training is provided, and registered valuers comply with the standards. 	25% 75%

The level of effort required to achieve the end-of-program outcomes will be variable based on the current capacity of each of the Program partners to implement their activities. The Malvatumauri has a very ambitious program and has also set themselves ambitious end-of-program outcomes given the current human resource capacity and limited experience in project implementation. The achievement of their end-of-program outcomes will require significant technical input, and human resource support.

In relation to the Department of Lands the end-of-program outcomes are overall achievable but very much subject to good management and a commitment by all sections within the department to the Program. The Survey and Valuation sections will achieve their end-of-program outcomes with the current level of ongoing budgetary support, access to contract staff as required and support for technical assistance when requested.

The Leasing, Enforcement and Planning Section is problematic at this point in time to achieving the end-of-program outcomes due to a number of factors including the lack of engagement by the staff with the Program and limited human resources. The section is also impacted significantly by the poor status of the records in the Land Registry Office. The 2013 Annual Plan has sufficient budget and human resource allocation to progress activities and with good management and commitment the end-of-program outcomes are achievable.

The Land Registration Office end-of-program outcomes are realistic and achievable, however unless there is a change in management approach by the PRO to the operations of the land registration activities, and an acceptance that drastic procedural changes are required, it is possible that the end-of-program outcomes will not be achieved. The Land Registry Office has sufficient resources and budget available to adequately address the improvements required.

The IT activities in the Department of Lands remain very problematic and as a result the end-of program outcome of a fully function VANLAS system is currently in doubt. The major problem facing systems development is the lack of IT human resources

and as a result there is currently no opportunity for the Program to support capacity building in the IT area.

3. IMPLEMENTATION OF THE ANNUAL PLAN

The Annual Plan covers the period from 1 November 2011 through to 31 December 2012. The following describes the progress of key outputs against the Annual Plan and towards achieving the end-of-program outcomes. Where relevant statistical information is provided and lessons learnt have been highlighted.

3.1 Malvatumauri and Customary Land Tribunal Unit

In 2011 an organisational strategic review was undertaken within the Malvatumauri National Council of Chiefs and the Customary Land Tribunal Unit. The review highlighted the very low capacity within both institutions at all levels, and the lack of commitment and support from the Government. Given the low capacity both within the MNCC and CLTU, the review recommended amongst many options the need to assess the possibility of amalgamation.

The proposed amalgamation of MNCC and CLTU had been discussed at the first-ever strategic review workshop organized by both institutions and endorsed the proposal and ground work is currently underway. The Malvatumauri and the CLTU have prepared a 5 year strategic plan and a 1 year operational workplan. The amalgamation proposal will be presented to the National Council of Chiefs meeting tentatively planned for March 2013 for consideration and final decision. The proposal for amalgamation comes with the revised structures and budgetary requirements.

The proposed amalgamation of the MNCC and the CLTU will fit in well with the National Kastom Land Officer within MNCC as well as the 6 Provincial Customary Lands Officers. The additional seven positions will greatly enhance the capacity and coverage of service delivery at provincial area and village levels.

Lessons learnt: Both the MNCC and the CLTU have never had a proper strategic institutional review in the past to highlight the weaknesses and the possible solutions to address the weaknesses. Similarly the genuine interests and commitment in both institutions have been lacking in the past due lack of clear direction and political leadership.

The promotion of custom governance system and its mandate within the areas of land management and development as an equal partner to the formal sector is critical to gauge political and administrative commitment and support.

3.1.1 Malvatumauri

The customary component of the Program design is very broad making it difficult to identify the areas of interventions. Therefore in 2011, the MNCC organized customary workshop with representations of chiefs, women and youth of the main islands of Vanuatu. Out of the workshop came 19 resolutions which were endorsed by the Council as their strategic roadmap for the next 3 to 5 years.

Given that the strategic roadmap of the 19 resolutions was adopted at the national level, the MNCC started public consultations with the ultimate objective of ensuring ownership and commitment from the chiefs and their people on the ground. Out of

the six provinces, the consultation team completed 5 provinces – Tafea, Malampa, Sanma, Penama and Shefa. Over 600 key community leaders have been consulted to date. It is planned to complete consultations in the last province Torba by the end of February 2013. All provincial consultations have been led by the President of the MNCC.

From the 19 resolutions, the provincial consultation provided an opportunity for the leaders of the main islands to identify key priority resolutions and formulate implementation work plans. All the main islands of the 4 provinces have identified four priority resolutions namely; identify customary boundaries, identify custom authorities and restore them to their rightful places, clarify chiefly titles, and documenting custom rules and law.

Concept notes for the implementation of the 19 resolutions have been developed and two areas have been identified and approved by the MNCC secretariat as pilot sites. The pilot will focus on the priority resolutions with the objectives to test the approaches and document the processes to be used in other custom areas.

Issues: The implementation of the MNCC roadmap or the 19 resolutions is beyond the financial capacity of the Mama Graon - Vanuatu Land Program and the human resource capacity of the Malvatumauri to pick up in full. In addition to lack of resources to fully implement the 19 resolutions, there is also no procedural guides or documentation that could assist other programs or custom groups who may wish to implement any of the resolutions in their respective areas.

Lesson learnt: The ownership of the 19 resolutions or the MNCC roadmap remains with the Chiefs and their people. Acknowledging that customary issues are diverse, sensitive and complicated in Vanuatu, more time and resources must be made available if long lasting results or outcomes are the ultimate objectives. Therefore long-term commitment and support from the Government and the development partners are necessary.

The program needs to focus on very specific resolutions that are land focused and also within the capacity of the Malvatumauri to implement. Based on experience from other land administration projects there is also a need to undertake extensive localized piloting of activities prior to any attempt to roll them out to other selected areas of the country.

End-of-Program Outcomes: The Malvatumauri has a very ambitious program and has also set themselves ambitious end-of-program outcomes given the current human resource capacity and limited experience in project implementation. It is important that, through the Program one strategic resolution is supported, until such time as the Malvatumauri is able to demonstrate an ability to undertake additional activities. The achievement of their end-of-program outcomes will require significant technical input, and human resource support.

3.1.2 Customary Land Tribunal Unit

On the legislative front, there are two activities being implemented by the Customary Land Tribunal Unit and MNCC concurrently. One is the legislative review and the other is the capacity building and training on the existing legislation.

In terms of legislative review a discussion paper was presented to the Malvatumauri National Council of Chiefs at the ordinary annual meeting earlier this year. The Council has accepted the proposed areas of changes in principle and directed the consultant and the Ministry of Justice to proceed with the drafting instructions. As part of the agreement the Council requested the technical team to present the draft bill to them at the next meeting either in 2012 or 2013, but in the meantime public consultations will need to proceed throughout the provinces. The public consultations are currently planned for early 2013.

On the other hand, the Customary Land Tribunal Unit and MNCC with the assistance of a Training Adviser, supported by the Program, have commenced CLT Act training based on the newly developed trialed training modules. As part of the validation process of the training modules, training programs were trialed on the island of Efate and the off-shore islands – Epau, Nguna and Eratap. These were the first well-structured training programs since the enactment of the Customary Land Tribunal Act in 2001.

So far 85 Customary Land Tribunal Adjudicators have been trained in the 3 training programs. Of the 85 trained adjudicators, 2 are females and 83 are males. This is clearly an indication of the perception that only males can be involved in the Customary Land Tribunals. It is hoped that slowly women will actively participate in the Customary land Tribunals firstly as secretaries and then as adjudicators. The piloting of training for secretaries has also been undertaken with a course at Eratap for 17 participants.

A training program has been provided to the 6 Provincial Custom Land Officers. This training has extended over a period of 11 weeks and included training in management, finance, government procedures, computer usage and operations of the Malvatumauri, CLTU and DoL.

Issues: Enacting laws through Parliament without the adequate capacity and resources to fully implement the legislation always result in problematic situations. Implementation of the Customary Land Tribunal Act is no exception. Therefore a lot of people around the country have yet to accept the Customary Land Tribunal processes and outcomes, and in some cases view the Tribunals as a foreign concept or ideology.

However with the training, understanding of the law and its processes have been enhanced and also the acceptance of the Customary Land Tribunal concept as truly custom or locally grown.

Quality of Outputs: The quality of training being developed for the CLT Act is of a very acceptable standard. An analysis of the feedback from the training indicates that the training has been well received by the chiefs, who have been the main focus of the initial training.

Lessons learnt: Enacting laws without the necessary implementing capacity, resources and support will always form the basis of a disastrous recipe and non-acceptance by the members of the community especially when it clashes with custom beliefs, values or principles.

End-of-Program Outcomes: It is expected that chiefs and senior village officials will have received training on the CLT Act in all areas where tribunals have been established and that there will have been extensive education in relation to mediation and dispute resolution. In 2013 there will be a rollout of training activities in all provinces. The more active involvement of women in the tribunal process will be encouraged and supported.

3.2 Protection of Customary Rights to Land

The proposal by the Mangaliliu and Lelepa custom owners to protect their customary land and especially that covering the World Heritage site by way of creating a lease over their land has raised a number of issues in relation to the protection of customary land rights. The fact that the custom land owners have to resort to having a lease created over their own land means that they are required to pay high costs for survey, pay significant government fees and also pay ongoing land rent. These people have indicated that they are unable to raise the funds necessary to have a lease created. In the meantime it has been reported in the press that some of their land has been leased to a third party as a result of the Minister of Lands using his legislative powers.

Lessons Learnt: There is the need for the program to look at alternatives to leasing that are low cost and relatively simple to implement such that custom owners wishing to protect their custom land have a mechanism available to achieve this. The Program has been proactive in looking at this issue and has had a meeting with the chiefs of Mangaliliu and Lelepa to discuss their land issues and to look at options that could be pursued. It is planned for the Program to develop an approach to support the recognition of customary land ownership which will then be discussed in detail with stakeholders.

3.3 Land Administration Activities

3.3.1 Land Registration

Support has been provided to the Land Registry Office since the early days of the Program. A number of challenges faced the Land Registry Office, but the most significant was the large backlog of unregistered applications. It was clear that outdated manual registration procedures as well as the introduction of computerised procedures through eRegistry were impacting significantly on the operations of the registry. The Principal Registration Officer made a decision to resort to manual registration where possible until all of the procedures could be sorted out and the backlog removed. The estimated backlog in March 2011 was around 3,200 but this has progressively been upgraded to where it is believed that the backlog was in fact more than 6,000 unregistered applications. Nine contract staff have been funded through the Program to assist with the reduction in the backlog and it is believed that the backlog is now down to around 1,000 unregistered applications, although poor records management makes it difficult to clarify this figure.

New manual registration procedures have been implemented and these are documented in detail in the Land Registry Office Manual of Practice which is being updated as procedures are reviewed and refined. The preparation of the manual

was used to provide much needed training to the registration staff, especially in relation to the basic principles of land registration.

The Principal Registration Office informed the clients of the Land Registry in March 2012 that all new applications would be registered within 20 working days which is a significant reduction based on previous procedures. An M&E system has now been developed that enable the PRO to monitor the progress of all applications lodged since 1 January 2012. It is now possible for the PRO to assess backlog statistics, review applications greater than 20 days that remain unregistered as well monitor the overall work load of the Land Registry.

Quality of Outputs: The quality of outputs from the Land Registry Office are generally of a high standard. However the quality of record keeping and file management are poor, impacting on the general operations and service delivery of the land registration system. The management and operation of the land registry currently rates very poorly and it would still be classified as a dysfunctional land registration system.

Land Registry Issues: Although the backlog has been reduced it still remains an impediment to the overall improvement of the operations of the Land Registry. This is especially the case in relation to records management as staff find it difficult to manage the filing issues associated with the unregistered applications even though file management training has been provided. This has been compounded by the mixture of manual and computerised procedures. Plans are in hand to commence the scanning of all un-scanned applications; however this has been placed on hold until such time as the filing issues can be addressed.

The implementation of changes in procedures has been difficult, to a large extent as a result of lack of understanding of registration practices and the reluctance by the PRO to implement any changes. Staff training has been provided which has gone some way in assisting the implementation of change but there still remain a number of challenges ahead.

The statistics available for the whole of 2012 highlight major issues in the Land Registry Office with in excess of 700 applications lodged during 2012 yet to be registered. Unless there is a preparedness by the PRO to accept more radical changes in procedures and implement good management practices in the Land Registration Office it is clear that the land registration system will continue to be unable to meet the expectations of clients and totally unacceptable backlogs will continue.

End-of-Program Outcome: By the end of 2013 it is expected that the backlog will be removed, manual registration procedures fully implemented and that at least 50% of all documents will have been scanned. However these outcomes as well as the end-of-program outcomes remain problematic unless there is a significant change in approach in relation to the management and operations of the Land Registry Office. The progress in supporting the development of eRegistry remains unclear given the limited IT capacity in DoL.

3.3.2 Surveying and Mapping

Digital Cadastral Database: The existing Digital Cadastral Database (DCDB) was perceived as a critical spatial dataset required for the day-to-day activities and service delivery of the DoL, hence, it was considered an important task to bring it up-to-date by increasing the accuracy of both the spatial and attribute data.

Two contract staff were recruited to; (i) scan all survey coordinate sheets which are produced each time a new survey is submitted, and (ii) undertake data entry, viewing the scans and entering this data directly into the eSurvey database. In excess of 14,000 coordinate sheet files have been scanned and there has been data entry for 12,500 covering Port Vila, Luganville and part of Efate has been completed.

GIS User Group: The GIS Users Group has been revived and has held 4 (bi-monthly) meetings over the past 12 months, each meeting being sponsored by the Project. Membership now exceeds 60 registered GIS users throughout the government, NGOs and private sector. The iGov initiative now considers the GIS Users Group as a Technical Working Group on spatial matters within Vanuatu. The chairman of the GIS Users Group was recently appointed chairman of an iGov Technical working group convened to decide on a standard database platform to be used within the government.

Mapping Section and Sustainability: In order to replace unlicensed and high cost copies of other mapping software DoL has made a decision to standardize on the low cost Manifold GIS software for mapping and GIS activities. This reduces the use of illegal software in the department and removes the need for potentially thousands of dollars in ongoing annual maintenance costs. This software is also being made available to key members of the GIS User Group to encourage its use in Vanuatu and the Program has provided Manifold training for members as well as providing a self-help training package.

The Cadastral Index Maps (CIMs) and the 1:100,000 Provincial Map Series have been produced using existing datasets. The provincial map series has proven to be a popular map set with draft copies already being supplied to NDMO, DoPW, Health and Education for feedback and preliminary planning purposes.

Cadastral Survey and Geodetic Network: The practice of surveying in Vanuatu is primarily focussed on the subdivision of land for leasehold purposes and the role of the surveying sector is governed by the Land Surveyors Act and the Surveyors Regulations. Apart from some nominal changes to reflect the restructure of the Department of Lands, Lands Survey and Land Records the Surveyors Act has not been amended since inception in 1984. Activities proposed by the Surveyor General are to shift the Act from its narrow focus of governing the qualifications and behaviour of surveyors to an expanded view over the governance of the practice of cadastral surveying in Vanuatu. The aim will be to; (i) strengthening the capacity of the surveying sector; (ii) build a modern cadastral survey and mapping system; and (iii) improving the linkages between subdivision of land and physical planning.

To progress the aims of the Surveyor General a review has been undertaken of the geodetic survey network which recommends some strategic activities that need to be undertaken to strengthen the network and to enable it to support future development and environmental monitoring.

Survey Directions have also been prepared, following extensive consultations with the surveying profession. These Survey Directions will provide direction to all cadastral surveyors undertaking cadastral surveys in Vanuatu, ensure consistence in methodology and outputs and provide the Surveyor General with efficient processes to maintain the DCDB.

Quality of Outputs: The quality of outputs from the Survey Section are generally of a high quality and reflects the higher level of education of key people within the section. The products provided to clients meet a standard commensurate with what would be found in most survey offices in the develop countries.

Surveying and Mapping Issues: The GIS and mapping activities under the management of the Surveyor General are very reliant upon IT support. The limited IT support within DoL, as highlighted in other parts of this report, is a major sustainability issue.

End-of-Program Outcomes: By the end of 2013 it is expected that Survey Directions will be fully implemented and enforced by the Surveyor General, the DCDB data will be up-to-date and a data maintenance program in place and the GIS User Group will be fully functioning and supporting iGov. The Survey Section will achieve its end-of-program outcomes with the current level of ongoing budgetary support, access to contract staff as required and support for technical assistance when requested.

3.3.3 Valuation

Valuation Roll: The DoL has failed to provide a Valuation Roll, as is mandated, to the Municipality of Port Vila and the Municipality has poor records on titled parcels in Port Vila and requires up-to-date information to assist in its task of raising revenue from rateable property.

Four contract staff have been employed to undertake the task of a systematic collection of property data for Port Vila Municipality. The goal is to inspect all titled parcels in Port Vila and to record vital information on both the land and the main building(s). Use has been made of modern computer tablet technology (Motorola Zoom Tablets) for the collection of field data, recording photos and use of GPS positioning technology. The field data collection activities have been completed and data collected on 4,141 residential and commercial properties in Port Vila. The Valuation Section has undertaken an assessment of the 2012 valuation activities and highlighted issues and lessons learnt. The main issues relate to the adaption to the use of new technology and the limited IT support available to develop the valuation database.

Under the direction of the Valuer General, draft Valuation Standards have been prepared. Following review, the Valuer General will implement the Valuation Standards to control the operations of the valuation profession in Vanuatu and as a means to ensure consistent valuation outputs by valuers.

Valuation Zone Maps: During 2011 a pilot Valuation Zone System was completed and it was confirmed that the Valuation Zone System was to be accepted as the basis for land rent assessments in the future. Progress towards completion of the Valuation Zone Map and preparing table rates for all titled parcels in the Port Vila

Municipality has been one of the priority valuation activities. Maps have now been completed for Port Vila and are in the process of being digitized.

Quality of Outputs: The quality of outputs in the Valuation Section are of an acceptable standard, although some past incidences would highlight the failure to follow accepted valuation practices.

Valuation Issues: The banking sector has indicator that they rely on property valuations for assessing mortgages however the quality of valuers in Vanuatu means that most bank valuations are undertaken by a select one or two valuers. The Valuer General has identified the need to raise the standard of professional valuers through the provision of intensive training programs.

End-of-Program Outcomes: By the end of 2013 the Valuation Section plans to have a fully update Valuation Roll and Valuation Zone Maps for Port Vila and Luganville. Given that a draft of the Valuation Standards has already been completed for the Valuer general it is also anticipated that the Valuation Standards will also be implemented by the end of 2013.

3.3.4 Lease Execution, Enforcement and Planning

In relation to lease execution, enforcement and planning a number of strategic reviews have been completed that provide direction for the future focus of attention that will enable priority issues to be addressed. Reviews looked at; Negotiator Certificates and Custom Owner Identification Forms (COIF); land rent collection and enforcement; lease auditing; and lease conditions. A large number of recommendations evolved from these reviews and DoL have prioritised these for future action. In the 2006 National Land Summit resolutions a specific focus was placed on looking at ways in which the procedures for the COIF can be tightened and made more transparent. The recommendations from the reviews will assist DoL in implementing the much needed changes.

Quality of Outputs: The quality of outputs from the Leasing, Enforcement and Planning Section generally require attention. Limited human resources as well as lack of regulatory support and procedures mean that it is difficult to maintain quality. Ministerial influence also has a significant impact on quality of outputs in that established procedures are invariably circumvented.

Lease Execution Issues: Limited staffing imposes major limitations on the operations of these units as does poor procedures and operational systems. DoL has identified the need for an urgent review of lease conditions to bring them in line with the current legislation. Lease auditing which was undertaken in 2009 has yet to be assessed and action taken on the recommendations. Rent collection also remains a major issue for DoL and an activity has been proposed for 2013 to enable rent collection to be improved and data updated. It is clear that without a significant amount of support DoL will find it difficult to address the priority issues.

End-of-Program Outcomes: The Leasing, Enforcement and Planning Section is problematic at this point in time to achieving the end-of-program outcomes due to a number of factors including, limited management capacity, the lack of engagement by the staff with the Program and limited human resources. The 2013 Annual Plan

has sufficient budget and human resource allocation to progress activities and with good management and commitment the end-of-program outcomes are achievable.

3.4 Urban Planning

The review of the foreshore development process identifies the key challenges facing foreshore development in Vanuatu. It summarises the challenges under three main headings of Legislation, Processes and Standards, and identifies ways forward to deal with these.

The process of identifying the challenges and solutions has taken into account the needs of key stakeholders. Apart for the Hon. Minister of Internal Affairs, key stakeholders include those agencies directly involved with coastal development including Local Authorities. Key stakeholders were interviewed and also attended a specialist workshop to confirm and agree on common challenges in coastal development and to identify and agree on priorities for improving practice under the Foreshore Development Act and other legislation affecting coastal development. Site visits served to identify further issues and illustrate the challenges under the current act in the face of increasing development pressures.

Issues: The most significant issue facing the progression of the recommendations from the review and also facing the Department of Local Authorities is the limited human resource capacity. Further development of this activity plus other activities proposed for 2013 will be extremely challenging.

3.5 Communication and Education

A Communication Working Group has been formed with representative from Program partners. This group has endorsed a Communication Strategy which is used to guide C&E activities for the year.

The Program has supported the Program partners with a series of talkback radio shows and TV articles. Participation in the talkback shows would tend to indicate a lot of interest in the topics. Unfortunately due to internal criticism from a section with DoL these activities were put on hold for several months. IEC material has been prepared for the Malvatumauri and the CLTU and information material is being prepared for DoL covering leasing and registration procedures.

A summary of the key activities supported through the C&E activities is provided in Attachment 3.

C&E Issues: There is limited support from some Program partners in developing C&E initiatives and supporting radio and TV activities. The Program has focused activities in those areas where there is support and cooperation. The quality of support from VBTC has also been discouraging and made the use of radio and TV difficult.

3.6 Program Reports

Program activities have been recorded in reports that have been produced as part of adviser or management outputs. These are listed in Attachment 2.

4. PROGRAM MANAGEMENT

The overall management of the Program is under the Vanuatu Land Program Management Committee (PMC). This committee has met on a regular basis and has been instrumental in moving the Program activities forward as well as addressing strategic issues. There were 7 PMC meetings in the year with 2 meetings associated with the Joint Review.

The Program continues to focus on engaging with the Director General of Lands but ministerial and government commitments makes it difficult for the DG to provide the necessary support for the Program. It has also been difficult for the Program to engage with the Acting Director of Lands who appears to have numerous external commitments and who has provided limited support to the Program. The limited management direction from DoL has made it difficult for DoL to demonstrate clear and strong ownership and commitment to the Program and for many of the issues and misconceptions facing the Program to be addressed. More frequent meetings with the Acting Director and opportunities to participate in Section Head meetings have assisted in improving the understanding of Program activities as well as issues.

Program Management Office: The Program Management Office is responsible for overseeing the successful implementation of approved Program activities as detailed in the Annual Plan.

Land Sector Coordination Unit: The relationship between the Program and the Land Sector Coordination Unit has been problematic. The inability to staff the LSCU due to the lack of support and approach adopted by the MoL has not assisted. A proposal by the MoL to gain Public Service Commission approval for a position in the LSCU (National Governance Facilitator) was unsuccessful. It is proposed that the Program proceed with filling this position as a non-public service position for the time being.

Review Team: On 17th September a Joint Review Team commenced a review of Program activities. The review team has prepared a Joint Review Report which is now being considered by the government and donors.

Risk Management: The Program has a Risk Management Plan and this plan is referred to an updated as required. The current Risk Management Plan has been simplified to enable a focus on the key risks

M&E and Gender: The Program has struggled to gain a strong Program partner commitment to a number of the cross cutting issues. It has been difficult to convene workshops and there has been limited ownership of these activities by the program partners. A draft M&E Plan and draft Gender Strategy and Workplan have been prepared but these still need to be workshopped and accepted by Program partners.

5. FINANCIAL MANAGEMENT

The budget for the period from 1 November 2011 through to 31 December 2012 was prepared during the preparation of the Annual Plan for the same period. The budget was based on activities that were proposed by all of the Program partners and the estimated cash flow was based on the suggested work plans.

The following table summarises the budget against the actual expenditure for the Annual Plan period from 1 November 2011 through to 31 December 2012.

Expenditure Item	Estimated Budget from 1 November 2011 through to 31 December 2012	Expenditure through to 31 December 2012	Percentage of Estimated Budget Utilised
Adviser and Contract Staff costs	VUV 250.7 million A\$2.299 million (amended)	VUV 136.5 million A\$ 1.432 million	62%
Procurement, meetings, training etc.	VUV 94.0 million A\$1.011 million	VUV 39.6 million A\$416,715	41%
Imprest Account	VUV 14.7 million A\$0.158 million	VUV 7.447 million A\$ 78,394	49%
Totals	VUV 359.4 million A\$ 3.865 million	VUV 183.5 million A\$ 1.926million	50%

The above table highlights that the overall expenditure for the reporting period was 50% of the budgeted amount. There were a number of delays in the commencement of approved activities including the recruitment of the 6 Provincial Custom Land Officers which resulted in under expenditure of procurement (vehicles and mobilisation costs) which would have increased the procurement expenditure by a further 18%.

The following comments are made in relation to budget expenditure against the Annual Plan.

Staffing:

- Provincial Custom Land Officers not mobilizing as planned.
- International advisers from the Core Team and short term advisers not mobilised as planned due to slowness in activities and partners not requesting adviser support.

Procurement:

- Vehicle procurement delayed due to delays in mobilising Provincial Custom Land Officers and no request from DoL.
- IT initiatives not progressing as planned especially in relation to the support for eRegistry due to lack of IT capacity in DoL.
- Significantly less expenditure on workshops than was planned.

Imprest Account:

The Imprest Account was established in September and funds transferred to support the VKS Field Workers workshops and C&E activities.

The following assessment is made of the overall budget position.

The expenditure against advisers and contract staff is underspent upon what would be expected at this stage of implementation. This is especially the case for Short Term – Part B (NZ Government) and reflects the overlap between the two designs where there was a duplication of adviser inputs. Allowing for the proposed human resource inputs during 2013 there will be a significant under-expenditure of Short Term – Part B.

Procurement is also underspent based on what would be expected at this stage of implementation however the Annual Plan for 2013 highlights that there will be a significant increase in procurement expenditure as a number of activities will commence implementation in the provinces with the mobilisation of the Provincial Custom Land Officers. Based on the Annual Plan it is estimated that Procurement – Part B will be overspent with the inclusion of support for valuation and geodetic survey activities.

6. A SUMMARY OF KEY ISSUES AND LESSONS LEARNED

6.1 Powers of the Minister of Lands

The powers of the Minister of Lands under the Land Reform Act continue to be a major issue in implementing sound and transparent procedures in land administration. It is clear that the powers are being abused and this is leading to issues of corrupt practices which are now being regularly reported in the media. The Program is regularly being accused of failing to address this matter however other than to propose legislative amendments and changes in procedures it is outside the mandate of the Program to intervene.

Lesson Learnt: This issue is difficult to address without a strong government and strong public service management.

6.2 Limited Capacity and Resources

Limited human resource capacity continues to be an inhibiting factor in implementing Program activities. The Malvatumauri/CLTU are progressively addressing this issue and have a 5 year plan and an annual plan that is guiding the proposed establishment of a new department and the human resource requirements for the new agency. The recruitment of the 6 Provincial Customary Land Officers will assist in addressing some of the capacity issues.

In DoL human resource capacity remains a major issue in a number of areas and has been difficult to address due to failure by the Acting Director of Lands to support the Program. The IT support remains unsustainable and is having an impact on the development of any computerised applications. There is ongoing pressure from within DoL for the Program to support new IT initiatives, however it is clear that within the current human resource environment any IT initiative would be unsustainable. Leasing, Enforcement and Planning are also impacted by lack of human resources, which impacts on DoL's ability to enforce leases and also to collect the revenue expected by government from land rent.

Lesson Learnt: Program activities must take into consideration the human resource capacity of the partner agencies. The limited human resource capacity of the Malvatumauri/CLTU has seriously impact on the ability of the Program to implement

Program initiatives in the first two years of the Program. In DoL, although there may be overall sufficient staff numbers, the lack of qualifications and expertise of some of the staff makes operational activities difficult.

6.3 Land Registry Office

The commitment for implementing much needed change in the Land Registry Office is currently questionable with the Principal Registration Officer failing to change procedures and to address fundamental and basic problems with the land registration procedures. The change processes required in the land registry are possibly seen as threatening as it is difficult for some staff to see the rationale behind many of the proposed procedural changes even though much time has been spent in explaining the proposed changes. Lack of understanding in relation to the land registration procedures under the Land Leases Act is also a contributing factor.

The confusion is now compounded by the lack of legal certainty in relation to procedural changes made prior to the commencement of the Program. There is now uncertainty as to whether the electronic registration of documents is legal as manual records have not been signed.

Lesson Learnt: Management support for land registration activities is fundamental if a land registration system is to operate effectively. For too long the problems of the land registration system have not been addressed by the DoL management and appropriate resources have not been provided to address backlog issues. Until such time as the backlog is addressed and registration procedures improved the land registration systems in Vanuatu will be unable to meet the needs of its clients. It must also be noted that changes to land registration procedures must take into consideration the legislative requirements as well as the fundamental principle of land registration. Both of these principles have been ignored in the past.

6.4 Vanuatu Cultural Centre

The Program has faced many challenges in trying to engage with the Vanuatu Cultural Centre (VKS). There continues to be no commitment for engagement by VKS in supporting Program activities. The Program has funded the Field Workers Workshop for 2012 but it would appear that the initial indication of commitment by VKS was to ensure there would be access to Program funds for the workshops. VKS did not submit any proposals for funding of activities for inclusion in the 2013 Annual Plan.

Lesson Learnt: There is a need to understand the politics behind some organisations during the design process. It would appear that although there was a VKS representative on the design team there were going to be issues with VKS engaging with the Program due to fundamental differences in relation to the perceived approaches to land issues.

6.5 Adviser Recruitment

The adviser recruitment process was initially very cumbersome and time consuming partly as a result of the difficulties that the Program partners encountered in relation to role in implementing. As the Program has evolved and people have become more

familiar with the process then there have been improvements and reductions in the time taken.

The matter of counterpart involvement in the recruitment process has been highlighted during the year. There have been cases of complaints against advisers, although these have never been made directly to the MC. The advisers concerned were nominated as part of the core team whereas in cases where advisers have been recruited through the recruitment process there have been no complaints.

Lesson Learnt: Recruitment process needs to be implemented taken into account the capacity of the counterparts to implement. A training program early on in the development of the procedure would have assisted.

The recruitment of advisers by counterparts ensures that they have an active participation in the recruitment process and therefore have a vested interest in the decision as they invariable are the ones who will have to work with the adviser.

6.6 Program Management

The Government has struggled to convene a number of VLGC meetings due to the lack of a quorum. A restructuring of the committee membership is needed so as to ensure that membership consists of agencies with a clear interest in the land sector. The agenda of the VLGC also needs to be strategically focused on land policy and strategic support initiatives for the Land Sector Framework. It should be noted however that the issues being faced with the VLGC are not having any significant impact on the Program.

The same issue also extends to Technical Working Groups and Committee structures where committees are failing to operate effectively due principally to the commitments expected from a small number of strategic people. It is important that the supporting committee structures are maintained at a manageable number and that they are relevant.

The Program management issues have been compounded due to a lack of engagement with the Program by the Director General of Lands and the Acting Director of Lands. Issues faced with engagement through the LSCU have also compounded the management issues. The Program has received very limited support from senior management within MoL and DoL during the year.

Lesson Learnt: Unless there is a champion and strong government leadership for the land sector the policy committee will struggle to gain traction. Committees although important can be overused and there may be alternate approaches that could be explored to ensure there is appropriate ownership of activities.

7. CONFLICT MANAGEMENT ISSUES ARISING DURING THE YEAR

7.1 Nagriamel Political Party

The Nagriamel political party lodged an official complaint with the Prime Minister in relation to the Program activities and Land Equity International. At the same time there was also an official complaint lodged by the past President of the MNCC. It eventually became clear that there were other forces in play in relation to lodging of the letters of complaint. This resulted in the past President of the MNCC withdrawing

the letter to which he was a signatory and also lodging an official apology. The apology letter was un-reservedly accepted.

The Program was well supported by its Program partners during this period and through their support in the media and on TV the issue progressively dissipated.

Lesson Learnt: The decision to adopt a “low profile” in relation to awareness raising of Program activities has meant that people have not been well informed of the activities being supported through the Program. Following the criticism of the Program there has been a more proactive approach adopted in relation to awareness raising with the preparation of a Program brochure and a presentation to the Media Association of Vanuatu on the activities of the Program.

7.2 Internal Criticism

There has been internal criticism of the Program and its activities in relation to a number of matters, which included public awareness undertaken in relation to the Strata Title Act. The fact that this criticism came from the LSCU who should be supporting Program initiatives was disturbing. This whole issue was unfortunate given the endorsement from the Acting Director Lands and strong support provided by the staff of DoL in relation to the activities. It was noticeable that the program received no support from DoL or the MoL in relation to the complaint. This criticism had a damaging effect on some Program relationships.

There has also been criticism of Program activities made to AusAID, especially in relation to the adviser support being provided to DoL. Due to the anonymous nature of these criticisms and for information not to be made available, the complaints have been difficult to address. However it has become clear that there are certainly differing views within the Program partners, with some sections of DoL requesting a higher level of TA support. The Program is now requiring documentation of all requests for TA support so that there is documented evidence available.

Lesson Learnt: Engagement with management is critical in ensuring ownership of activities. This is an area where the Program has struggled to gain traction. It is important that an appropriate dispute reporting mechanism is in place so that AusAID is the point of last resort and not where initial complaints are aired.

8. SELF-ASSESSMENT OF IMPLEMENTATION SERVICE PROVIDER PERFORMANCE

The contract between the Australian Government and Land Equity International detail specific milestones that had to be achieved in order for Land Equity to be able to request payment of the management fee. The inputs and milestones that were required to be met by Land Equity International under the terms of the contract are defined in Attachment 1 as well as a summary of the achievement against defined milestones.

The PMC approved Annual Plan has controlled the implementation of activities by the Program Management Office and generally implementation is in line with the approved work plan.

Although engagement with the government and support from the government in broader management activities has been at times difficult the Program

implementation activities have continued. The Program Management Committee has become a strong management structure for the Program. Land Equity International has made a point of ensuring that there has been active engagement of the PMC in supporting and endorsing Program implementation activities.

A number of challenges have been faced during the year which has impacted on the implementation of some of the Program activities identified in the Annual Plan. There has been a general acceptance by the majority of Program partners and sections that the implementation of activities is up to them – “user driven approach”. In these cases there has been a high level of success in implementation. In a minority of cases there have been a reliance on the Program to undertake implementation activities. Due to conflicting messages it has been difficult to instil the concept of “user driven” into some partners. This issue along with a number of misconceptions that have pervaded the Program were addressed during a 3 day Management Training workshop and it is believed that there is now a much clearer understanding of roles and responsibilities of the Program Management Office.

As identified in the April 2012 6 Monthly Report one of the significant issue impacting on the implementation of Program activities was the recruitment process which delayed the commencement of Program activities. In a number of cases it proved to be extremely difficult to recruit an appropriate national adviser and several positions had to be readvertised. During this period all of the proposed positions were filled.

The mobilisation of M&E advisers and Gender advisers has taken much longer than anticipated. This means that the preparation of the M&E framework and the Gender Strategy have been delayed much longer than would have been preferred. The failure to have these documents in place has made it difficult to establish meaningful Program indicators and to progress gender initiatives.

8.1 Systems Control

LEI's management procedures are accredited under ISO 9001:2008 and are audited annually by an external auditor. These systems cover procedures for finance, continual improvement, resource management and operational control.

LEI have sound financial management systems in place which are controlled by in-country as well as Australian based financial procedures. Ongoing auditing and management of financial records are undertaken by the LEI accountant based in Australia. The accounting procedures enable LEI to respond promptly to any requests.

Resource management, which includes the contracting and management of advisers, has been reviewed during the year as a result of issues that have arisen in relation to some advisers. The Adviser Assessment process was not well managed due to a number of reasons which resulted in an adverse reaction from two advisers and a need for all of the assessments to be redone. Lessons have been learnt from these exercises which have been built into future assessments.

There were 2 complaints lodged in relation to advisers and these were addressed. The lack of information provided in relation to the complaints made it difficult for complaints to be addressed with a high level of certainty.

8.2 Assessment of Progress against the 2012 Annual Plan

As detailed previously in the report, there was some solid progress in implementing a number of the activities approved in the annual plan. This is especially the case in areas where there has been a high level of ownership and commitment. Some of the Program partners and section heads within departments failed to progress activities to the level expected partly as a result of failing to take ownership of the activities and in some cases there was a lack of commitment. The Program struggled to get the LSCU to take ownership of the strategic initiatives and this also impacted on progress in some areas especially the cross cutting activities.

The following table provides an assessment of progress against the 2012 Annual Plan that was approved by the Program Management Committee.

Progress of Implementation against the Annual Plan

PART A		
Objective A – 1	Informed Collective Decisions by Customary Landholders	Progress of Implementation
Improved Customary Governance of Land by the Malvatumauri	<ul style="list-style-type: none"> The Malvatumauri will commence a process of registering Area, Sub Area/Ward & Village Councils of Chiefs around the country. The VKS field works will provide support in undertaking this activity. Malvatumauri will undertake an assessment of the 19 resolutions from the Customary Land Workshop and develop a strategy and work plan to address each of the resolutions. 	<p>Progress has been slow – delays in recruitment of the Provincial Customary Land Officers. Not able to engage with VKS Field Workers</p> <p>Strategy and work plan completed. Provincial consultations undertaken in 5 provinces. MNCC adopted the 19 resolutions as their “road map” for moving forward.</p>
Improved stakeholder and public understanding and awareness of customary land practices (including gender and relational land issues)	<ul style="list-style-type: none"> Research activities will be funded. This will require the submission of research proposals, approval by a nominated committee, undertaking research and then putting the research into the public domain for actioning. Support will be provided to the VKS Field Workers for their annual workshop and support activities. Public awareness and gender strategies and frameworks will be developed to support communication and education and gender aimed at improving stakeholder and public awareness of customary land issues. The creation of a GIS database of customary markers and historical sites will be supported along with support for updating the information maintained by VKS. 	<p>No progress as a result of lack of engagement from the VKS.</p> <p>Male and female Field Worker Workshops conducted.</p> <p>Communication and Education Strategy developed. Gender Strategy developed.</p> <p>No progress as a result of lack of engagement from the VKS.</p>
Improve	<ul style="list-style-type: none"> 6 Provincial Custom Land Officers will be 	Provincial Customary Land

decision-making by customary landholders	recruited through the CLTU. They will be provided with extensive training prior to being mobilised to their respective provinces.	Officers recruited and training provided.
Objective A – Participatory Land Governance 2		
Support the effective and participatory sector wide governance of land	<ul style="list-style-type: none"> Support will be provided to the land sector committees. 	Support provided to land sector committees as required. 5 PMC meetings convened during the period.
Establish and/or improve participatory, sustainable mechanisms that will facilitate regional and local governance of land	<ul style="list-style-type: none"> A National Participatory Governance Adviser will be recruited to support the LSCU. The adviser will also, with support from the Provincial Custom Land Officers, undertake a review of various provincial and local government activities to enable an assessment of local capacity to be undertaken. 	Due to management and administrative delays within the MoL this position was not filled.
Improve the participatory mechanisms that facilitate formal dealings in land	<ul style="list-style-type: none"> Vanuatu will undertake a Land Governance Assessment Framework that will establish a bench mark for governance and land administration activities from which Program progress can be measured over the duration of the Program and beyond. Support will be provided to professional associations and an assessment undertaken of an appropriate mechanism to be established in Vanuatu to represent the various land professional groups, including surveyors, valuers, real estate, GIS etc. A review of all land related legislation and regulation will be reviewed with the aim of assessing the amount of legislative review that is required. Assess appropriate participatory and sustainable approaches that would ensure open, accountable and transparent dealings with regard to customary land leases and also enable custom owners to participate in development activities over their land. 	<p>A decision was made to delay this activity until 2013 and ensure there was government commitment to the implementation of LGAF.</p> <p>Initial meetings have been held for the formation of a Vanuatu Land Professionals Association. Draft Constitution has been prepared.</p> <p>Although the MoL gave approval for this activity to proceed, it was delayed due to the election period. Will commence in early 2013.</p> <p>Due to activities by JbE in this space a decision was made to support the JbE activities in preference to potentially duplicating activities.</p>
Objective A – Effective and Enabling Services 3		
Establish a	<ul style="list-style-type: none"> Continuing support for the reduction in the 	Support has continued

functioning Land Registry and Information Service	<p>backlog of un-registered land registration documents.</p> <ul style="list-style-type: none"> Develop registration procedures to improve the efficiency of operations of the land registry. A contract to scan all of the un-scanned land registry documents for inclusion in the computer based land registry system. 	<p>although progress has been much slower than anticipated.</p> <p>New registration procedures have been developed in consultation with the PRO and staff. PRO is reluctant to introduce any of the agreed changes.</p> <p>As a result of lack of action in implementing much need changes in manual registration procedures by the PRO a decision has been made to place this activity on hold until manual procedures are improved.</p>
Establish an effective land lease and development planning, assessment, permitting and enforcement service	<ul style="list-style-type: none"> Support will be provided for the development of regulations required to implement and manage the Foreshore Development Act. Development of a strategy for managing urban development and support the preparation of development controls. Review the recommendations from the VSTLRI and develop a strategy for support. Implementation of the strategy will commence during the year. 	<p>Support provided and activities foreshore development activities based on the recommendations are proceeding.</p> <p>A review by Governance for Growth question the direction of this activity and also limited capacity meant this activity did not proceed.</p> <p>A review by Governance for Growth question the direction of this activity and also limited capacity meant this activity did not proceed.</p>
Deliver a National land awareness, knowledge and gender mainstreaming campaign	<ul style="list-style-type: none"> Through this sub-component all communication and education and gender activities will be coordinated. 	<p>Communication and Education initiatives progress but were very much Program driven with limited Program partner ownership. Gender Strategy was completed.</p>
Demonstrate effective organisational models and service delivery arrangements	<ul style="list-style-type: none"> It is not planned to provide any specific support for this sub-component during the annual planning period. 	<p>Training was provided to Program staff and specifically DoL staff on customer service. A customer service model was developed for DoL.</p>

PART B		
Objective B – A strengthened Customary Lands Tribunal consistent with the GoV's national plans		
1		
Legislative Review	<ul style="list-style-type: none"> Support the review and legal drafting of any proposed amendments to the Customary Land Tribunal Act. Undertake public consultation and public awareness activities associated with any proposed amendments to the legislation. 	<p>This activity was taken over and funded by the MoJSS.</p> <p>No action due to above.</p>
Mediation Support Services	<ul style="list-style-type: none"> An assessment will be undertaken to determine the benefits of mediations as part of the dispute resolution process. This will also involve a review of the mediation activities undertaken through the Legal Sector Strengthening Project. 	<p>Due to delays in the legislative review there was no action in relation to mediation.</p>
Public Awareness and Training	<ul style="list-style-type: none"> A Communication Strategy and work plan will be developed with support from the Communication and Education Adviser. Support will be provided to develop C&E material and to train staff. 	<p>Communication Strategy developed and communication material developed for the CLTU</p>
Capacity Development of Customary Land Unit	<ul style="list-style-type: none"> Support the development of the capacity of the CLTU <ul style="list-style-type: none"> Management training and develop procedures. Review institutional arrangements Recruit Provincial Customary Land Officers Develop training programs and provide training to Customary Land Tribunals 	<p>Training modules have been developed for all facets of the CLT Act. Pilot training has been undertaken on Efate to test the modules.</p> <p>Provincial Customary Land Officers recruited and trained although recruitment was delayed.</p>
Objective B – A Land Information Management system that meets current and future needs and supports economic development		
2		
IT Strategy	<ul style="list-style-type: none"> System Requirement Specifications will be developed which will create a data model for land administration data DoL and external stakeholders and will define the data linkages within DoL. Systems Engineer will be engaged to commence the process of developing each of the computer based applications within DoL 	<p>Information Systems Strategic Plan and System Requirement Specifications developed.</p> <p>Due to human resource issues in IT the development of these processes did not proceed.</p>
Land Survey Records	<ul style="list-style-type: none"> A review of the geodetic network will be undertaken to assess the current networks ability to support survey activities, climate change monitoring and tectonic plate movement. Digital Cadastral Database will be updated so that it is able to provide the framework for all spatial data in Vanuatu related to land ownership and land leasing. 	<p>Review of geodetic network undertaken and recommendations made on future actions required by the SG.</p> <p>Updating of all data in the DCDB 95% completed.</p>
Mapping and Imagery	<ul style="list-style-type: none"> Support the GIS User Group Organisation, management and use of spatial data 	<p>Ongoing support provided. Support on data management provided.</p>
Valuation	<ul style="list-style-type: none"> Valuation database computer system will be 	<p>Field work completed and</p>

Services	<p>updated</p> <ul style="list-style-type: none"> • A valuation zoning system is to be developed to improve valuation procedures and the collection of government revenues. 	<p>data collected on 4,141 properties in Port Vila Municipality. Data entry 90% complete. Valuation Zone Map and Rate Tables developed for Port Vila. Reluctance by the Valuation Unit to implement.</p>
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ATTACHMENT 1: A SUMMARY OF THE STATUS OF INPUTS PROVIDED BY THE CONTRACTOR AGAINST THE CONTRACT

The inputs and milestones for the inception period that were required to be met by Land Equity International under the terms of the contract were defined in the contract documents. The following table details the expected progress against the milestones as detailed in the contract document.

Milestone Number	Item and associated Schedule 1 part	Verifiable Indicators	Timing	Amount AUD
7	Status Report on GIS and the GIS User Group	Submitted to PMC and endorsed by AusAID	30 Nov 2011	15%
8	Draft of procedure manual for land registration completed	Endorsed by the Principal Registry Office and accepted by AusAID	28 Feb 2012	15%
9	6 Monthly Report and Imprest Account	Submitted to PMC and endorsed by AusAID	10 April 2012	20%
10	Report on the 19 customary land resolutions and proposed work plans for implementation including CLT activities and mediation	Submitted to PMC and accepted by AusAID	4 June 2012	20%
11	Annual Plan for 2013 and Annual Report for 2012	Submitted to PMC and accepted by AusAID	1 Oct 2012 10 Oct 2012	20%
12	Report on review of land leasing activities and a strategy for improvement	Submitted to PMC and Endorsed by AusAID	30 Nov 2012	10%

The actual progress against each of the milestones is summarised below.

Milestone 7:

The report “B-2.3 Status Report – GIS Mapping and GIS User Group” was submitted to AusAID on 2 December 2011. This document was the first time that there has been an attempt made to undertake a stocktake of all mapping resources, spatial data sets (digital and hardcopy) and organisational arrangements for GIS and

Mapping in DoL. The report provides an invaluable reference as the Program progressively develops the spatial data activities in DoL and also for the broader GIS community. The report expanded upon what was originally envisaged but it was felt that for completeness that it was preferable that all of the detail should be included in one reference report.

Payment for this milestone was delayed until after 19 January due to the need for the milestone payment schedule to be reflected in a contract amendment.

Milestone 8:

The draft procedure manual for the Land Registry Office – “A-3.13 – Land Registry Office Manual of Practice” was completed and submitted to AusAID on 9 February 2012. This manual provides an extensive reference source for the operations of the Land Registry Office, including registration procedures, details on the Land Leases Act and Strata Title Act, issuing of requisitions and advices of registration. The manual is in a format where it can be updated or amended as required. The Land Registry Office has been operating without even a basic reference document controlling its registration procedures and is one of the reasons why registration activities had become dysfunctional. The Manual of Practice will assist in ensuring registration activities are appropriately managed.

Milestone 9:

The 6 Monthly Report was submitted to the Program Management Committee for consideration and was endorsed by the committee on 24 March 2012. The final version of the 6 Monthly Report was submitted to AusAID on 5 April 2012.

Milestone 10:

The report “A-1.2 – The 19 Customary Land Resolutions and Proposed Work Plan” was completed on 5 June and submitted to AusAID. A PMC meeting was convened on the 18 June at which the report was considered and approved. The final version of the report was submitted to AusAID immediately after the PMC meeting.

This report is a strategic document for assisting the Malvatumauri National Council of Chiefs in prioritising the 19 resolutions from the Customary Land Workshop. The report includes a Concept Note on each of the resolutions to assist in future implementation of each resolution.

Due to payment issues associated with the closing of the AusAID financial books this invoice was not able to be paid until late July 2012.

Milestone 11:

The Annual Plan was submitted to the PMC and AusAID for consideration on 1 October 2012. A draft of the Annual Report was submitted on 12 October. The PMC proposed that in future years, commencing in January 2013, that an Annual Report

be prepared that covers the full annual planning period (calendar year) and that this milestone be amended so that the draft is accepted as the milestone. The Annual Report is to be submitted by 31 January of each year. This proposal was accepted by AusAID and included in a contract amendment (Deed of Amendment No. 2).

Milestone 12:

A report “A-3.16 Review of Land Leasing Activities and a Strategy for Improvement” was submitted to the PMC and AusAID on 9 December 2012 to seek comment. Following feedback a final version of the report was submitted to AusAID on 19 December 2012.

ATTACHMENT 2: TECHNICAL REPORTS

The Technical Reports produced through the Mama Graon – Vanuatu Land Program since the commencement of the Program activities are summarized in the tables below. The table also details the management reports that have been submitted.

PART A			
OBJECTIVE A-1: Informed Collective Decisions by Customary Landholders			
A-1.1	Tafea Provincial Consultation	January 2012	Russell Nari
A-1.2	The 19 Resolutions and Proposed Workplan for Implementation	June 2012	Russell Nari and Chris Lunnay
A-1.3	Malampa Provincial Consultations	June 2012	Russell Nari
A-1.4	Penama Provincial Consultations	June 2012	Russell Nari
A-1.5	Sanma Provincial Consultations	July 2012	Russell Nari
A-1.6	Workshop on Forests Carbon Rights in Melanesia – Report on proceedings	October 2012	Chris Lunnay
A-1.7	Report on Malvatumauri Office Gender Sensitising Workshop	September 19 & October 8 2012	Gary Tavo

PART A			
OBJECTIVE A-3: EFFECTIVE AND ENABLING SERVICES			
A-3.1	Land Registry Report June 2011	24 June 2011	Chris Lunnay
A-3.2	Assessment of Scanning Activities	August 2011	Chris Lunnay
A-3.3	Land Registry Office Training Course	December 2011	David Mulcahy
A-3.4	Land Registry Office August to December 2011 Assignment Report	January 2012	David Mulcahy
A-3.5	Negotiating for Customary Land in Vanuatu	April 2012	Larry Hunt
A-3.6	Outstanding Land Rent Collection and Enforcement Process	April 2012	Larry Hunt
A-3.7	Lease Execution and Planning and Enforcement	April 2012	Larry Hunt

PART A			
OBJECTIVE A-3: EFFECTIVE AND ENABLING SERVICES			
A-3.8	Lease Audit and Enforcement	May 2012	Larry Hunt
A-3.9	Land Lease Conditions	June 2012	Larry Hunt
A-3.10	Lease Processes Recommendations	June 2012	Larry Hunt
A-3.11	Lease Processes Forms	June 2012	Larry Hunt
A-3.12	Report on Private Sector Briefing	March 2012	Chris Lunnay
A-3.13	Land Registry Office Manual of Practice	July 2012	David Mulcahy (still in draft)
A-3.14	Land Registry Office – Dealing Examination Guidelines	July 2012	David Mulcahy
A-3.15	Assessment of Land Registry Statistics	Sept 2012	Dorah Wilson/Chris Lunnay
A-3.16	Reviewing of Land Leasing and Strategy for improvement	Dec 2012	Chris Lunnay

PART B			
OBJECTIVE B-1: A STRENGTHENED CUSTOMARY LAND TRIBUNAL CONSISTENT WITH THE GOV.'S NATIONAL PLANS			
B-1.1	Assessment of Options for Provisions for Provincial Support	November 2011	Karen Davis
B-1.2	Strategic Review of Customary Land Tribunal Unit and Malvatumauri	November 2011	Karen Davis
B-1.3	Introduction to File Management Training (Training Module)	October 2011	Karen Davis
B-1.4	Efate CLTU Secretaries Gender Workshop	22 Nov 2012	Gary Tavo

PART B			
OBJECTIVE B-2: A LAND INFORMATION MANAGEMENT SYSTEM THAT MEETS CURRENT AND FUTURE NEEDS AND SUPPORTS ECONOMIC DEVELOPMENT			

<p style="text-align: center;">PART B</p> <p style="text-align: center;">OBJECTIVE B-2: A LAND INFORMATION MANAGEMENT SYSTEM THAT MEETS CURRENT AND FUTURE NEEDS AND SUPPORTS ECONOMIC DEVELOPMENT</p>			
B-2.1	Information System Strategic Plan	23 August 2011	Kevin Rainsford
B-2.2	Valuation Interim Status Report	3 September 2011	Mark McLoughlan
B-2.3	GIS and Mapping Status Report	September 2011	Timothy Gunson
B-2.4	Cadastral Survey Legislation and Practice and Geodetic Network Assessment	September 2011	Chris Grant
B-2.5	An Initial Assessment of Delineation of Customary Land Boundaries	October 2011	Chris Grant
B-2.6	Valuation Issues and Opportunities for Increasing Government Revenue	October 2011	Mark McLoughlan
B-2.7	Valuers and Professional Development in Vanuatu	October 2011	Mark McLoughlan
B-2.8	Review of Land Surveyors Act and Land Surveyors Regulations	November 2011	Chris Grant
B-2.9	System Requirement Specification – Land Administration System	November 2011	Kevin Rainsford
B-2.10	Review of the Vanuatu Geodetic Network and Upgrade Strategy	June 2012	Andrew Dyson
B-2.11	Spatial Data Strategy for Department of Lands	June 2012	Tim Gunson
B-2.12	Valuation Status – Filed Data Capture and Valuation Zone System	July 2012	Mark McLoughlan
B-2.13	GIS and Mapping Adviser Exit Report	October 2012	Tim Gunson
B-2.14	Valuation Update Report	November 2012	Mark McLoughlan
B-2.15	Draft Vanuatu Valuation Standards	November 2012	Mark McLoughlan
B-2.16	Receipt, Examination Validation and Approval of Survey Plans (REVAS)	December 2012	Allan Wilson
B-2.17	Delineation of Kastom Boundaries – Proposed Survey Direction	December 2012	Allan Wilson
B-2.18	Survey Directions Technical Discussion	December 2012	Allan Wilson
B-2.19	Survey and Strata Plan Legislation Proposed Changes	December 2012	Allan Wilson
B-2.20	Survey Directions and Interpretation Guidelines	December 2012	Allan Wilson

PART B OBJECTIVE B-2: A LAND INFORMATION MANAGEMENT SYSTEM THAT MEETS CURRENT AND FUTURE NEEDS AND SUPPORTS ECONOMIC DEVELOPMENT			
B-2.21	Survey Directions Delineation of Kastom Boundaries (Draft)	December 2012	Allan Wilson

PART C OBJECTIVE C-1: EFFECTIVE CONSULTATION AND COORDINATION BETWEEN STAKEHOLDERS OF THE VANUATU LAND PROGRAM			
C-1.1	Monthly Briefing Report No. 1	1 Feb 2011	Chris Lunnay
C-1.2	Monthly Briefing Report No. 2	2 March 2011	Chris Lunnay
C-1.3	Publicity and Promotion Strategy	March 2011	Chris Lunnay
C-1.4	Monthly Briefing Report No. 3	1 April 2011	Chris Lunnay
C-1.5	Monthly Briefing Report No. 4	3 May 2011	Chris Lunnay
C-1.6	Monthly Briefing Report No. 5	1 June 2011	Chris Lunnay
C-1.7	Monthly Briefing Report No. 6	5 July 2011	Chris Lunnay
C-1.8	Monthly Briefing Report No. 7	2 August 2011	Chris Lunnay
C-1.9	Monthly Briefing Report No.8	3 Sept 2011	Chris Lunnay
C-1.10	Monthly Briefing Report No.9	October 2011	Chris Lunnay
C-1.11	Monthly Briefing Report No.10	November 2011	Chris Lunnay
C-1.12	Monthly Briefing Report No.11	January 2012	Chris Lunnay
C-1.13	Monthly Briefing Report No. 12	February 2012	Chris Lunnay
C-1.14	Monthly Briefing Report No.13	April 2012	Chris Lunnay
C-1.15	Monthly Briefing Report No 14	May 2012	Chris Lunnay
C-1.16	Monthly Briefing Report No 15	June 2012	Chris Lunnay
C-1.17	Monthly Briefing Report No 16	July 2012	Chris Lunnay
C-1.18	Monthly Briefing Report No 17	August 2012	Chris Lunnay

PART C OBJECTIVE C-1: EFFECTIVE CONSULTATION AND COORDINATION BETWEEN STAKEHOLDERS OF THE VANUATU LAND PROGRAM			
C-1.19	Monthly Briefing Report No 18	October 2012	Chris Lunnay
C-1.20	Monthly Briefing Report No 19	November 2012	Chris Lunnay

PART C OBJECTIVE C-2: EFFECTIVE AND EFFICIENT MANAGEMENT OF ALL RESOURCES PROVIDED TO DELIVER SERVICES INCLUDING PERSONNEL, FUNDS, SERVICES AND EQUIPMENT			
C-2.1	Inception Plan	28 Feb 2011	Chris Lunnay
C-2.2	Security Plan - December 2011	8 Dec 2011	Chris Lunnay
C-2.3	Procedure for Recruitment of Program Technical Assistance	17 March 2011	Chris Lunnay
C-2.4	Conditions for Assessment (Recruitment)	17 March 2011	Chris Lunnay
C-2.5	Program Management Committee Briefing Note	13 April 2011	Chris Lunnay
C-2.6	Report on the Progress of Recruitment for Compliance with Milestone Payment No 4".	3 May 2011	Chris Lunnay
C-2.7	Annual Plan, October 2011	1 October 2011	Chris Lunnay
C-2.8	Manual of Operations for the Imprest Account	20 April 2011	Nicole Nicholson
C-2.9	Program Management Office Asset Register	21 March 2011	Irene Titek
C-2.10	Annual Report, October 2011	3 October 2011	Chris Lunnay
C-2.11	Six monthly Report – April 2012	April 2012	Chris Lunnay
C-2.12	Annual Plan - 2013	September 2012	Chris Lunnay
C-2.13	Annual Report - 2013	October 2012	Chris Lunnay

PART C OBJECTIVE C-3: EFFECTIVE AND EFFICIENT REPORTING AND MONITORING AND EVALUATION OF PROGRAM ACTIVITIES AND DELIVERABLES			
C-3.1	Reporting Plan	15 March 2011	Chris Lunnay

PART C

OBJECTIVE C-3: EFFECTIVE AND EFFICIENT REPORTING AND MONITORING AND EVALUATION OF PROGRAM ACTIVITIES AND DELIVERABLES

C-3.2	Handover Plan – December 2011	December 2011	Chris Lunnay
C-3.3	Communications Guideline	February 2012	Jilda Shem
C-3.4	M&E Plan for the Land Sector Framework	May 2012	Paul De Villers
C-3.5	M&E Framework for Mama Graon Program	June 2012	Paul De Villers
C-3.6	Communication Strategy	July 2012	Jilda Shem

PART C

OBJECTIVE C-4: IDENTIFICATION AND MANAGEMENT OF RISKS TO THE PROGRAM IN ORDER TO MINIMISE THEIR IMPACTS ON THE ACHIEVEMENT OF PROGRAM GOALS AND OBJECTIVES

C-4.1	Risk Management Plan (includes Risk Management Matrix)	15 March 2011	Chris Lunnay
C-4.2	Fraud Control Strategy	15 March 2011	Nicole Nicholson
C-4.3	Risk Management Plan	September 2011	Chris Lunnay
C-4.4	Conflict Management Analysis	February 2012	Raewyn Porter & Henry Vira
C-4.5	Gender Equality Policy	May 2012	N'Deane Helajzen
C-4.6	HIV and AIDS Workplace Policy	May 2012	N'Deane Helajzen
C-4.7	Program Gender Strategy and Plan	July 2012	N'Deane Helajzen
C-4.8	Anti – Discrimination Anti-Harassment and Anti-Bullying Policy		N'Deane Helajzen
C-4.9	Risk Management Plan	October 2012	Chris Lunnay

ATTACHMENT 3: COMMUNICATION AND EDUCATION ACTIVITIES UNDERTAKEN

Given the sensitive nature of the Mama Graon – Vanuatu Land Program there were no external communication and education activities undertaken during the first eight months of the Program. The convening of the Customary Land Workshop run by the Malvatumauri National Council of Chiefs from the 5 to 8 September provided the first opportunity for external communication activities related to the Program to be undertaken.

Following the Short Term Land Reform Initiative funding was made available by AusAID to the DoL to enable some C&E activities directly related to the DoL to be undertaken, mainly through short radio spots talk-back radio sessions.

The following table summarises the Communication and Education activities that have been undertaken since the commencement of the Program.

Date	Communication and Education Activities
October 2011	6 staff from the land sector (Lands Tribunal, Malvatumauri & Department of Lands) attended a 2-day media training by VBTC to build their capacity in utilizing the media to support development
November 2011	Nomination of Communication focal persons from the 5 agencies in the land sector to support the implementation of communication activities 2012 communication work-plan drafted out together with partners and endorsed by Program DOL supported with 4 radio talk backs shows on radio Vanuatu on topics related to DOL's mandate/activities
December 2011	Communication workshop with partners to discuss the 2012 communication work-plan & agree on key messages Communication working group established to oversee the implementation of activities A first edition of the Program newsletter was disseminated to partners
January 2012	Commencement of the 2012 mass media activities. The January topic: 'Customary land ownership and management' <ul style="list-style-type: none"> • 3 15-minute radio programs aired on Radio Vanuatu • 1 30-minute TV discussion on Television Blong Vanuatu • 1 1-hour radio talk back show on Radio Vanuatu • 3 newspaper articles published in the Daily Post
February 2012	Communication topic: 'Fair Dealings' Partners involved: Valuer General's office, Malvatumauri & Mama Graon Program <ul style="list-style-type: none"> • 3 15 minute radio programs on Radio Vanuatu • 4 radio talk back shows on Radio Vanuatu • 1 TV discussion on TBV • 4 newspaper articles published in the Daily Post

March 2012	<p>Communication topic: ‘Negotiators Certificate’</p> <p>Partners involved: Department of Lands, Malvatumauri & Mama Graon Program</p> <ul style="list-style-type: none"> • 4 15-minute radio program aired on Radio Vanuatu • 1 30-minute TV discussion on Television Blong Vanuatu • 3 1-hour radio talk back show on Radio Vanuatu
April 2012	<p>Radio and TV Communication topic: ‘Strata Titles’</p> <p>Partners involved: Department of Lands, USP & private sector</p> <ul style="list-style-type: none"> • 3 15 minute radio programs on Radio Vanuatu • 4 radio talk back shows on Radio Vanuatu • 1 TV discussion on TBV • 4 newspaper articles published in the Daily Post
May 2012	<p>Radio and TV Communication topic: ‘Middle men & women’</p> <p>Participating partners: Valuer General’s Office and Wan Smol Bag</p> <p>1 radio programs on Radio Vanuatu 4 lunch time radio talk back shows on Radio Vanuatu 1 Daily Post newspaper article published</p>
June 2012	<p>The radio and TV communication activities were put on hold for review purposes. Internal/informal review of communication activities.</p>
July 2012	<p>1. The Communication Strategy for the Program was re-drafted, presented to the partners in a workshop and endorsed as the Strategy to guide the advocacy, social mobilization and behaviour change communication activities for the Program and its partners.</p> <p>2. The newsletter for the second quarter was developed and disseminated to all partners</p>
August 2012	<p>1. Radio and TV Communication topic: ‘Customary Land Tribunal’</p> <p>Partners involved: Customary Land Tribunal Unit, Malvatumauri & Mama Graon Program</p> <ul style="list-style-type: none"> • 3 15 minute radio programs on Radio Vanuatu • 4 radio talk back shows on Radio Vanuatu • 1 TV discussion on TBV • 4 newspaper articles published in the Daily Post <p>2. Mama Graon presentation to the Media Association Blong Vanuatu (MAV). The aim of the activity was to bridge the communication gap between the Program and the media in Vanuatu.</p>
September 2012	<p>1. Radio and TV Communication topic: ‘Malvatumauri – ownership & use of kastom land’</p> <p>Partners involved: Malvatumauri & Mama Graon Program</p> <ul style="list-style-type: none"> • 4 15-minute radio program aired on Radio Vanuatu • 1 30-minute TV discussion on Television Blong Vanuatu • 3 1-hour radio talk back show on Radio Vanuatu <p>2. 4 factsheets and 1 poster about the work of Customary Land Tribunal</p>

	<p>were developed and printed</p> <ol style="list-style-type: none"> 3. 1 factsheet and 1 poster about Malvatumauri were also printed this month 4. 1 display shelf for booklets/factsheets and an exterior display board was installed at the Malvatumauri office to assist with information dissemination. 5. The newsletter for the third quarter was developed and disseminated to all partners
October to December 2012	<ol style="list-style-type: none"> 1. Review of the Department of Lands factsheets and booklets about land administration processes. Numerous stakeholder meetings were held so as to ensure the accuracy of the content of the factsheets. Factsheets were then workshopped with individual groups prior to submission to the Director of Lands 2. Endorsement of the Department of Lands customer service upgrade proposal to be funded by the Mama Graon Program 3. Progressing the development of a front counter for the DoL building. Following a presentation on the concept the proposal was endorsed by the DoL Management Committee. Work has progressed with design and procurement of the reception desk. Operational activities for the reception desk have also been discussed.

Although the Program has been supporting Program partners with communication through the mediums of radio and TV, it is difficult to assess the impact that this communication is having. It is now clear that radio coverage is not as wide spread as originally understood and therefore additional mechanism will need to be developed that enable the wider community engagement. However the talkback shows have engendered significant engagement from the community of listeners and this is highlighted by the Program records which show that on average between 12 and 15 listens put questions or respond to issues.

Some of the lessons learnt from the C&E activities are summarised below

1. People questioned whether the customary land tribunals are capable of sorting out customary land disputes because customary land disputes have not reduced but increased since the establishment of this system.
2. How much power do chiefs still have over kastom land?
3. How protected is kastom land today in Vanuatu? What other options are there apart from formally leasing a boundary for the purpose of protecting ones right to a land?
4. How much has the Government done after the 2006 Land Summit to address the issues raised then?
5. In regards to middle men and women, people want the Land Summit Resolution on this issue implemented.

6. People want 'strata' for buildings only. Strata title Act must be amended accordingly.
7. Generally, people lack accurate information about land and specifically DOL land leasing processes. In the talk-back shows, many people ring up and discuss/provide inaccurate information.
8. People continue to blame DOL/Government for giving away their land.
9. There is a gap between kastom land management and the Govt. administration of land that contributes to the many disputes/conflicts because both systems of governance are not linked to verify/clarify information or support each other's mandate. This is apparent in DOL processes such as the issuing of a negotiator where custom owners have to be identified. At this stage, it is not possible for DOL to verify information submitted in the customer owner identification form with an authorised kastom agency like Malvatumauri because that information is not available