

# **Vanuatu Land Program**



## **ANNUAL REPORT FOR 2014**

(Report No. C-2.21)

**January 2015**



*This report is a result of ongoing consultations by the Vanuatu Land Program with key stakeholders within the Government of Vanuatu and civil society. The Australian Government Department of Foreign Affairs and Trade (DFAT) fund the Vanuatu Land Program and the views expressed in this work do not necessarily represent the views of the Commonwealth of Australia.*

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## ACRONYMS

|       |   |
|-------|---|
| AYAD  | Australian Youth Ambassador for Development                   |
| CEO   | Chief Executive Officer                                       |
| CLMA  | Customary Land Management Act                                 |
| CLMO  | Customary Land Management Office                              |
| CLO   | Custom Land Officer   |
| CLTA  | Customary Land Tribunal Act                                   |
| CLTU  | Customary Land Tribunal Unit                                  |
| COIF  | Custom Owner Identification Process                           |
| CS    | Corporate Services  |
| DCDB  | Digital Cadastral Data Base                                   |
| DFAT  | Australian Government Department of Foreign Affairs and Trade |
| DoL   | Department of Lands   |
| DTS   | Document Tracking System                                      |
| DWA   | Department of Women's Affairs                                 |
| GIS   | Geographic Information System                                 |
| GoV   | Government of Vanuatu   |
| ICT   | Information and Communication Technology                      |
| LEI   | Land Equity International                                     |
| LGAF  | Land Governance Assessment Framework                          |
| LiDAR | Remote Sensing Technology                                     |
| LMPC  | Land Management Planning Committee                            |
| LSCU  | Land Sector Coordination Unit                                 |
| LSF   | Land Sector Framework   |
| M&E   | Monitoring and Evaluation                                     |
| MNCC  | Malvatumauri National Council of Chiefs                       |
| MoLNR | Ministry of Lands and Natural Resources                       |
| MoU   | Memorandum of Understanding                                   |
| OGCIO | Office of the Government's Chief Information Officer          |
| OIC   | Oversight Implementation Committee (new land laws)            |
| PAA   | Policy and Action Agenda (2006 – 2015)                        |
| PCLO  | Provincial Customary Land Officer                             |
| PDD   | Program Design Document                                       |
| PMC   | Vanuatu Land Program Management Committee                     |
| PRO   | Principal Registration Officer                                |
| PSC   | Public Services Commission                                    |
| PVO   | Principal Valuation Officer                                   |

|        |   |
|--------|---|
| REVAS  | Review Evaluation Validation and approval of Survey Plans |
| SDTS   | Survey Document Tracking System                           |
| SOLA   | Solutions for Open Land Administration Software           |
| SRO    | Senior Registration Officer                               |
| TIS    | Title Information System                                  |
| VKS    | Vanuatu Cultural Centre                                   |
| VANLAS | Vanuatu Land Administration System                        |
| VLGC   | Vanuatu Land Governance Committee                         |

## EXECUTIVE SUMMARY

This Annual Report for 2014 covers the period of the Vanuatu Land Program from 1 January 2014 through to the 31 December 2014.

The report highlights progress made towards implementation of program activities as detailed in the Annual Plan for 2014 (as revised in April 2014). Where appropriate it details issues and the lessons learned; progress towards achieving end-of-program outcomes; identifies factors impacting on the adequacy of outcomes and deliverables; provides a self-assessment of the performance of Land Equity International, the Australian managing contractor; and assesses the overall ongoing relevance of the Program.

The Vanuatu Land Program (the 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 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”.

The GoV 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 Vanuatu Land Program (formerly the Mama Graon – Vanuatu Land Program) is a five year initiative that commenced in January 2011 that was designed to be implemented within the context of the LSF. During the early years of the Program implementation progress was difficult particularly with regards to customary land activities. In light of the slow progress a 2012 review of the Program recommended that the Government of Vanuatu and the Development Partners refine the design of the Mama Graon Program. The refinement of the Program design was undertaken in June 2013, refocusing the program towards supporting core land administration functions while at the same time providing continued support for selected customary land activities where future progress may be anticipated.

### Context for Implementation

During 2014 the direction of the Program was influenced by changes in the Vanuatu land sector and changes to program personnel. Changes included; a relocation of the Department of Lands (DoL) from Hong Kong and New Zealand House to its current location at the George Pompidou Building; a refocusing of program efforts as a result of legislative changes coming into effect in February 2014; including the passing of the



Constitutional Amendments to Articles 30 & 78, amendment to the Land Reform Act, amendment to the Land Lease Act and repeal of the Customary Land Tribunal Act and introduction of a new law the Customary Land Management Act No. 33 of 2013 (The laws which seek to curtail ministerial power to grant leases and afford greater protection to custom owners have been generally well received although at the time of preparation of this report practical implementation is yet to begin); the appointment of a new Program Director in January 2014; and changes in the senior management at both the Ministry of Lands and the DoL in the third quarter of 2014.

**Ongoing Relevance of the Program:** Land remains an important development issue for Vanuatu and will continue to take a primary place in underpinning both economic development and social cohesion. To this end it is essential that land management policies and land administration systems combine to provide an essential infrastructure that supports sustainable development and provides security of tenure for all. The Program has thus continued to provide support for initiatives and activities that facilitate the realisation of the overarching program goal *‘All Vanuatu people prosper from the equitable and sustainable development of their land, while ensuring stability and securing the heritage for future generations’* along with achievement of end of program outcomes. To achieve this and to remain relevant the Program has had to respond to the aforementioned changes in the land sector. This has involved the provision of ongoing support for the land reforms; with considerable investment having been made in building the capacity of those institutions responsible for implementing the new land laws as well as continuing with work associated with improving core land administration functions including dealing with deficiencies in practices and procedures, securing records and through the introduction of new IT systems making land related transactions more open and transparent.

## Summary of Progress

The following table provides a summary of progress towards implementing the activities contained in the 2014 Annual Plan. A more detailed narrative is provided in the main body of the report.

### Program Activities 2014 – Summary of Progress

| 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"> <li>Support for institutional strengthening of the Malvatumauri.</li> <li>Funding for reprinting of information material.</li> <li>Support for the legislative review of the National Council of Chiefs Act.</li> <li>Funding for VKS Field Workers Workshop.</li> </ul> | <ul style="list-style-type: none"> <li>Limited progress other than provision of funding support for the National Custom Land Officer position.</li> <li>No progress. No request for reprinting received during 2014.</li> <li>Review deferred to 2015 plan.</li> <li>Not actioned – VKS sought a reallocation of funding but no business case was forthcoming.</li> </ul> |

|   |   |   |   |  |
|---|---|---|---|--|
| Improved stakeholder and public understanding and awareness of customary land practices                                   | • | No funding provided for this sub-component.   | • | No activities.   |
| Improve decision-making by customary landholders  | • | No funding provided for this sub-component.   | • | No activities.   |
| <b>Objective A – 2</b>  |   | <b>Participatory Land Governance</b>  |   |  |
| Support the effective and participatory sector wide governance of land  | • | Support for the Vanuatu Land Governance Committee and the Program Management Committee.   | • | The Program has continued to support both committees. 4 PMC meetings were held in 2014.  |
| Establish and/or improve participatory, sustainable mechanisms that will facilitate regional and local governance of land | • | No funding provided for this sub-component.   | • | No activities during reporting period.   |
| Improve the participatory mechanisms that facilitate formal dealings in land  | • | Support is provided for the ongoing development of the Vanuatu Land Professionals Association through workshops, professional training and establishment costs. | • | No activities during the reporting period.   |
| <b>Objective A – 3</b>  |   | <b>Effective and Enabling Services</b>  |   |  |
| Establish a functioning Land Registry and Information Service   | • | Ongoing support is provided to continue improving the land registration procedures.   | • | The Program has continued to support process improvements in the Land Registry and progress remains on track with these activities.                                  |
|   | • | Scanning of all records in each of the Land Registry files.   | • | As of the end of 2014 some 9,000 out of 14,000 records have been scanned.  |
|   | • | Updating and scanning of the Lease Register cards.  | • | As part of the scanning process lease register cards are being checked and updated.  |
|   | • | Improving the records management and understanding of strata titles.  | • | Strata Title training was provided to all Land Registry staff in June / July. Milestone Report No24 provided DoL with an update on the status of records management. |

|  |   |  |
|--|---|--|
| Establish an effective land lease and development planning, assessment, permitting and enforcement service | <ul style="list-style-type: none"> <li>Continue the scanning of Negotiator Certificates and associated records.</li> <li>Establish a document tracking system for applications for Negotiator Certificates.</li> <li>Support changes in procedures that will come about as a result of the legislative amendments.</li> </ul> | <ul style="list-style-type: none"> <li>Scanning of negotiator certificates is up to date.</li> <li>The document tracking system has been introduced in Lease Planning and Enforcement section and is being used to track the processing of applications for a negotiator certificate.</li> <li>A Program funded workshop held in September considered the procedural changes arising from the new land laws and affecting Lease Planning and Enforcement.</li> </ul> |
| Deliver a National land awareness, knowledge and gender mainstreaming campaign                             | <ul style="list-style-type: none"> <li>Support for general communication and education programs and gender initiatives.</li> </ul>  | <ul style="list-style-type: none"> <li>No activities during 2014.</li> </ul>   |
| Demonstrate effective organisational models and service delivery arrangements                              | <ul style="list-style-type: none"> <li>Support the institutional reform and capacity building of the Department of Lands, Customary Land Management Office (CLMO) (formerly CLTU) and Malvatumauri.</li> <li>Support training activities in priority areas.</li> </ul>  | <ul style="list-style-type: none"> <li>Considerable effort has gone into supporting institutional reform and organisational change, capacity building and process refinement and has involved both Department of Lands and the Customary land Management Office.</li> </ul>  |
| <b>PART B</b>  |   |  |
| <b>Objective B – 1</b>   | <b>A strengthened Customary Land Management Office consistent with the GoV's land reform plans</b>  |  |
| Legislative Review   | <ul style="list-style-type: none"> <li>Support for the ongoing training of chiefs in relation to the new legislation.</li> </ul>  | <ul style="list-style-type: none"> <li>No activity as a result of new land laws coming into force.</li> </ul>  |
| Mediation Support Services   | <ul style="list-style-type: none"> <li>No funding provided for this sub-component.</li> </ul>   | <ul style="list-style-type: none"> <li>No activities.</li> </ul>   |
| Public Awareness and Training  | <ul style="list-style-type: none"> <li>Support for training on the new legislation i.e. The Customary Land Management Act and associated laws.</li> </ul>   | <ul style="list-style-type: none"> <li>The Program has supported an extensive program of training and capacity building in respect of the new land laws.</li> </ul>  |
| Capacity Development of Customary Land Unit  | <ul style="list-style-type: none"> <li>Funding for the Customary Land Tribunal officers.</li> <li>Institutional reform activities for the CLMO.</li> </ul>  | <ul style="list-style-type: none"> <li>The Program funded the six Custom Land Officers in 2014.</li> <li>Limited institutional reform activities have taken place with efforts focused on training and capacity building.</li> </ul>   |

|   |  |   |
|---|--|---|
| <b>Objective B – 2      A Land Information Management System that meets current and future needs and that supports economic development</b>                     |  |   |
| IT Strategy   | <ul style="list-style-type: none"> <li>Support for the ongoing development of VANLAS.</li> </ul>   | <ul style="list-style-type: none"> <li>The Document Tracking System has been implemented across all sections of the DoL. The Title Information System is slated for introduction in early 2015</li> </ul>   |
| Land Survey Records   | <ul style="list-style-type: none"> <li>Upgrading of the DCDB.</li> <li>Definition of unallocated state land for Port Vila and Luganville.</li> <li>Updating and training for amended Survey Directions to support the improved definition of state land and general cadastral survey practices.</li> </ul> | <ul style="list-style-type: none"> <li>The process of upgrading and checking the DCDB has continued alongside the scanning of lease register cards and parcel files in order to ensure integrity of information.</li> <li>All unallocated state land in Port Vila and Luganville has been identified and DoL duly informed.</li> <li>New Survey Directions have been prepared and training provided to both government and private sector surveyors.</li> </ul> |
| Mapping and Imagery   | <ul style="list-style-type: none"> <li>No funding provided for this sub-component.</li> </ul>  | <ul style="list-style-type: none"> <li>No activity under this sub component.</li> </ul>   |
| Valuation Services  | <ul style="list-style-type: none"> <li>Creation of the valuation database and valuation zone map for Luganville.</li> </ul>  | <ul style="list-style-type: none"> <li>Work associated with the creation of a valuation zone map for Luganville commenced in November and will continue into 2015.</li> </ul>   |
| <b>PART C</b>   |  |   |
| <b>Objective C – 1      Effective consultation and coordination between stakeholders of the Vanuatu Land Program</b>  |  |   |
|   | <ul style="list-style-type: none"> <li>Activity management</li> <li>PMC meetings and consultation</li> </ul>   | <ul style="list-style-type: none"> <li>4 PMC meetings during 2014 and ongoing and continuous consultation with program partners.</li> </ul>   |
| <b>Objective C – 2      Effective and efficient management of all resources provided to deliver services including personnel, funds, services and equipment</b> |  |   |
|   | <ul style="list-style-type: none"> <li>Management and financial records.</li> </ul>  | <ul style="list-style-type: none"> <li>The Program Office has continued to monitor all activities intervening where necessary to ensure things remain on track.</li> <li>Full financial records of funding disbursement kept by the Program Office.</li> </ul>  |

|                        |   |
|------------------------|---|
| <b>Objective C – 3</b> | <b>Effective and efficient reporting and monitoring and evaluation of Program activities and deliverables</b>   |
|                        | <ul style="list-style-type: none"> <li>• Program reporting.</li> <li>• Monitoring and Evaluation Framework implementation.</li> <li>• Gender Strategy implementation.</li> </ul>                                    |
|                        | <ul style="list-style-type: none"> <li>• All program milestone reports delivered as per the contract.</li> <li>• Little progress on maintaining the implementation of either M&amp;E or gender strategy.</li> </ul> |
| <b>Objective C – 4</b> | <b>Identification and management of risks to the Program in order to minimise their impacts on the achievements of Program Goals and Objectives</b>   |
|                        | <ul style="list-style-type: none"> <li>• Monitoring the Risk Management Plan.</li> </ul>  |
|                        | <ul style="list-style-type: none"> <li>• The Risk Management Plan has been updated twice by the Program Office. Little engagement by program partners.</li> </ul>   |

**Key Issues:** The table reveals that implementation of planned activities was inconsistent with some activities progressing and others not starting. The following factors have been identified as key issues that have acted to impede both the implementation of planned activities and the achievement of end of program outcomes during 2014. They are commented upon in more detail throughout the text of the report.

#### ‘User driven modality’ not entirely successful

The ‘user driven’ approach identified at program design stage as being the ‘optimum modality’ for implementation continues to be problematic. This approach envisaged program partners leading the way with both the identification and implementation of program activities supported through funding and technical assistance as appropriate. The approach has not been entirely successful. Identification of suitable program activities has not always been easy and even where this has happened the ability to take activities forward has proven beyond the capacity of many of the program partners and has only been possible with considerable administrative and technical input by the Program.

#### Lack of Capacity and Resources within Key Institutions

A major factor influencing the aforementioned issue is the lack of capacity and resources within key institutions. As a result of this the Program has continued to face significant challenges in supporting the implementation of a number of the activities proposed by Program partners. In the custom land area the lack of capacity within the Malvatumauri has meant that it’s been almost impossible to take forward activities under Program Objective A1. The capacity of DoL to support some of the strategic program initiatives remains problematic due to both limited human resources and /or resources with appropriate skills. As a result activities in areas such as survey, lease planning, and valuation have either been delayed or have not moved forward in a timely manner.

#### Lack Engagement and Program Fatigue

The lack of personnel in certain sections of the DoL, e.g. lease planning and survey has also had the effect of limiting engagement with the Program. The few staff remaining in these sections having to concentrate their efforts of maintaining day to day service provision. There are also signs of 'program fatigue' as evidenced by the lack of engagement and indifference in taking planned activities forward, a lack of ownership of program related initiatives, a lack of attendance at important meetings such as the PMC and very limited critical feedback on program milestone reports.

#### Reliance on Key Personnel and lack of proactive support

Where progress has been made there has been an over reliance upon key personnel. Loss of these key personnel poses a considerable risk to the ongoing sustainability of program sponsored improvements. In general senior management within program partners hasn't been proactive in taking ownership of program initiatives and driving change.

#### Over Reliance on Technical Adviser Inputs

The use of mainly international technical advisers while playing a critical part in driving forward program activities and ensuring suitable technical solutions has in some instances resulted in an over reliance on their work input and advice. This is despite all technical advisers working in a structured manner to ensure that there is knowledge transfer to local counterparts. During 2014 there have been several instances where activities have stopped once an adviser has left the country.

#### Sustainability

The sustainability of program led activities will remain a challenge for program partners. As the program enters its final year there is still reliance upon the Program to assist with items that should now form part of recurrent expenditure e.g. basic stationary, maintenance of equipment such as printers, copiers, fuel for vehicles. The implementation of the new land laws is likely to put further strain on the GoV's already stretched resources unless revenue collection in areas such as land rent can be dramatically improved.

### **Critical Success Factors**

Despite the difficulties 2014 wasn't without its successes. Activities in the core land administration functions progressed as did activities associated with building capacity in the institutions involved in implementing the new land laws. Where success was achieved during 2014 it was invariably driven by identifiable critical success factors that include:

- Continued donor commitment to the Program
- Support from the Minister of Lands
- Engagement and commitment of a few key personnel amongst program partners
- Ongoing commitment and support from international TA (even when out of country)
- Program Office backstopping – in terms of ensuring momentum is maintained in making activities happen and driving activities forward

### **Budget and Finance**

The following table summarises the budget against the actual expenditure for the Annual Plan period from 1 January 2014 through to 31 December 2014.

### 2014 Expenditure Summary

| Expenditure Item                 | Estimated Budget from 1 January 2014 through to 31 December 2014 | Expenditure through to 31 December 2014 | Percentage of Estimated Budget Utilised |
|----------------------------------|--|---|---|
| Adviser and Contract Staff costs | AUD 850,040  | AUD 894,881                             | 105%                                    |
| Procurement Costs                | AUD 267,947  | AUD 192,740                             | 70%                                     |
| Totals                           | AUD1,117,987   | AUD1,087,621                            | 97%                                     |

The table highlights that the overall expenditure for the reporting period was 97% of the budgeted amount.

**End-of-Program Outcomes:** The current end of program outcomes were determined at an M&E workshop that was held with Program partners in November 2012.

While many of the outcomes remain relevant some, such as those associated with Program Objectives A3 and B1 are no longer applicable as a result of the passing of new land laws and thus need to be revisited and redefined by program partners. It is also evident that the outcomes are in fact a mix of outcomes and outputs in accordance with DFAT guidelines on such.

Similarly to the implementation of activities, progress towards achieving end of program outcomes is also inconsistent. There have been some successes arising from activities in the core land administration areas e.g. improving Land Registry operations, IT developments and creation of the valuation roll and ongoing difficulties in respect of activities associated with the customary land area including achieving outcomes associated with Objective A1.

The following table summarises both progress towards achieving the end-of-program outcomes and the adequacy of such progress as at December 2014.

**Table: Summary of progress against End of Program Outcomes**

| Objective   | Expected Outcomes   | Adequacy of Progress   |
|---|---|--|
| A1.<br>Informed collective decisions by customary landholders | <ul style="list-style-type: none"> <li>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.</li> <li>The defined priority resolutions from the 19 resolutions adopted by the MNCC at their annual</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome not achieved: The implementation of the new land laws will facilitate the definition of custom boundaries and the chiefly structures.</li> <li>Outcome not achieved. The implementation of the new land laws will facilitate the implementation of key resolutions.</li> </ul> |



|                                   |   |   |
|-----------------------------------|---|---|
|                                   | <p>meeting of April 2012 are being implemented.</p> <ul style="list-style-type: none"> <li>• A process to protect customary land rights is designed.</li> </ul>   | <ul style="list-style-type: none"> <li>• Outcome achieved: The new land laws, gazetted in February 2014 introduce mechanisms that are designed to ensure that customary land rights are protected.</li> </ul>   |
| A2. Participatory land governance | <ul style="list-style-type: none"> <li>• Functioning participatory mechanisms (sustainable, gender inclusive) in place for the governance of land at sub-national levels.</li> <li>• Custom owner groups are better informed on land lease issues, and participate more effectively in formal land dealings.</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>• Outcome Not Achieved.</li> <li>• Outcome Not Achieved: The introduction of the new land laws should enable achievement of this outcome as it's planned to run community awareness and outreach sessions as a part of the new leasing process.</li> </ul>  |
| A3. Registry                      | <ul style="list-style-type: none"> <li>• The land registration process meets the needs of 95% of clients.</li> <li>• All applications are registered in the same order as lodgements, and within 20 working days.</li> <li>• All Land Registry records are accessible through the TIS.</li> </ul>                       | <p>Progress Satisfactory and anticipate that outcomes will be met.</p> <ul style="list-style-type: none"> <li>• Outcome Not Achieved: No means of measurement has been put in place. It's planned to introduce a rudimentary customer service survey in 2015.</li> <li>• Outcome Achieved: The introduction of the DTS has facilitated improved processing of applications for registration. Provided that requisition arises dealings are being registered within 20 days.</li> <li>• Outcome Not Achieved: The TIS is still under development. When implanted it will provide access to all Land Registry records.</li> </ul> |



|                              |  |  |
|------------------------------|--|--|
| A3. Lease planning           | <ul style="list-style-type: none"> <li>The COIF process is transparent and involves all stakeholders (MNCC custom land officers assist DOL in identifying chiefs).</li> <li>All leases are drafted by registered (members of a professional association) professionals following strict guidelines.</li> <li>Documentation in Bislama is accessible to all.</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome superseded with the introduction of the new land laws and thus needs to be redefined.</li> <li>Outcome not achieved with no means of verification in place.</li> <li>Achieved. Lease planning information leaflets have been translated into Bislama</li> </ul>  |
| A3. Lease enforcement        | <ul style="list-style-type: none"> <li>95% of all Land rents are collected annually.</li> </ul>  | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome not achieved: Unable to determine % of land rent collected.</li> </ul>   |
| B1. Customary Land Tribunals | <ul style="list-style-type: none"> <li>As a result of training, the appeals to decisions by CLTs are reduced.</li> <li>CLTU have proper management, administrative procedures, equipment and a computerized database.</li> <li>Reviewed CLTU Act.</li> </ul>   | <ul style="list-style-type: none"> <li>These outcomes are no longer valid as the CLT Act has been repealed and the CLTU replaced by the CLMO and thus need to be redefined.</li> </ul>   |
| B2. IT systems               | <ul style="list-style-type: none"> <li>VANLAS (Vanuatu Land Administration System) is functioning and servicing the needs of the staff of DOL, and of the land professionals.</li> </ul>   | <p>Progress adequate and anticipate outcomes being achieved</p> <ul style="list-style-type: none"> <li>Outcome partially achieved: The valuation data set for Port Vila was completed in 2013. Luganville valuation data will be added by mid-2015. The DTS has been introduced across all sections of the DoL. The TIS is under development and will be implemented in early 2015.</li> </ul> |
| B2. Survey                   | <ul style="list-style-type: none"> <li>Survey directions are designed, distributed and complied with by registered surveyors.</li> </ul>   | <p>Progress satisfactory and anticipate outcomes will be achieved</p> <ul style="list-style-type: none"> <li>Outcome not achieved: Survey directions have been designed but not yet implemented by DoL.</li> </ul>   |

|                  |  |   |
|------------------|--|---|
|                  | <ul style="list-style-type: none"> <li>DOL offers immediate and efficient services to surveyors.</li> </ul>  | <ul style="list-style-type: none"> <li>Outcome not achieved: No baseline</li> </ul>   |
| B2.<br>Valuation | <ul style="list-style-type: none"> <li>An updated Valuation Role provides meaningful valuations for land rates, and fair values for land dealings.</li> <li>Valuation standards are designed, training is provided, and registered valuers comply with the standards.</li> </ul> | <p>Outcomes achieved</p> <ul style="list-style-type: none"> <li>Outcome partially achieved: With program support the Port Vila valuation roll was completed in 2013. The valuation roll for the Luganville municipality is currently being compiled and will be completed by mid-2015.</li> <li>Outcome achieved: Valuation standards were introduced in 2013 and supplemented with training and capacity building activities.</li> </ul> |

## Management Responses

As 2015 marks the final year of the Vanuatu Land Program the scope to make major changes to program design and introduce new approaches is constrained by the remaining resources (human and financial) that are available.

In respect of defined activities for 2015 the Program will focus support on the completion of activities that offer the best opportunity for achievement and sustainability of end of program outcomes. This will include:

### Objectives A1 and A2

- Continued support for the implementation of the new land laws over customary land. This will take the form of support for pilot case studies and involve community outreach and awareness, training of chiefs and adjudicators and assistance with the production of supporting publicity and information material. (This support will facilitate progress towards the achievement of end of program outcomes associated with Objectives A1 and A2 for which to date little progress has been made)
- Conclusion of the work associated with the investigation of community led custom governance initiatives and reporting back to the Malvatumauri and Minister of Lands. (This work should assist with the implementation of the Malvatumauri Roadmap)

### Objective A3

- Completion of the scanning of land registry parcel files and lease register cards as a prerequisite to the achievement of the outcome relating to the availability of land registry records through the TIS

- Ensuring that the Title Information System is implemented and available to clients and staff of the DoL
- Ensuring that all land registry data (in the form of scanned imaged and lease register cards) are as a result of data migration, available electronically through the TIS

Objective B1

- Working with DoL Survey Section to ensure that the Survey Directions are successfully implemented

Objective B2

- Completion of the Luganville Valuation Roll which together with the already completed Port Vila roll will provide GoV with a solid basis for the determination and collection of land rent and assist with the achievement of end of program outcomes relating to Objective A3 lease Enforcement

In addition to the above there are a number of 'additional' activities that the Program has identified as necessary to the achievement of end of program outcomes. These are as follows:

- As a result of the passing of the new land laws some of the existing end of program outcomes are no longer valid (e.g. those associated with Objective B1) and thus will need to be redefined. The Program Office will work with relevant program partners to make this happen and present the amended outcomes to the PMC
- Work with DoL to initiate surveys to measure client satisfaction and determine how leases are prepared in accordance with end of program outcomes relating to Objectives A3 and B2 (Survey). Draft surveys have already been proposed and were included in the Program M&E Framework Report No C- 3.8
- Work with program partners to improve the implementation of program M&E in particular ensure that the three monthly reporting as recommended by the M&E framework is in place and that issues identified through the reporting are being appropriately addressed
- Continue to monitor improvements to processes and procedures in the DoL through use of DTS reports, TIS reports and discussions with key partners to ensure that they are embedded and part of day to day business
- Ensure that exit and transition arrangements are included as a section in all program produced reports during 2015

## 1. INTRODUCTION

This Annual Report for 2014 covers the period of the Vanuatu Land Program from 1 January 2014 through to the 31 December 2014.

The report highlights progress made towards the implementation of program activities as detailed in the Annual Plan for 2014. Where appropriate it details issues and the lessons learned; progress towards achieving end-of-program outcomes; identifies factors impacting on the adequacy of outcomes and deliverables; provides a self-assessment of the performance of Land Equity International (LEI), the Australian managing contractor; and assesses the overall ongoing relevance of the Program.

A narrative of the activities carried out with program support is contained in Section 3 of the report that follows the format of the Program Objectives as set out in the Annual Plan. The Annual Report is not in itself a substitute for the more detailed technical reports produced during the course of 2014 but rather a summary of activities and outcomes. Throughout the document reference is made to more detailed technical reports as appropriate.

### 1.1 Overview of the Program

The Vanuatu Land Program (the 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, The Australian Government Department of Foreign affairs and Trade (DFAT) and the New Zealand Government harmonised their development assistance to the Vanuatu land sector through funding for the Vanuatu Land Program (formerly the Mama Graon Vanuatu Land Program). A Tripartite Agreement between the Governments of Vanuatu, Australia and New Zealand was signed in December 2009.

The Government of New Zealand delegated funding to DFAT 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. (The funding for the New Zealand contribution to the Program ceased on 31 December 2013).

## 2. PROGRAM DESCRIPTION

### 2.1 The Program Goal and Purpose

**The Goal of the 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 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 GoV's PAA (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 and meeting the wishes of the people of Vanuatu.

A key modality adopted for the delivery of Program support has been an emphasis on a “user driven approach” with program partners driving the activity agenda as well as the implementation of activities. This approach was reinforced in early 2013 with Memorandum of Agreements being signed between the Program, the Ministry of Lands and the Ministry of Justice which transferred responsibility for program contract staff and recurrent expenditure to the various program partners.

The modality for providing support to program partners has until now focused on technical assistance and contract staff with program partners having 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 technical fields such as those associated with land administration 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 and therefore skill and knowledge transfer arising from technical assistance is critical and has remained a focus of the Program. During 2014 short term technical assistance was provided on land registration, land valuation, institutional and capacity building, cadastral surveying and GIS utilising advisers already contracted to the Program i.e. no new advisers were recruited during the reporting period.

## 2.3 Program Relevance and Implementation

Land remains an important development issue for Vanuatu. 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 LSF.

Between September and December 2012 a Joint Review of the Program was undertaken. A recommendation in the Joint Review report was that the Government of Vanuatu and the Development Partners refine the design of the Mama Graon Program taking into account the findings of the review and the impact of the completion of the New Zealand component. The refinement of the Program design was undertaken in June 2013, taking into consideration the recommendation of the Joint Review Report. The Refinement Report recommended that the program be refocused to support land administration, which will:

- provide support for major infrastructure projects that are in the pipeline, such as those under the purview of the Major Projects Unit;
- provide support for land administration initiatives identified by the Minister of Lands as being strategic in fighting corruption and addressing deficiencies in current land administration practices and procedures;
- support areas where the greatest successes have been achieved to date, principally based on the achievement of end-of-program outcomes; and
- minimise Program risk.

Based on the Refinement Report the Program has focused activities on the core land administration areas however given the land law reforms that were promulgated in 2014 targeted support to customary institutions has continued during 2014.

## 2.4 Context for Implementation

The activities detailed in the 2014 Annual Plan sought to build on the progress and improvements made during 2013 particularly with regard to the progress made in core land administration functional areas including the Land Registry Office and the Valuation Unit and the positive impact such progress had towards achievement of end of program outcomes.

During 2014 the direction of the Program was influenced by changes in both the wider land sector and changes to program personnel. Changes included; a relocation of the Department of Lands (DoL) from Hong Kong and New Zealand House to its current location at the George Pompidou Building; a refocusing of program efforts as a result of legislative changes coming into effect in February 2014; including the passing of the Constitutional Amendments to Articles 30 & 78, amendment to the Land Reform Act, amendment to the Land Lease Act and repeal of the Customary Land Tribunal Act and introduction of a new law the Customary Land Management Act No. 33 of 2013 (The laws which seek to curtail ministerial power to grant leases and afford greater protection to custom owners have been generally well received although at the time of preparation of this report practical implementation is yet to begin); the appointment of a new Program Director in January 2014; and changes in the senior management at both the Ministry of Lands and the DoL in the third quarter of 2014.

## 3. IMPLEMENTATION OF THE ANNUAL PLAN

This section describes in detail the progress of Program activities against the 2014 Annual Plan.

### PART A

#### 3.1 Objective A - 1 INFORMED COLLECTIVE DECISIONS BY CUSTOMARY LAND HOLDERS

##### 3.1.1 Objective A1.1 Improved Customary Governance of Land by the Malvatumauri

##### **Agreed Activity: Support for the institutional strengthening of the Malvatumauri**

Limited progress has been made in implementing planned activities under Objective A1 although the Program has continued to fund the position of the National Custom Lands Officer. The human resource capacity of the Malvatumauri, which essentially comprises just three administrative staff, was again the major factor behind the lack of progress.

In respect of engagement during 2014 in early February 2014 the newly appointed Program Director held introductory meetings with the Chief Executive Officer (CEO) of the Malvatumauri and the Director of the VKS in order to discuss the way forward in respect of the activities contained in the 2014 Annual Plan.



At the meeting between the Program Director and the CEO Malvatumauri the CEO proposed a different range of activities to those contained in the Annual Plan suggesting that activities re-focus on implementation of the Malvatumauri Roadmap<sup>1</sup> (the Roadmap). At an introductory meeting between the Program Director and the Director of the VKS, the Director VKS proposed that the Program divert funding identified to support the 2014 Field Worker Workshops towards supporting a three year program of work focusing on the issue of custom governance specifically a series of workshops exploring the traditional governance arrangements for the communal and collective management of land, people and resources' and utilising this information as a basis for implementation of the Roadmap.

The Program Director with the agreement of DFAT tasked the Land Sector Governance Adviser with facilitating meetings between both entities to explore a means of providing a way in which they could work together to realise their aspirations and to ascertain what support, if any, the Program would be able to provide.

As a result of the meetings the two institutions through the President of the Malvatumauri and Director VKS signed a Memorandum of Understanding (MoU) agreeing to work together to achieve the this objective. At a Program Management Committee (PMC) meeting held on the 27 May 2014 a 'concept paper' was presented by the CEO Malvatumauri formally requesting that the Program redirect funding set aside for the 2014 Field Worker workshops to fund a series of workshops between MNCC, VKS and CLMO and provincial councils with the objective of designing a 3-5 year program for the implementation of the Roadmap.

The concept paper was very general and contained no reference to costs and benefits. The PMC requested refinement of the proposal including the provision of specific and measurable objectives for the planned workshops and the resources, financial and other, required to support them. Unfortunately a refined proposal never eventuated and since that time both the CEO Malvatumauri and the Director of the VKS have left their respective posts.

With no clear direction being set by either institution and with pressure being placed upon the Land Program to extend its support to the implementation of the new land laws a decision was taken at the August PMC to divert funding from this sub component to support the implementation of the new land laws.

#### **Agreed Activity: Funding for the reprinting of information material**

No request(s) were received to assist with the reprinting of information material during 2014. Funding identified to support this activity was reassigned to support the implementation of the new land laws - see below.

#### **Agreed Activity: Support for the legislative review of the National Council of Chiefs Act**

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<sup>1</sup> A Program supported 'Customary Land Symposium' in late 2011 resulted in the development of the Malvatumauri Roadmap (the Roadmap) detailing 19 resolutions concerned with improving the administration of custom land.



No progress was made in respect of this activity which has been deferred and included in the 2015 Annual Plan. Primary responsibility for driving this activity fell to the Malvatumauri. The failure to undertake the activity during 2014 can be attributed to a lack of capacity within the Malvatumauri as it continues to operate with only three administrative staff including the CEO and the National Custom Lands Officer.

**Agreed Activity: Funding for the VKS Field Worker Workshops**

This activity did not take place. As reported above; the introductory meeting between the Program Director and the Director of the VKS, the Director VKS proposed that the Program divert the funding identified to support the 2014 Field Worker Workshops towards supporting a three year program of work focusing on the issue of Custom Governance. A detailed proposal for this work outlining costs and benefits wasn't forthcoming and thus the decision was taken to utilise the funding assigned to this activity to support the implementation of the new land laws.

**3.1.2 Objective A1.2 Improved stakeholder and public understanding and awareness of customary land practices**

**Agreed Activity: No activities / funding were provided for this sub component**

**3.1.3 Objective A1.3 Improved decision making by customary land holders**

**Agreed Activity: No activities / funding were provided for this sub component**

**3.1.4 Issues / Lessons Learned / Quality of Outputs / End of Program Outcomes**

**Issues:** The extremely broad nature of customary land governance has made it difficult for the Program to focus efforts on meaningful outputs and outcomes. A complete implementation of the Roadmap, designed principally to improve custom governance, remains beyond the institutional capacity of the Malvatumauri and the financial capacity of the Program – particularly as the Program is now entering its final year and despite the significant support provided in the past. Indeed as a result of the 2013 Refinement Review program activities have purposely refocused on areas where progress can be made. The nonspecific nature of the Malvatumauri / VKS proposal to run a further series of workshops to plan the implementation of the Roadmap provided little indication of a positive outcome. All is not lost however and as a result of other initiatives a more piecemeal approach to the implementation of the Roadmap resolutions is now emerging and is commented on below under “End of Program Outcomes”.

**Lesson learnt:** The focus of Objective A-1 of the Program – “Informed Collective Decisions by Custom Landowners” is very broad and Program engagement in the customary land area remains difficult. A further workshop or workshops to refine and redefine the implementation of the Malvatumauri Roadmap without a proper set of objectives and outcomes wasn't deemed an appropriate way forward.

**Quality of Outputs:** The planned outputs did not eventuate for the reasons stated above. Outputs associated with the refocusing of program activities to support the implementation of the new land laws e.g. capacity building workshops were of an acceptable quality and are further commented on below under Objectives A2 and B1.

### End-of-Program Outcomes:

Anticipated end of program outcomes for Objective A1 are:

- 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

End of program outcomes have not been achieved - the primary cause of this is the Malvatumauri's lack of human resource capacity.

The passing of the new land laws (commented upon at 4.2 below), a primary objective of which is to afford greater protection to custom owners, now offers the best chance of making progress towards the end of program outcomes and addressing the implementation of a number of the 19 resolutions while the community led initiatives to restore the custom governance of land, currently under investigation by the Program, will address others. Program supported initiatives to build the capacity of customary institutions and support community outreach and education will further support the implementation of the Roadmap. Previous efforts at a structured approach to implementation have proven unsuccessful - the current approach while appearing ad-hoc in nature offers a better chance of success provided that the Malvatumauri can build sufficient capacity to play a coordinating and oversight role.

## 3.2 Objective A - 2 PARTICIPATORY LAND GOVERNANCE

### 3.2.1 Objective A2.1 Support the effective and participatory sector wide governance of land

#### Minister of Lands Proposals

At the time of preparation of the 2014 Annual Plan the gazettal of the new laws wasn't anticipated and thus no activities were proposed to support this initiative.

In February 2014 land related legislative amendments and constitutional changes were gazetted as follows:

- Constitutional Amendments to Articles 30 & 78
- Amendment to the Land Reform Act
- Amendment to the Land Lease Act and
- Repeal of the Customary Land Tribunal Act and introduction of a new law the Customary Land Management Act No. 33 of 2013. (Resulting in a change of name of the Customary Land Tribunal Unit to the Customary Land Management Office).

Following gazettal and at the request of key program partners and authority of the PMC program activities were redefined and resources diverted to support the implementation of the new laws. Alongside this the Ministry of Lands and the Ministry of Justice set about working on implementation practicalities appointing a consultant

to consider the fiscal implications of the new laws while at the same time appointing an 'implementation manager' tasked with preparation of an implementation plan.

The work on the fiscal implications of the new land laws presented a number of scenarios in which GoV was responsible for covering different levels of costs associated with implementation ranging from a position where all costs are covered to a position where costs are offset and /or partly covered by donor assistance. Worryingly in the best case scenario there was still a need for a 32% increase in spending by the responsible ministries. To offset these additional costs GoV will have to step up revenue generation efforts and it's anticipated that this will be achieved through a land rent review and improved collection of land rent.

In July / August 2014 the Minister of Lands requested additional support from DFAT to assist with the implementation of the land reform package. Additional support wasn't forthcoming. DFAT's position being that the Vanuatu Land Program remains is the main mechanism for Australian assistance to strengthen land administration in Vanuatu.

In light of this decision the Program committed to supporting the implementation of the new reform package through funding support for the implementation of pilot case studies (i.e. processing of applications under the new arrangements as well as training and capacity building for the staff and institutions involved).

Implementation progress is slow. By the third quarter of 2014 an implementation plan still hadn't been prepared – the cause of this delay was difficult to ascertain with the Program unable to meet with the nominated project manager. In response to growing pressure to implement the now operational laws the GoV through the Ministries of Lands and Justice established an 'Oversight Implementation Committee' (OIC) to oversee the planning and implementation. At the beginning of October 2014 the Program Director and Land Sector Governance Adviser were invited to join the committee.

Three OIC meetings were convened between October and early December, although it should be noted that attendance and time keeping were not always as they should be. An action plan for implementation is now emerging that sets out how the responsible agencies (with program support) will conduct; community awareness and education; notification; custom ownership determination; certification of recorded interest, Land Management Planning Committee (LMPC) process and registration i.e. the new leasing process start to finish.

It should be noted that at the time of preparation of this Annual Report the actual implementation of the new laws (in terms of applications being received and processed under the provision of the new laws) has only just started with new application forms being gazetted in October and the LMPC meeting to consider new applications in late November and early December.

The delay in progressing implementation meant that funding diverted to assist with implementation during 2014 wasn't utilised. The implementation activities associated with community outreach and education and pilot implementation that were targeted for Program support in 2014 have thus been carried forward and form part of the 2015 Annual Plan.

### **Land Governance Assessment Framework (LGAF)**

Work associated with the Land Governance Assessment Framework (LGAF) was brought to an unsatisfactory conclusion in 2014.

A draft LGAF report was received by the Program at the beginning of 2014 but was found to be incomplete – with many sections missing information. Considerable time and effort was expended tracking down the LGAF consultant and after contact was eventually made at the end of February a meeting between the Adviser, program Director and Land Sector Governance Adviser set up for the 4<sup>th</sup> March. Unfortunately the meeting didn't take place and the Program subsequently learned that the Adviser has once again left Vanuatu.

Subsequently, meetings were held with the Ministry of Land and the World Bank (as primary stakeholders in the process) in order to appraise them of the situation. The Ministry informed the program that it no longer wanted resources expended on the exercise while the Banks position was that was still necessary to complete a final report. The program determined that the best course of action was to complete the report, submitting it to the World Bank and to the GoV through the Vanuatu Land Governance Committee (VLGC). The final verification and policy direction workshops didn't proceed. A final version of the report was completed by LEI in October 2014 and passed onto to the interested parties as described above. The report will remain with GoV until such time they wish to revisit the process.

### **Agreed Activity: Support for the Vanuatu Land Governance Committee (VLGC) and Program Management Committee (PMC)**

This activity progressed satisfactorily with program support continuing for both the VLGC and the PMC during 2014. During 2014 and consistent with previous years, there were four (4) PMC meetings, March (to review and approve the 2013 Annual Report), May (mid-Year Review), August (to commence the 2015 Annual Planning cycle) and October (to approve the 2015 Annual Plan). An end of year meeting planned for late November / early December never eventuated. The make-up of the PMC, which generally comprises senior staff, has meant that it is sometimes difficult to obtain the availability of all members. During 2014 the Program provided funding support to three VLGC meetings all concerned with various aspects of the new land laws.

### **3.2.2 Objective A2.2 Establish and / or improve participatory, sustainable mechanisms that will facilitate regional and local governance of land**

#### **Agreed Activity: No activities / funding for this sub component**

While no activities were agreed for this sub component at the time of preparation of the 2014 Annual Plan, the gazettal of the new land laws in February 2014 has led to an notable increase in community led custom governance initiatives with reports reaching the Program that communities in Pentecost, Ambrym, Epi and Malo had taken it upon themselves to determine custom ownership, custom boundaries and establish rules for custom governance of land and other matters. Given the difficulties experienced with the implementation of the Malvatumauri Roadmap and the potential that these community led initiatives present in terms of an alternative way of improving custom governance of land including the determination of custom owners and boundaries, the Program proposed that as part of the 2015 planned activities it would

investigate and report on such initiatives to see if any of them represented a model that could be easily replicated elsewhere in Vanuatu. The proposal was presented to the PMC as part of the 2015 Annual Planning process and was duly approved. The rapid pace at which initiatives were moving forward meant that the investigatory work started in October 2014 and will carry over as a planned activity for 2015.

While this remains a work in progress the following is a summary of activities to date.

October 2014 marked the commencement of a supported investigation into the area of custom governance system restoration. Initial work is being carried out on the island of Pentecost however it is anticipated that the Program will also investigate similar initiatives taking place on Epi, Ambrym and Malo. Anecdotal evidence suggest that each of these communities are as a result of the recent land legal reforms in Vanuatu attempting to document custom governance principles including those relating to land. The Program is carrying out investigative work with the objective of ascertaining how each of the aforementioned communities has approached this work and then documenting this and identifying good practice for presentation back to the Malvatumauri and Minister of Lands.

An initial visit to Pentecost was made by the Land Sector Governance Adviser and the Custom Land Officer for Penama Province supported by a VKS field worker in mid-October.

The objectives for the visit were:

- Get prior informed consent from the different authorities and groups managing the north Pentecost MCC roadmap implementation pilot to observe and report upon the activities; and
- Gathering relevant information in respect of custom governance activities, reviewing documentation and obtaining agreement on the scope of the reporting to be produced, and timeframes.

Meetings were held with custom authorities in a number of locations including a workshop that brought together all areas where governance work is taking place. A second visit to Pentecost followed in November focusing on investigation of the documentation phase of the process. At a workshop held to review the documentation process it was agreed that a draft report based on the outcomes of the documentation workshop be prepared and made available to the participants early in December. The draft document will form the basis of the wider community consultation tentatively planned for the month of January and February 2015.

At the time of preparation of this report the Land Sector Governance Adviser is preparing to make a short visit to Epi with the objective of reviewing the recent work that has been completed there in respect of documenting custom land laws.

It must be stressed that the Program is not influencing or leading the custom governance documentation process in any way. As these are community driven initiatives the Program with community consent is merely investigating the approach taken and documenting this.

Given the sensitivities attached to custom governance both across and within communities there are risks associated with undertaking this work. These include:



- Using staff from a particular community to investigate governance in that community will result in bias being introduced to the process and outcomes – in early 2015 an issue relating to this had already arisen
- The perception that the Program through its involvement is seen to be influencing the direction and form of custom governance initiative
- The perception that the Program is seeking to influence the determination and recording of custom owners

To mitigate against these risks in 2015 the Program will:

- Ensure that review and investigation is undertaken by an impartial person who does not come from the community under review
- Use more than one person to undertake the review and investigation (as was already happening in 2014) in order to provide a broader perspective on the process

### 3.2.3 Objective A2.3 Improve the participatory mechanisms that facilitate formal land dealings

**Agreed Activity: Support for the ongoing development of the Vanuatu Land Professionals Association through workshops, professional training and establishment costs**

No activities were undertaken during 2014 under this sub component pending clarity of the impact of the new land laws on the work of professionals in the land sector. The Program has reiterated the need to engage with the land sector profession in Vanuatu concerning the new land laws. The Program stands by to support this but it's up to the Ministry of Lands to drive the activity.

### 3.2.4 Issues / Lessons Learned/ Quality of Outputs / End of Program Outcomes

**Issues:** Progress in respect of the implementation of the new land laws has been slow primarily as a result of a lack of planning for implementation and a lack of resources, human, financial etc. on the part of the responsible organisations. As a result, very little of the funding that was diverted to cover associated costs was actually disbursed. A detailed project implementation plan has never been published, the reasons for this remaining unclear, although in late 2014 a document entitled 'Working Document on the Implementation of the Pilot Sites' was issued through the Oversight Implementation Committee. The document contains information concerning activities that will be undertaken and costs incurred implementing the new laws at a number of pilot sites. It is a useful start but requires further work and more detail if an orderly implementation is to take place.

In respect of support to key committees, the convening of four PMC meetings in 2014 was in line with the previous years of the Program. The most pressing issues in respect of the PMC were securing meeting dates and obtaining meaningful feedback on program reports. This is further commented on in Section 4.6 below.

**Lessons learned:** In respect of the implementation of the new land laws the key lesson learned is that implementation planning should begin alongside preparation of the laws. The gazettal of the new laws in February 2014, driven by political expediency,

wasn't anticipated and ever since the responsible ministries and departments have been playing catch up and struggling with implementation. A detailed consideration of the resourcing and financing required for implementation is only starting to happen as this report is under preparation – almost a year after gazettal of the laws.

**Quality of Outputs:** Activities under this objective were limited. Outputs associated with support for the PMC and VLGC were satisfactory with the Program Office taking the lead in minuting meetings and following up on action points. The quality of progress reports on the custom governance investigatory work was sufficient to signify adequate progress.

**End-of-Program Outcomes:**

Anticipated end of program outcomes for Objective A2 are:

- 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.

Neither outcome has been achieved.

- Continuing program support to the implementation of the new land laws and the structures that they put in place should provide an opportunity to improve the participatory mechanisms for the governance of land – a key objective of the new laws is to return responsibility for governance and decision making on land matters to the custom owners. The ad hoc nature of the VLGC has resulted in little influence over this outcome.
- Similarly the outreach and education activities associated with the new land laws supported by the Program and planned for 2015 should ensure that all members of communities affected by lease applications (including women and children) are better informed on land lease issues and participate in the process of dealings with their land.

### 3.3 Objective A - 3 EFFECTIVE AND ENABLING SERVICES

#### 3.3.1 Objective A3.1 Establish a functioning Land Registry and Information Service

The May 2013 Program Six Monthly Report included the following statement; “The management and operation of the Land Registry currently rates very poorly and it would still be classified as a dysfunctional land registration system”. This is no longer the case and during 2014 the Program concentrated efforts on consolidating the improvements made during 2013. The international Land Registry Adviser undertook two inputs in Vanuatu in March / April 2014 and June / July 2014. The primary objective of the inputs was to support Land Registry in its efforts to maintain progress in implementing new practices and procedures as well as carrying out capacity building and knowledge transfer. Program report A-3.21 ‘Land Registry Office Strategic Directions 2014 – 2016, issued at the end of 2013 set out a range of steps designed to ensure that changes to practice and improvements to service delivery are maintained. Report A-3.24 ‘Progress report on the operation of the Land Registry Office approved in early September 2014 contains further details of Program

assistance to the Land Registry and an update on the progress that has been made. The following provides a summary of key activities and support during 2014.

**Agreed Activity: Ongoing support is provided to continue improving land registration procedures**

Good progress was made throughout 2014 with this activity being the focus of considerable input as follows:

Procedures

At the commencement of the Land Program in 2011 the Land Registry held a large backlog of documents. The reasons why the Land Registry was not able to keep pace with the incoming work are numerous and complex but many relate to inefficient work practices and systems. In particular:

- Files required for processing dealings could not be found due to the ineffective and cumbersome filing system for documents.
- Recording systems maintained for documenting the details and location of dealings lodged in the office were not kept up to date.
- Processes for examining and registering land transactions were inefficient.
- The introduction of electronic registrations and the subsequent decommissioning of the system consumed considerable human resources

In 2014 the Program continued to work with Land Registry to ensure that the backlog of work did not return. In support of this the following improvements to work practices were implemented in the Land Registry during 2014:

- A new filing system for documents was introduced to simplify the maintenance of the file and the retrieval of documents. The move of the Land Registry to the George Pompidou Centre provided the opportunity to re-arrange the existing parcel files in a more logical sequence. A system was also implemented to record when and who removed records from the files and this has greatly reduced the likelihood of documents being “lost” or misfiled.
- A computerised Document Tracking System (DTS) has been implemented in the Land Registry to replace the many manual and computer based spreadsheet systems for recording the details of dealings and tracking their progress through the office. The introduction of the DTS has meant that:
  - Details of unregistered documents are available via the Departmental intranet
  - Reports are available to assist in managing the backlog of work
  - Productivity of Registration Officers can be monitored
  - The document examination and registration processes are more transparent
- Unnecessary and inefficient work practices have either been discontinued or revised. Important changes to work practices are listed below.
  - Advices of Registration to lodging parties have been discontinued and advices to Government agencies have been rationalised.



- Dealings are now being assessed prior to acceptance to avoid the time consuming effort required to reject the documents at the examination stage.
- Checklists have been developed to assist staff to effectively undertake the tasks of document lodgement, examination and registration.
- Procedures for numbering documents have been changed to ensure that documents can be uniquely identified.
- The particulars recorded for documents have been reviewed to ensure that only required information is recorded.
- The practice of creating and updating strata plan and lot registers has been discontinued. The information that was being collected was duplicating the information shown on strata titles.
- The time-consuming practice of creating parcel folders for new leases as a repository for all documents relating to a particular parcel was discontinued. Documents are now filed individually in sequential order.
- The task of examining strata plans has been moved from the Land Registry to the Survey Division. The staff of the Survey Division examines all other plans of land subdivision and have the expertise to undertake this task.
- The format of the Application for Registration form has been simplified to reduce the amount of information required to be transcribed onto the form.
- All documents are being scanned following their registration to ensure there is a back-up for all of the paper documents.
- Access to originals of registered documents has been restricted to increase the security of documents.
- Dealings over leases and strata titles are being recorded and processed in the same stream rather than as separate processes carried out by different personnel. This has brought about increased flexibility in use of the staff.

### Process Manuals

A major impediment to the efficiency of Land Registry operations was the fact that no documentation existed in respect of practices or processes. This lack of documentation allowed an environment to develop where there was no consistency in the way personnel processed documents or in the way they interacted with clients.

With support from the Program's Land Registry Adviser a "Land Registry Office Procedure Manual" was developed as a reference document and training tool for Registry staff. A final program led update was undertaken in July 2014. The Manual covers all stages of the document processing process from lodgement to filing of registered documents and it covers dealings on both leases and strata titles.

In addition to the above and again with input and support from the Program an on-line operations manual was developed for the recently introduced DTS. Operators can access the manual from the main menu of the system.

The documentation from strata title training sessions (see below) has been distributed to registration officers as a basis for future training and induction sessions.

**Agreed Activity: Scanning of all records in each of the Land Registry Files**

**Agreed Activity: Updating and Scanning of the Lease Register Cards**

Progress has been made in respect of both of these activities;

A major activity during 2014, the scanning of Land Registry 'parcel files' and lease register cards commenced on 22 January 2014 and is being undertaken by a contracted supervisor supported by 7 contract staff (all funded through the Program).

The 'scanning project' is scanning both the 'back file' of parcel files together with newly lodged applications for registration – 'front file' (in the form of application forms and accompanying documents) as well as scanning lease register cards. The project builds upon an earlier attempt to digitize the records of the Land Registry. The scanned information will provide the principal data source for the Title Information System (TIS) currently being developed by Vanuasoft Technologies in partnership with the Vanuatu Land Program and the DoL. It is anticipated that the scanning of the 'back file' of parcels and lease register cards will be completed by the end of April 2015.

Procedures

A 'Scanning Procedures Manual' was prepared by the Program's Land Registry Adviser and scanning operations are being carried out in accordance with the documented procedures.

Progress

Progress with the scanning of files and lease register cards was slow. When the exercise began it was anticipated that it would be completed within 12 months and thus staff were contracted until the end of December 2014. At the time of preparation of this report the contents of just over 9000 files along with the associated lease register cards have been checked / scanned into the 'Saperion Database' (a government wide document management system) out of an estimated total of just over 14,000 files / lease register cards (based upon data from the survey database).

A number of factors have contributed to the slow progress:

- The contracted supervisor employed to oversee the task had to be replaced early on in the project due to misconduct (note that this wasn't connected with the Program)
- The replacement supervisor struggled to both manage and motivate the team and as a result his contract was terminated at the end of 2014
- The project has been beset by low productivity and staff absence – the Supervisor has now been replaced
- There has been a lack of supervisory support provided by the Department of Lands

- The above issues were exacerbated by technical problems with the scanning equipment such that at one point only two machines (out of four originally procured by the Program) were in use
- On two occasions production was halted due to flooding in the Land Registry that resulted in damaged computer equipment and files
- While scanning files and lease registers numerous data integrity issues have come to light that must be resolved

The slow progress during 2014 means that the scanning project will run into 2015 with an anticipated completion date of the 30 April 2015 – as reflected in the 2015 Annual Plan.

Contract staff are reemployed until early May 2015 in order to complete the task. As a result of issues arising from a lack of supervisory oversight by the DoL and poor management by the contracted supervisor the Program has contracted staff directly rather than renew the existing arrangement through the Public Services Commission (PSC) as well as contracting a new supervisor. Given the equipment failures that were experienced during 2014 the Program procured an additional scanning machine that is being used exclusively to scan front file and update lease register cards i.e. new documents being lodged for registration.

#### **Agreed Activity: Improving Records Management and Understanding of Strata Titles**

This activity has progressed satisfactorily.

##### Records Management

Records Management in the Department of Lands and the Land Registry section in particular has already been the subject of program activities and reports (See Report A3-20 Land Registry Adviser Exit Report October 2013 and Report A3.25 Detailed report on the Records Management activities in the Department of Lands – December 2014). The relocation of the Ministry of Lands to the Pompidou Building and the subsequent remodelling of the Land Registry file store areas have greatly improved the environment in which records are both stored and handled. Current records storage facilities are a step up from those in the Hong Kong and New Zealand House.

For the other sections of the DoL Records Management remains a challenge. Similarly to Land Registry the Survey and Mapping Section has its own file storage room although to be fully effective it needs better organisation. Lease Planning and Enforcement and the Valuation Unit both suffer from inadequate filing facilities and a reliance on paper records.

Records Management practice requires far greater management control. It appears that too many records are in circulation with records left on the floor and not filed away in a timely manner. Unfortunately there appears to be a lack of adherence to some of the good administrative practices already recommended by the Program in previous reports as referenced above.

On a positive note the current project to scan lease registers and the parcel files along with the development of the TIS should in itself provide a much needed boost to records management practice as should the ongoing practice of scanning survey drawings and their accompanying coordinate sheets and the scanning of negotiator

certificates in the Lease Planning and Enforcement section – reducing and even negating the requirement to circulate and handle paper records and all of the inherent risks that come with it.

#### Strata Title Training

In June / July 2014 the Land Registry adviser provided four two hours training session for Land Registry officers to improve their knowledge and confidence in registering strata plans and dealing on strata titles. The training modules addressed the following topics:

- Concepts of Strata Titles
- The Strata Titles Act
- The Strata Titles Regulations
- Processes for Examining and Registering Strata Plans
- Examination and Registration of Dealings on Strata Lots

### **3.3.2 Objective A3.2 Establish an effective land lease and development planning, assessment, permitting and enforcement service**

#### **Agreed Activity: Continue the scanning of negotiator certificates and associated records**

January 2014 witnessed the completion of the scanning of Negotiator Certificates – an activity that commenced in 2013 – this will have to resume again in early 2015 as applications for Negotiator Certificates are now being lodged under the new land laws. In support of sustaining this activity the Program procured a scanner for the section.

#### **Agreed Activity: Establish a document tracking system for applications for negotiator certificates**

In 2014 the DTS was implemented across all sections of the DoL including Lease Planning and Enforcement where its primary purpose is to track applications for Negotiator Certificates. Aside from the Land Registry and despite training support provided by the DoL IT Section, take up and use of the DTS has been inconsistent. The reasons behind this will be investigated in early 2015 when an organisational review of the DoL is scheduled to take place ahead of the production of Program Milestone Report No.26.

#### **Agreed Activity: Support changes in procedures that will come about as a result of the legislative amendments**

As a result of the new land laws the process by which an interested party can apply for and acquire a lease will change – directly affecting the work of Lease Planning and Enforcement. Limited management capacity, a lack of engagement by the staff with the Program and limited human resources will make it difficult for the section to effect an efficient implementation of the new processes.

There was limited engagement with the section during 2014 however in September the Program supported a workshop that focused on the new applications forms being introduced under the new land laws as well as a general review and consideration of the revised lease application processes and procedures under the Land Reform (Amendment) Act. The workshop was organised by the Lease Planning and Enforcement Section supported by the Program and brought together officers from the

DoL, CLMO, MNCC, and the Department of Internal Affairs represented by six Provincial Council Planners will play a role in the new lease making processes. The Workshop included presentations by the Hon. Minister of Lands and Professor Don Patterson of the law faculty of the University of the South Pacific. At the time of preparation of this report the implementation of the new land laws has yet to commence and thus it's not possible to determine how effective the training has been. A basic evaluation questionnaire completed following the workshop revealed that over 85% of the attendees felt their knowledge and skill had been increased as a result of attending the workshop.

#### Land Rent Review

In June 2014 the DoL went ahead with its planned Land Rent Review without the direct involvement of the Program. A request was made for the Program to fund DoL staff overtime but this was rejected by the program Director. Given the contentious nature of the review the Program raised concerns about the apparent lack of an implementation plan for the work. The DoL's failure to efficiently and effectively deliver rent review notices led to criticism of the Program's data integrity work – in particular the seeming failure to resolve the issue of incorrect lessees addresses. The Program Director responded to these criticisms pointing out that integrity checking was focused on ensuring that there was consistency of records in and between the Survey Section and Land Registry. Maintaining up to date service addresses in land registers is difficult and presents a problem across all jurisdictions – even if there is legislation in place to mandate it. In an attempt to assist with this issue the program has agreed to extend the scope of the Title Information System so that it links to the GoV finance system upon which records including address details of all government debtors are kept. This information can be used to assist with the preparation of rent collection notices in the hope that it will improve the delivery hit rate. The work is scheduled for early 2015 as part of the TIS implementation.

### **3.3.3 Objective A3.3 Deliver a national land awareness, knowledge and gender mainstreaming campaign**

#### **Agreed Activity: Support for general communication and education programs and gender initiatives**

Although no activities were identified under this sub component in late 2014 and conscious of DFAT's new performance framework that includes a target for 'Empowering women and girls' the Program began discussions with the Department of Women's Affairs (DWA) to determine how best to mainstream gender as part of the program supported community outreach activities associated with the implementation of the new land laws. DWA have kindly documented guidelines as to how this can best be achieved and thus the Program will be working with partners to see how best this can be incorporated into the outreach activities that are likely to commence in early 2015.

### **3.3.4 Objective A3.4 Demonstrate effective organizational models and service delivery arrangements**

#### **Agreed Activity: Support the institutional reform and capacity building of the DoL, CLMO and Malvatumauri**

## Institutional Reform and Capacity Building

Institutional and capacity building work continued throughout 2014 led by the international Institutional Adviser supported by the Program Director and other advisers. Efforts focused on the DoL and progress was made albeit slow. Experience highlighted the limited human resource capacity across the DoL in terms of both fulfilling job descriptions and implementing program activities. This was compounded by the limited staff numbers in several of the sections. These factors have made the “user driven approach” envisaged by the donors as the optimum modality for implementation difficult to achieve.

The Program carried out institutional and capacity development tasks within the context of Program key objectives, namely:

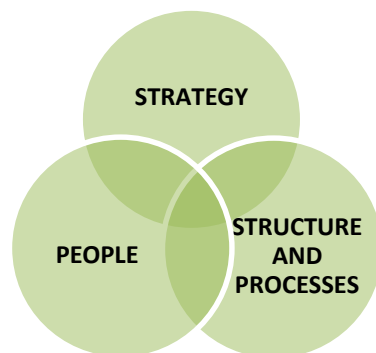
- Improve the effectiveness of land administration and utilisation
- Improve the effectiveness and transparency of decision making
- Raise the awareness of the rights of stakeholders

As well as both the Refinement Report recommendations and the articulated vision of the Minister of Lands for the DoL to be:

*‘Digitised, highly functioning organisation where the team-members offered consistent and professional service and were a key part of the Land system’.*

At an introductory meeting between the Institutional Adviser and the Minister of Lands it was evident that the need for culture change must form a key component of the institutional organisational and capacity building effort and thus it was determined that most effective way to introduce and maintain cultural change was to follow an experiential learning model and coaching methodology as distinct from a report driven methodology.

The experiential learning model and approach to mentoring and coaching utilised the framework shown below:



**Fig.1: The approach to institutional strengthening and capacity building activities - Linking Strategy with People with Structure and Processes**

### Strategy Development

Following a 1.5 days strategic planning workshop conducted during October 2013 strategic planning activities continued during 2014. The following outcomes were achieved;



- A Strategic Plan has been completed by the DoL and signed off by Acting DG, Acting Director and Executive Officer. The Program was satisfied with the quality of the plan. It makes explicit reference to the GoV PAA sets out the mission, vision and values of the DoL and considers operational, human resource, customer service, technological, legislative and financial aspect of the departments work setting out an action plan for the 12 month period covered by the plan. The plan will be subject to a first year review in January 2015.
- Acting Director has utilised content of the plan to communicate the future vision of DoL to the full team
- Acting Director has used this vision to guide his decision making in several key and sensitive consequence management outcomes
- Acting Principal Registration Officer (PRO) and Acting Senior Registration Officer (SRO) have used content of the plan to brief their team on the future business culture of registry section
- Acting PRO and Acting SRO have used the future vision as a guide for the change management process required for the use of the Document Tracking System
- The first 'Focus Group' with key customers of Registry section has been carried out.

In addition to the above a series of facilitated half day sessions were held to assist oversee the implementation of the strategic plan.

#### People Development

Coaching methodologies were utilised in the development of one on one executive coaching sessions for DoL managers. Due to the nature of coaching, these sessions were user led i.e. individuals who have the desire and capacity for change and professional development. One to one coaching was provided to the Director, Executive Officer CS and Senior Cartographer.

Content of these sessions is experiential, i.e. they cover current matters that are either limiting the performance of the individual and / or their respective teams.

The following outputs arose from the one-on-one coaching:

- Effective opening remarks in DoL Strategic workshop
- Management (consequence management) support in dealing with absences and substandard work effort within Registry section
- Guidance in the training of team members in the new survey procedures
- Leadership guidance in the use of and monitoring of Document Tracking system within Registry
- Executive support in managing difficult decisions and difficult conversations
- Oversight in the follow-up of operational matters
- Support and confidence in considering and at times challenging past practices
- Introduction of improved supervisory practices via 'management by walking around'
- Constructive feedback on the first draft of SOLA business case
- Leadership and ongoing support for supervisor and team responsible for Parcel File Scanning project

### Coaching and Leadership workshop

Of particular note was the organisation and facilitation of a specific two day coaching and leadership workshop attended by seven DoL staff. These were not existing directors or heads of section but rather less senior staff that represent the future of the DoL. The workshop was well received by the participants with the plan to run a follow up event in early in 2015.

### Organisational Structure

Following completion of the DoL 3-year Strategic Plan, the Program supported work in respect of the review and update of the DoL organisation structure.

Whilst the DoL works to an organisation structure approved by PSC, budgetary issues prevented the recruitment of suitably skilled staff to fill vacant roles. A walk around the various sections of the DoL reveals a lack of headcount in some sections.

A workshop was developed and facilitated by the Institutional Adviser to enable a review of the DoL organisation structure. The workshop focused on the Minister of Lands vision for the DoL in particular, digitised processes, professional customer service and a flatter multi-functional organisational structure.

There were three follow-up workshops conducted for Registry and Surveys and with Program support there is now a recommended organisation structure for Registry and Surveys. No progress was made on a review of Lease Planning and Enforcement due to the lack of engagement. Only limited progress was made in the review and update of the IT structure.

Progress towards implementing the revised organisational structures and filling vacant posts will be considered early in 2015 when the Program undertakes an organisational review of the DoL as part of production of Milestone Report No. 26.

### Service Delivery

The relocation to the George Pompidou Building provided an opportunity for the DoL, in particular the Land Registry, to remodel and improve public counter and client 'search' areas. The Program provided funding support for this and can report that front office work areas and public search areas are superior to those in the previous accommodation.

Rudimentary service standards exist but essentially all these cover are public opening hours (09.00 – 11.00 and 14.00 – 16.00). The Program is working to develop a more sophisticated set of service standards and performance measures although progress has been very slow as a result of the lack of engagement by key partners.

The relationship between the Land Registry and its clients has been at low ebb for many years. Historically there have been very large backlogs of work in the Land Registry, clients have been frustrated by the inability of staff to find files, some Registry staff have not received sufficient training to operate at a professional level, document processing procedures have not been consistent or transparent, dealings have often examined "out of turn" and there have been accusations of corrupt practices directed at Land Registry personnel.

On the other hand, the quality of documents prepared by clients has not always been of an acceptable quality, there has been a lack of coordination by lodging parties in



ensuring that all documents relating to a transaction are lodged together as a series in the correct sequence.

There has been little formal communication between the Land Registry and its clients to address these issues.

The Program has concentrated on eliminating the underlying causes of the poor customer relations. In particular, the following actions have been taken:

- A significant effort has been put into reducing the backlogs of work and the number of unregistered documents is being monitored on a daily basis. The Land Registry backlog of work that was estimated at over 6000 applications in 2012 has been removed and at the time of preparation of this report there were according to the DTS 194 applications being 'examined' and just over 200 awaiting sign off. While not yet at the levels that the Program would like to see this does show a marked improvement.
- Improvements in processing practices have been effective in increasing the productivity of officers.
- The instance of missing parcel files is diminishing due to a reorganisation of the files.
- Processes have been documented and staff are more informed on correct procedures and the DTS has ensured the processing of documents is more transparent. (See the Land Registry Office Procedure Manual v 1.1 Report B2.46 developed by the Vanuatu Land Program in conjunction with the Land Registry).
- The concept of Land Registry Practice Directions has been instigated. These communications keep clients informed of impending changes to procedures and provide instructions to facilitate the registration of dealings. To date 14 LR Practice Directions have been issued.

In April 2014, a Client Focus Group meeting was held. The Purpose of this session was to:

- Update clients with progress in the Land Registry
- Provide an opportunity to give feedback on current service levels
- Invite clients to ask questions and to provide suggestions for further improvement in service

The meeting was generally well received. Feedback was received from clients on a number of proposed changes to procedures and new services and these are being assessed. Another Client Focus Group meeting is planned for 2015 - to possibly coincide with the launch of the TIS.

#### **Agreed Activity: Support training activities in priority areas**

The Program continued to support capacity building activities, through training programs and workshops. These involved personnel from the DoL as well as staff from the Ministries of Justice and Internal Affairs.

The following table provides a summary of the training activities undertaken during 2014. A detailed breakdown of program supported training (and outreach) during 2014 is provided at Attachment 3.

**Table 1: Summary of Training activities 2014**

| Training Programs                             | Total Participants | Female Participants | % Female Participants | Male Participants | % Male Participants |
|---|--------------------|---------------------|-----------------------|-------------------|---------------------|
| <b>Training Programs and Workshops – 2014</b> |                    |                     |                       |                   |                     |
| 16  | 251                | 39                  | 16                    | 212               | 84                  |

### 3.3.5 Issues / Lessons Learned/ Quality of Outputs / End of Program Outcomes

**Land Registry Issues:** As a result of considerable Program support during 2014 the Land Registry continued to manage its workload and embrace the changes to practices and procedures referred to above. The third quarter of 2014 witnessed a change in senior management at the Land Registry (at Director and PRO level). The challenge for the new management team during 2015 is to ensure that change remains embedded and that the Land Registry doesn't find itself going backwards in terms of workload and customer service. A planned organisational review scheduled for early 2015 will provide the management team with a useful status update in this respect and must be used to address any areas of concern that are identified.

**Lessons Learned:** A change in management and support during 2013 demonstrated the important role that both effective management and genuine engagement plays in driving change. The effect of the recent changes in the management of the Land Registry Office remains to be seen but it is essential that they continue to engage with the program and seek to embed the changes to culture, processes and procedures that have been introduced during 2013 / 2014.

**Quality of Outputs:** The quality of outputs arising from Land Registry related activities was generally of a high standard. The take up of new practices and procedures has been good and anecdotal evidence points to an improved perception of the Land Registry amongst clients. Reports produced by international advisers were of sufficient quality and were accepted by the program partner.

#### **End-of-Program Outcome:**

Anticipated end of program outcomes for Objective A3 (Land Registry) are:

- 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 TIS.

The end of program outcomes for Objective A3 are only partially met.

- It is not known if the land registration process meets the needs of 95% of clients. In order to determine this it is necessary to conduct a client survey. Anecdotal evidence gathered during the first customer focus group held in April 2014 points to increasing levels of satisfaction. It is intended that a rudimentary survey is introduced in 2015 to provide a baseline against which Land Registry

can monitor client satisfaction with its processes and procedures over future years.

- Based upon information taken from the DTS the Land Registry continues to process applications within 20 working days provided that they are lodged in order and no requisitions are required.
- The TIS is scheduled for implementation in early 2015. This will provide both staff and clients with access to digitised Land Registry records including lease register cards and registered instruments.

**Lease Execution Issues:** Legislative amendments to the Land Reform Act make significant changes in relation to the leasing process. Successfully managing the implementation and integration of the new procedures will remain a significant challenge for the section without continued support. The sections capacity to successfully implement a rent review and the attendant rent collection is also questionable. Worryingly the section hasn't requested any Program support for 2015.

**Quality of Outputs:** The scanning of negotiator certificates has been completed in a satisfactory manner and to an acceptable quality. A fully functional DTS has been implemented in Lease Planning although its use has so far been limited. The training workshop held for the lease planning section covering the effect of the new land laws on the leasing process was of sufficient quality.

#### **End-of-Program Outcomes:**

Anticipated end of program outcomes for Objective A3 (Lease Planning, Execution and Enforcement) are:

- The Customary Owner Identification Form (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;
- 95% of all Land rents are collected annually.

The Leasing, Enforcement and Planning Section remains problematic at this point in respect of 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.

In respect of the end of program outcomes:

- The new land laws change the COIF making this a more transparent field based activity and placing responsibility with the CLMO.
- At the time of preparation of this report the Program has been unable to determine the percentage of leases prepared by registered professionals.
- Lease planning public information leaflets are available in Bislama.
- At the time of preparation of this report the DoL was unable to confirm the % of potential land rents being collected. The program will follow up on this

shortcoming in 2015 to ensure that a meaningful percentage can be ascertained. .

## PART B

### Introduction and Context

The February 2014 gazettal of a series of new land laws resulted in a refocusing of the activities planned under this program sub component. In particular the repeal of the Customary Land Tribunal act and the passing of the Customary Land Management Act (CLMA) led to changes to the activities planned for 2014.

### **3.4 Objective B - 1 A STRENGTHENED CUSTOMARY LAND MANAGEMENT OFFICE CONSISTENT WITH THE GoV LAND REFORM AGENDA (formerly 'A strengthened Customary Lands Tribunal consistent with Gov national plans')**

#### **3.4.1 Objective B1.1 Legislative Review**

##### **Agreed Activity: Support for the training of chiefs in relation to the new legislation**

When the 2014 Annual Plan was being prepared it was envisaged that work in relation to the preparation of amendments to the Customary Land Tribunal Act (CLT A) would carry over into 2014. Indeed the Program had invested heavily in training and capacity building in respect of the CLTA delivering training across all six provinces. Alongside this the Program was actively supporting the Minister of Lands land reform agenda, in particular the preparation of new legislation, but had no clarity as to when and how the land reforms would be promulgated.

In late 2013 following the publication of the 2014 Annual Plan and as referenced at 3.2.1 above the Parliament passed the land reform package following which February 2014 witnessed gazettal. As previously stated Parliament made four (4) major changes to the land laws of Vanuatu; these were:

- Constitutional Amendments to Article 30 & 78
- Amendment to the Land Reform Act
- Amendment to the Land Lease Act and
- Repeal of the Customary Land Tribunal Act and introduction of a new law the Customary Land Management Act No. 33 of 2013. (This resulted in a change of name of the Customary Land Tribunal Unit to the Customary Land Management Office).

The planned legislative review of the CLTA was abandoned and the Program refocused efforts and utilised funding to support implementation of the new land laws.

#### Supporting the Land Reform Process

Following gazettal of the new land laws the Program immediately set about reaffirming its support for the reform process and opening discussions with stakeholders as to how support should be refocused to achieve this.

The provincial consultation process in respect of the new laws that had started in 2013 and headed by the Minister of Lands continued into 2014 with the Program funding further consultation on Efate and Pentecost.

The following table summarises Program supported outreach activity conducted in early 2014.

**Table 2: Program supported outreach 2014**

| Program supported outreach in respect of new land laws 2014 |  |                            |           |                   |                     |       |
|---|--|----------------------------|-----------|-------------------|---------------------|-------|
| DATE  | LED BY   | SUBJECT                    | LOCATION  | MALE PARTICIPANTS | FEMALE PARTICIPANTS | TOTAL |
| 4 -19.2.2014  | Hon Minister of Lands & Cabinet                            | New Land Laws Consultation | Efate     | 1,204             | 410                 | 1,614 |
| 14 - 20.4.2014  | Hon Minister of Lands and Cabinet represented by First PA. | New Land Laws Consultation | Pentecost | 136               | 94                  | 230   |

Following a PMC meeting on the 7 March a series of meetings were held between the Program and the CLMO with the objective of determining changes to the Annual Plan to support the CLMO in its efforts to implement the new legislation. At the same time the Program supported a number of VLGC meetings that brought land sector stakeholders together to discuss the fiscal and operational implications of the new laws.

Resulting from the discussions with the CLMO was a proposal to run a series of workshops commencing in April 2014 aimed at building CLMO capacity to effectively and efficiently implement the new laws. This is further reported on in 3.4.3 below.

### 3.4.2 Objective B1.2 Mediation Support Services

No activities were identified for this component during 2014 and thus no funding was provided.

### 3.4.3 Objective B1.3 Public Awareness and Training

**Agreed Activity: Support for training on the new legislation i.e. The Customary Land Management Act and associated laws (Previously: Support for the ongoing CLT Act Training)**

Activity associated with CLT Act training continued into January 2014 with the completion of CLT Act training in Torba province. The gazettal of the new land laws in February 2014 negated the need for further activity and the remaining funding was reallocated to support activities associated with implementation of the new land laws - principally training and capacity building for the CLMO.

#### Introduction and Context

Despite the ongoing difficulties associated with defining suitable activities and providing meaningful support to customary land related activities the Program's principle engagement in the custom land area during 2014 was through the CLMO - formerly the Customary Land Tribunal Unit (CLTU).

The effect of the legislative changes referenced above provided the basis for discussions between the Program and the National Coordinator of the CLMO. Given the critical part that the CLMO is legislated to perform under the new leasing process (arising from the CLMA and Land Reform Act), proposals were developed and agreed for the Program to offer practical support through the development and delivery of a retraining program based upon the new legislation.

Subsequently, the Land Sector Governance Adviser working with the Program Director and staff of the CLMO devised a training program aimed at providing CLMO staff (including those working in the provinces) with a comprehensive training on the implications and practicalities arising from the implementation of the new land laws

The training support was designed to focus initially on general familiarisation training on the new land laws for both the CLMO and other key stakeholders and then follow this with more targeted training on processes and procedures for the CLMO and provincial CLOs.

As a result of the discussions between the Program and CLMO the following training program objectives were agreed; To provide an opportunity & the space for Provincial CLO's and all staff of the new CLM Office to familiarize with CLMA and the Land Reform Amendment Act; To be able to understand the concept & content of the new legislation; To be able to understand the new process & procedures stipulated in the new law; To be able to identify key differences and similarities between the repealed CLTA & the new CLMA; To be able to identify all key stakeholders & their roles; that will be involved in the implementation of the new laws; Strengthen the capacity of key personnel; Strengthen network, understanding and relationship between stakeholders; To review the 2014 Annual Business Plan and develop a tentative provincial work plan for implementation of the CLMA by the CLMO.

#### Familiarization Workshop



The 'Familiarization' training on the CLMA & the Land Reform Amendment Act' was delivered in April 2014. The familiarization training was jointly organized by CLMO, the Program and the Ministry of Justice & Community Services and delivered between the 7 April and 11 April in Port Vila. The official opening of the Training was conducted by the Hon. Minister for Lands & Natural Resources.

The training was attended by staff of the CLMO including the provincial Customary Land Officers, representatives from the Ministries of Justice and Lands and the VLP while other stakeholders including representatives from the VKS, Malvatumauri and DFAT and the media attended key sessions.

Participants were introduced to the CLMA and the Land Reform Act by trainers and facilitators from both the CLMO and Program (Land Sector Governance Adviser). The facilitators used a participatory elicitive approach to learning, where they provide information and allowed the participants to deliberate on the information and provide their point of views and knowledge. It was a lengthy process of learning but was used professionally and highlighted the importance of planning. The approach allowed participants flexibility to provide comments and dialogue with the trainers and created a space for reciprocal learning. Participants commended the training approach and were evaluated based upon their level of understanding exercise at the beginning & end of the training.

#### Subsequent actions training and further capacity building

As a result of the familiarization workshop it was determined that training material and manuals relating to the repealed Customary Land Tribunal Act needed revision to reflect the new legislation. The Program re-contracted the National Training Adviser to work with the CLMO to update the training manuals and to deliver two workshops for CLMO staff and CLOs to introduce the revised manuals.

The first of these Program supported workshops took place 3 to 4 September 2014. The workshop provided an opportunity for the officers of both the CLMO and the MNCC (with two DoL 'observers') to review the training materials created by the National Training Adviser ahead of a final workshop scheduled for early October.

A final workshop ran from the 29 September 2014 to 3 October 2014. The workshop was officially opened by the Director General Ministry of Justice and was primarily for the six CLOs to be trained as trainers utilizing the material developed by the National Training adviser. As part of the implementation of the new land laws it's anticipated that the CLMO and the provincial CLOs will use the modules to train the potential adjudicators, heads of nakamals, island court justices and community land officers across the country.

(Note staff of the CLMO and the CLOs also attended the workshop referred to at 4.3.2 above that considered new application forms along with revised leasing process)



A basic evaluation questionnaire was completed at the end of each of the workshops revealing that over 80% of the attendees felt their knowledge and skill had been increased as a result of attending the workshop and that they had moved from a position of 'mi no save' to 'mi save' in respect of the new laws and associated processes and procedures.

#### 3.4.4 Objective B1.4 Capacity Development of Customary Land Management Office

##### **Agreed Activity: Funding for the Customary Land Officers**

Under the terms of a Memorandum of Agreement dated January 2013 and made between the Program and the Ministry of Justice and Social Services the Program provided funding for the 6 provincial Customary Land Officer (CLO) positions throughout 2014. This agreement ended on 31 December 2014 following which responsibility for payment of the CLOs now rests with the Ministry of Justice.

##### **Agreed Activity: Institutional reform and capacity building activities for the CLMO**

No activities were undertaken in respect of institutional reform of the CLMO. It should be noted that as part of the land law reform process, the PSC has approved a CLMO revised organisational structure taking into account the new positions including the six CLOs. With the approved structure from the PSC, the CLMO will potentially increase the number its officers from current 3 permanent to 13 in the next 5 years. With the introduction of the new land laws comes the potential for an increased burden to be placed upon the CLMO in terms of work load. In particular work associated with the determination of custom owners and the oversight of nakamal meetings may prove particularly burdensome within the context of the existing organisational structure and its reliance on a single CLO for each province. The exact impact of the new land laws remains to be seen as at the time of preparation of this report implementation had not started. Whether the new structure is appropriate to allow the CLMO to carry out its duties in an efficient and effective manner remains to be seen. Based upon experience to date however it is the view of the Program that the GoV will struggle to fund the additional positions. Certainly no additional budgetary provision has been made for such during 2015.

#### 3.4.5 Issues / Lessons Learned/ Quality of Outputs / End of Program Outcomes

**Issues:** It is unfortunate that the efforts expended in providing training on the CLT Act were so quickly overtaken by events with the repeal of the CLT Act and the passing of the CLMA. The training support provided by the Program has however sought to build upon the experience gained during the development and delivery. The quality of training that was delivered for the CLMA during 2014 was of a high standard due to efforts made by the program and the National Training Adviser. An analysis of the feedback from the training was that it was well received by all of those that attended with most attendees reporting 'mi save' at the end of the sessions as opposed to 'mi no save' at the beginning. Through supporting a program of training for the CLMO the Program is seeking not only to enhance the capacity of the CLMO to carry out its responsibilities under the new legislation but also to allow the CLMO become the key

institution through which the new legislation will gain the community wide support and recognition necessary to facilitate successful implementation.

**Lessons Learned:** Enacting laws without the necessary implementation plan, implementing capacity, resources and support will always be problematic however experience gained through the training on the CLMA serves to illustrate that even without the necessary implementation planning having taken place such training can improve the general understanding of the law and its processes and lead to a wider acceptance of new legislation.

**Quality of Outputs:** The quality of the training that was developed to build CLMO's capacity to implement the CLMA was of an acceptable standard. End of training evaluation carried out at the end of each workshop indicated that the training was well received and that attendee's knowledge was increased.

**End-of-Program Outcomes:**

Anticipated end of program outcomes for Objective B1 are:

- 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

The End of Program Outcomes for this Program Objective are no longer valid as a result of the passing of the new land laws and will have to be revisited and renegotiated through the PMC at the earliest opportunity in 2015.

### 3.5 Objective B – 2 A LAND INFORMATION MANAGEMENT SYSTEM THAT MEETS CURRENT AND FUTURE NEEDS AND SUPPORTS ECONOMIC DEVELOPMENT

#### 3.5.1 Objective B2.1 IT Strategy

**Agreed Activity; Support for the ongoing development of VANLAS**

In August 2011 the Program published an IT Systems Strategy Plan for the DoL which after discussions with key stakeholders was followed by the development of a Systems Requirement Specification detailing the requirements for the staged development of computerised systems for the Land Registry and the DoL.

By the end of 2013 significant progress was made by the DoL IT Unit in developing IT systems. This was made possible by the recruitment of the additional contract staff (through the use of New Zealand funding) along with the contracting of an international Database Administration Adviser. Maintaining momentum into 2014 was difficult; there has however been some progress with IT related activities although the end-of program outcome of a fully function Vanuatu Land Administration System (VANLAS) remains doubtful. Certainly the Minister of Lands vision a '*Digitised, highly functioning organisation where the team-members offered consistent and professional service and were a key part of the Land system*' remains some way off.

Realistically it is likely that at the conclusion of the Program a DTS will be implemented across all key sections of the DoL along with the TIS – both key components of VANLAS. In addition the Valuation Roll for both Port Vila and Luganville (when

completed – see below) will form another important component. Future success will however be dependent upon obtaining an appropriate level of IT support and the commitment of DoL management to drive change and improve service delivery. (For now at least it appears that implementation of the UNFAO developed Solutions for Open Land Administration Software (SOLA) as an integrated system solution is on hold as a result of a lack of both funding and capacity within DoL).

The following is a summary of IT related activities during 2014:

Contracts for the 3 staff referred to above ended in December 2013. These contracts were not picked up immediately by the DoL and thus for a while staff were working without any formal contract being in place and no pay. The DoL then set up additional temporary contracts through until the end of May and it was June before staff were on full time contract. Compounding this unsatisfactory situation, the DoL's only IT officer with programming / coding expertise moved to work for the Office of the Government's Chief Information Officer (OGCIO) at the end of 2013 and it was mid 2014 before a replacement officer was recruited – although the successful applicant came from the DoL IT section and thus over all the section remains under complement.

Conscious of the impending mobilisation of the program's international Database Adviser in June 2014 and in an effort to make up lost ground the Program made a direct approach to the OGCIO to ask for assistance, through utilisation of the former DoL programmer. OGCIO confirmed in principle the availability of a programmer to work alongside program technical advisers and DoL IT support staff to complete work associated with the DTS and TIS. By June 2014 this assistance hadn't materialised so with OGCIO assistance the Program contracted an external IT development company from Vanuatu to complete development of the TIS. OGCIO helped to facilitate this by issuing a tender notice including an outline of TIS requirements. Unfortunately the Program wasn't made aware of the issue of the tender and thus wasn't involved on this part of the process. Five expressions of interest were received and evaluated, ranked and rated by the Program Director and Database Administration Adviser.

Alongside work also continued on enhancement and further development of existing / new DoL IT systems with the international Database Administration Adviser present in Vanuatu from June to September 2014 and again in November / December 2014. During this time effort focused on further development and enhancement of the DTS, the development of the TIS, work to establish the ITC requirements of the CLMO (see below) and work to make system changes necessary to allow for implementation of the new Survey Directions (see below).

### DTS

Work on the DTS focused on fixing bugs with the system and ensuring that all four system components (Land Registry, Lease Planning, Survey and Lease Execution) are capable of implementation. All four components have now been implanted across the DoL although the Land Registry remains the key user – the reasons behind the lack of take up of the system will be investigated in early 2015 as part of an organisational review of the DoL.

## TIS

In respect of the TIS a local software development company, Vanuasoftware, commenced development starting July 2014.

The Title Information System purpose is as follows:

Improve the efficiency of the Land Registry through an easy ability to:

- Search for a title or document on Title No (of a land lease or strata lot), or on name of a lessee or lessor
- Obtain information about a title (and avoid having to look up paper records in the first instance) including current lessor and lessee, and images of scanned lease register cards and instruments
- Provide access (to search and view) to Land Registry records outside of the main DOL office, e.g., DOL office in Santo, other Government departments
- Provide (restricted) access (to search and view) at the DOL public counter
- Provide a secure copy of all titles and supporting documents, in backed up scanned records
- No longer need the (out-of-date) Registry Names Index

The TIS will present basic information along with images being captured as part of the scanning project referred to above.

At the time of preparation of this report a beta version of the TIS has been released and is being tested by the Database Administration Adviser (during the November / December visit to Vanuatu) and DoL IT staff in conjunction with Vanuasoftware in order to identify and fix issues and bugs. As expected numerous data problems were identified and Registry staff and contract scanning staff were seconded to fix them. Progress was slow but by the beginning of December key data and software issues were resolved and it was possible to search titles, names, and documents and view their data and images. A demonstration of the TIS Search function was given to senior DOL staff on 4 December 2014. The system is not yet ready to be put into production. The Program is anticipating the completion of development and testing and a launch of the TIS in the first quarter of 2015.

## Survey Directions

Section 4.5.2 below references work associated with the introduction of new Survey Directions. The introduction of the new Directions has been held up pending the necessity to make changes to a number of DoL IT systems. To give effect to these changes a detailed specification was developed by the Database Administration Adviser to normalise the Survey database, integrate the Survey database with the DTS (e.g., update title status in eSurvey when instrument is registered in Land Registry), and to introduce multi-titles on survey plans. SQL scripts were written to assist development. OGCIIO kindly provided programming resource to make the necessary changes. It is now incumbent that DoL IT and Survey Section staff implement the changes to allow for the introduction of the new Directions.

## Data Migration and Integrity Checking

In support of the development of the TIS preparatory work is being undertaken to allow images of scanned documents (including those currently being scanned under the

Program funded scanning [project] to be migrated for use by the TIS. As part of this preparation for data migration it's been necessary to undertake data cleansing activities to ensure the integrity of the data that will be available through the TIS. During the final months of 2014 contract scanning staff and survey staff assisted with this activity that has sought to address issues that include:

- Mismatch between survey records and Land Registry records
- Scanned lease register but no supporting file (documents) scanned
- Missing lease register and documents

Work to address these issues is ongoing.

#### Establishing CLMO ITC requirements

This was an additional task carried out by the Database Administration Adviser during his June to September visit to Vanuatu. The adviser held three meetings with the CLMO and Office of the Malvatumauri following which he produced an analysis report listing their ITC requirements and recommending actions. The report has been passed to the National Coordinator CLMO for consideration and action.

### **3.5.2 Objective B2.2 Land Survey Records**

During 2014 the Program continued to support improvements to land survey practice and procedures. The international Cadastral Survey Adviser was in Vanuatu from the beginning of March 2014 until the end of April 2014 while the international GIS Adviser made two month long visits in March 2014 and June 2014. Progress was made albeit against a backdrop of a lack of personnel, limited capacity and a lack of ITC support. The following is a summary of activities undertaken.

#### **Agreed Activity: Upgrading of the DCDB (Digital Cadastral Database)**

Work associated with upgrading the Digital Cadastral Database (DCDB) covered a number of areas and was overseen by the international GIS Adviser. The following is a summary of activities undertaken in 2014. Report B-2.55 'GIS Adviser Exit Report' contains further technical detail concerning these activities.

#### Geodetic Network

Accurate surveying relies on a set of permanently marked points for precise measurement and recording. These points are called a control network and can exist in primary, secondary or tertiary form with varying degrees of positional accuracy. In late 2013 a field audit was undertaken of all survey control points around Port Vila. This audit has highlighted some alarming figures and show that a very large percentage of control marks have been destroyed. Following the submission of a report by the Surveyor General and survey staff an urgent program of action was developed in an attempt to ensure survey marks are preserved as well as a proactive program of survey control densification in order to maintain the integrity of the cadastral surveys and the DCDB.

The Surveyor General commenced the program of survey mark maintenance and survey control densification around Port Vila in late 2013 and this continued into the early part of 2014. This included the preparation of a poster and brochure which detail the importance of preserving survey marks, the manner in which they are witnesses, where they are generally located and the implications of deliberately destroying survey



marks. A training program was prepared for presentation to authorities and service agencies who are those most likely to be responsible for the destruction of survey marks such as DPW, Unelco, TVL and Digicel.

Unfortunately factors beyond the control of the Program, including the suspension of key staff e.g. the Surveyor General and the relocation of a key geodetic surveyor to Santo had a negative impact upon the longevity of this work and had a negative impact upon the longevity of this work and thus at the time of writing only limited efforts are being put into ongoing upgrading of the Geodetic control network as time and funds permit. Progress is slow and has been hampered by staff suspensions, competing priorities and lack of recurrent budget. As a result activities have been carried over into the 2015 Annual Plan.

#### New Survey Equipment

In support of the Survey Sections efforts to improve the geodetic network and to improve the general quality and delivery of government surveys the Program in late 2013 and through the use of remaining New Zealand funding procured various items of modern survey equipment for the Survey and Mapping Section. This included:

- 1 x Sokkia SDL30 Digital Level with Invar Staves and Accessory Items
- 1 x Sokkia Series CX102 2" Reflectorless Total Station and Accessory Items
- 3 x Sokkia GRX2 GNSS Receivers and Associated Accessories
- 1 x Carlson Surveyor Plus Controller with GPS Module
- 1 x Magnet Tools Software for Post Processing

The equipment, which was supplied by Total Survey Systems Australia, was officially handed over to the DoL on the 7 February 2014 at a ceremony attended by the Minister of Lands and senior representatives from the New Zealand and Australian High Commissions.

In response to the requirements of the tender the equipment supplier also provided a one week a one week training programme for the new equipment the cost of which was included in the bid price. Delivery of the training took place 3<sup>rd</sup> to the 7<sup>th</sup> February and covered the following:

- A technical overview of each piece of equipment.
- In relation to GPS an overview of the GPS technology sufficient for participants to understand the use of the GPS equipment.
- Hands on field activities and practical training in relation to the use of each piece of equipment. In relation to the GPS equipment and total station the field activity is to include live data collection with that data being used as part of the software training.
- Software training sufficient so to ensure that the qualified surveyors have sufficient understanding in the use of the software prior to the trainer departing Port Vila.

#### DCDB Integrity

During 2014 efforts continued to ensure the integrity of the DCDB. This was initially a standalone exercise but in the closing months of 2014 with data migration associated with the development of the TIS taking place data integrity checking became more holistic in nature ensuring integrity across and between several DoL datasets. The

challenge for DoL going forward will be maintaining this work as international technical assistance has ended and the program contracted officers who were undertaking this work are no longer under contract.

#### DCDB / eSurvey Records Status

During 2014 the Program continued with work to check the status and integrity of records held in eSurvey / DCDB. As of October 2014 the total No of records in the eSurvey database numbered 25853 and of these 16468 have been mapped (coordinates entered) to create the DCDB. Approximately 12751 of these records are currently recorded as being registered parcels of land i.e. parcels over which a lease currently exists. Land Registry records are now being utilised to confirm this number. There is likely to be several iterations of these checks before these two datasets (DCDB and Registry) are in agreement but it is of utmost importance that they do agree as it will provide DoL clients with far greater confidence in the survey / registration system. Progress on this particular activity is on track as the DoL have diverted resources to ensure that checks are completed ahead of the launch of the TIS.

#### E-Survey Improvements

As a result of lack of the availability of ITC support and competing priorities for the time of the international Database Adviser normalization and redesign work on eSurvey which was scheduled for mid-2013 wasn't undertaken. As a consequence the eSurvey database structure remains very disjointed, contains (80%) superfluous fields and information, has no relations setup for code and lookup tables, has no indexing (spatial or otherwise) and is very inefficiently structured. Rectifying this situation is critical to any future integration with other databases across the DoL platform.

The proposed new eSurvey front end web application enhancements include;

- Generating Survey Reference Nos and Title Nos directly from eSurvey and populating the associated tables with the resulting records (A lack of automatic provision of SR and title numbers for new surveys was identified as the most serious bottleneck in the Survey Section due to the manual methods currently being employed and staff not attending work.)
- Viewing Saperion scanned images from the Saperion Web client with a print function for scanned survey information (plans, coordinate sheets, strata plans)
- Digital submission of survey coordinate data using a simple comma delimited (CSV) text file
- Fix the limitation of maximum number of corner coordinates that can be entered into eSurvey, which is currently 92 and increase this number to at least 500

Work to give effect to the majority of these changes finally got under way in late 2014 and was driven by the ongoing failure of DoL to implement new Survey Directions (see below). To give effect to these changes a report B2-58 'Amendments to eSurvey and DTS – specification in support of the implementation of the new Survey Directions' detailing the required changes was developed by the Database Administration Adviser in conjunction with key counterpart staff and the international Cadastral Survey and GIS advisers.

Once changes are effected relevant Standard Operating Procedure manuals (of which the Program has produced 20) will require updating to incorporate the new procedures.



## Software

Many of the private survey firms in Vanuatu use LISCAD surveying software. The DoL Survey Section has been using an out of date version of LISCAD. The Program procured a LISCAD upgrade that will ensure currency of software and put section in a position whereby it will ultimately be able to handle digital lodgement of surveys.

### **Agreed Activity: Definition of unallocated state land for Port Vila and Luganville**

Work associated with the identification of all of the road reserve, parks, public space, reserves and government land parcels was completed for the two urban centers in July 2014 and each parcel given a provisional title no and an SR number (above 90,000) and added to the eSurvey Database.

**Table 3: Unallocated Land Parcels Processed July 2014**

| Unallocated Parcel Type        | Number of parcels created | Added to Database |
|--------------------------------|---------------------------|-------------------|
| Road reserves in Port Vila     | 701                       | 701               |
| Road reserves in Luganville    | 397                       | 397               |
| State land Port Vila           | 76                        | 76                |
| State land Luganville          | 19                        | 19                |
| Port Vila Park and Open space  | 18                        | 18                |
| Luganville Park and Open space | 44                        | 44                |
| <b>Total</b>                   | <b>1255</b>               | <b>1255</b>       |

To protect these parcels from unauthorized land dealings the next step is to create a title for each and assign its ownership to the appropriate Government agency. Once this is done it can then be added as a registered parcel to the DCDB.

In April and again in October the Program Director wrote to the DoL regarding the urgent need to resolve the legal status of road reserves, and other 'unallocated' parcels that have been identified as part of the integrity checking process. At the time of preparation of this report the Program has learnt that steps are being taken to have green space parcels surveyed as a pre- requisite to registration and legal status.

### **Agreed Activity: Updating and training for amended Survey Directions to support improved cadastral survey practices**

Program support during 2014 has focused on improving both internal DoL procedures and on improvements to general survey practice in both government and the private

sector through the introduction of new survey directions. Program support was provided by the international Cadastral Survey Adviser.

#### Review, Evaluation, Validation and Approval of Survey Plans (REVAS)

In 2014 the Program through its international Cadastral Survey adviser continued to provide support to the DoL to improve departmental processing of survey plans lodged for approval. The focus of this support has been on implementation of an improved process for the Review, Evaluation, Validation and Approval of Survey plans. Progress with implementation has been inconsistent; a Receiving Officer has been appointed; drawers have been made available for REVAS process steps and notifications to private surveyors; a new Certification stamp has been procured and is now in use. However, some further action or consideration is required, namely; survey plans are still being submitted for examination without all the required supporting documents.; the drawers made available for storing of survey plans for the various REVAS process steps are too narrow for the A3 format plans. Consideration needs to be given to replacing these with drawers of suitable size to avoid damage to plans; the Document Tracking System for Survey (SDTS) although implemented in the Survey Section remains underutilised. The reasons for this will be investigated by the program in early 2015.

#### Survey Directions

Implementation of the new Survey Directions hasn't progressed despite considerable input and support by the Program. The training of private sector surveyors on the new Survey Directions in April 2014 marked an important milestone with training sessions delivered to all nine private survey companies covering both Port Vila and Luganville. The implementation of the Directions has however been delayed as a result of the need to undertake changes to several IT systems that are in use in the Survey Section. To give effect to these changes a report B2-58 'Amendments to eSurvey and SDTS – specification in support of the implementation of the new Survey Directions' detailing the required changes was developed by the Database Administration Adviser in conjunction with key counterpart staff and the international Cadastral Survey and GIS advisers.

Due to the reliance on OGCIIO for programming resource, work to make the necessary system changes was only completed in late 2014. System changes are now subject to testing and then retraining of staff on the new processes and procedures. It's anticipated that it will be March 2015 before the Survey Directions are formally implemented / launched.

### **3.5.3 Objective B2.3 Mapping and Imagery**

#### **Agreed Activity: No activities were identified under this sub component**

##### LiDAR

While there were no specific activities identified under this sub component of the program it is worth noting that in early 2014 LiDAR data was provided to the DoL. The data covers the coastal regions of Efate, Malekula and Santo has been provided to the DoL funded by DFAT through the Pacific Adaptation to Climate Change Support Assistance Program (PACCSAP). Deployment of the software, data and training relating to the Program has been completed in the Mapping Section and the data has

been uploaded for general free use by all interested parties. The new equipment installed in the Mapping Section includes; a GIS workstation with twin LCD monitors a NAS server (to be installed at OGCI), an A3 colour printer/scanner, an A3 and an A0 laminator. The software provided includes Global Mapper with the LiDAR extension and QGIS for which training has been provided using the data supplied as part of the Capacity Building Strategy. The LiDAR data is currently being used by the Department as a backdrop to the DCDB and mapping datasets. It is also being utilized by the Department of Public Works for analyzing road works and flooding characteristics of certain roads around Port Vila.

#### Australian Youth Ambassador for Development (AYAD)

The AYAD arrived in Port Vila in May, a month or so later than anticipated to work in the Mapping Section. The manager of the unit was suspended the week before the AYAD arrived and hasn't returned to the office since and so there has been no supervisory counterpart. The only staff member remaining in the Mapping Section is due for retirement in 2015. This is not a good situation for building and retaining capacity within the DoL. It would be good if vacant positions could be filled or that the Cross Sector Spatial Data Support scheme could be promoted so that technical GIS skills can be passed on to the local GIS users from all agencies but given the AYAD's planned departure in early March 2015 this is unlikely.

The AYAD was introduced to some members of the GIS Users Group during the recent meeting. He will now take the lead in promoting and organizing meetings with the Group to encourage some activity. The main tasks assigned to the AYAD in the mapping section include;

- Assist Mapping staff to compile ANZMET Lite metadata for each of the spatial datasets
- Finalize the Provincial 1:100,000 Map Series maps
- Finalize the Vanuatu 1:1,000,000 Map
- Update the Port Vila and Luganville Street Directory using the LiDAR mosaic images
- Produce Survey Cadastral Index Reference Maps for Staff to use in the various Sections
- Produce 1:2000 Cadastral Index Maps covering Port Vila and Luganville using the DCDB and LiDAR mosaic images
- Assist contractors with DCDB updates and quality control where required
- Assist staff with technical issues and general day-to-day running of the Mapping area (including cadastral mapping)
- Promote the use of and update the SOPs as required and provide relevant OJT based on these.
- Promote and support the GIS Users Group

A report on progress against these objectives will be prepared before the AYAD's departure.

### GIS User Group

A GIS Users Group meeting was held on Thursday 26 June, this being the tenth meeting held since the beginning of the Project and the first in almost 1 year. The meeting was chaired by the current Chairman, the Surveyor General and 7 people attended, 4 from the Department of Lands, 1 from the Ministry of Health, 1 from Department of Public Works and 1 from the Department of Agriculture.

The AYAD has now taken the lead role in promoting these meetings as it is apparent that without some external impetus no one in the current Group appears to want to take the time to organise meetings. The sustainability of this group and its activities is considered very low in this regard and it is likely that without Project support no meetings will be held. It only takes one person with an interest in the Group's activities to coordinate and promote the concept, however this person is hard to find. A meeting planned for November 2014 was cancelled due to a lack of support.

### **3.5.4 Objective B2.4 Valuation Services**

**Agreed Activity: Creation of a valuation database and valuation zone map for Luganville.**

#### Introduction and Background

The collection of Land Rent provides the GoV with an important source of revenue. Land Rent collection has been problematic for a range of reasons including a lack of reliable land valuation information that provides a basis for land rent review. To this end the Program has supported improvement of GoV land valuation practice through the introduction of new valuation standards and the creation of valuation rolls for and zone maps for the two main urban centres of Port Vila and Luganville. Between 2011 and 2013 one of the key aspects of the valuation component of the Vanuatu Land Program was the consideration, subsequent development and the delivery of a suitable valuation methodology. The now adopted methodology is known as the Valuation Zone System. The valuation system was developed primarily for the purposes of assessing land value that would be applied as the basis of calculating land rents. The zone system was also applied as a basis of assessing the Property Tax on vacant land for the Municipality of Port Vila and was modified where significant buildings are present. The process adopted in Port Vila is now being applied to Luganville. Work on creation of the valuation database and zone map for Port Vila was completed in late 2013 and is detailed in Program report number B-2.52, "Report on Valuation Activities for Port Vila (Milestone No. 18)" completed in November 2013. Activities identified in the 2014 Annual Plan thus focused on the creation of a valuation database and valuation zone map for the Luganville municipality as well as continued capacity building for valuation personnel.

#### Valuation Work in 2014

In February 2014 the Program Director convened a series of meetings with the Principal Valuation Officer (PVO) with the objective of determining a work plan for the Luganville Valuation work that would see activity commence in May 2014. Unfortunately shortly thereafter the PVO and another key member of the Valuation Unit staff were suspended from duty and thus the commencement of activity was delayed.

The matter was the subject of further discussion during PMC meetings in May and August following which it was decided that activities associated with the creation of the Luganville valuation roll should proceed before year end in compliance with the Annual Plan. And that the international Valuation Adviser mobilizes to Vanuatu in November 2014.

### Capacity Building

Maintaining the Program's focus on capacity building during week one of the Adviser's input a workshop was held in Port Vila to provide an opportunity to address perceived issues in relation to the valuation zone system that has been adopted for both the rent reviews and the valuation roll. The workshop was attended by The Valuer General, DoL senior managers, DoL Valuation Unit staff and other invited personnel. For the DoL valuers present the workshop provided an opportunity to clarify issues with the Port Vila zone map and valuation roll while for others present it provided a better insight into the Valuation Zone System and the first formal opportunity to consider the system. (Full details of the workshop; the issues discussed and the presentation slides can be found in the Valuation Advisers Exit Report B-2.59).

### Creation of the Luganville Valuation Roll

Work associated with establishing the valuation roll for Luganville finally commenced in October 2014 on the understanding that it would be necessary to continue the work under the 2015 Annual Plan. The International Valuation Technical Adviser was recontracted and mobilised to Vanuatu on the 1st November. In the month prior to mobilisation the Adviser along with the Program Office and the Valuation Unit of the DoL made plans to commence work associated with the creation of the Luganville valuation roll. This included the recruitment and selection of data capture field officers, the procurement of equipment required to carry out the exercise (including the purchase of computers, office furniture and safety equipment (high visibility vests, work shoes etc.) , notification of the Luganville Municipality and general public concerning the exercise and making the necessary logistical arrangements.

At the beginning of the second week of November the international TA mobilised to Luganville. The recruitment and selection of the data capture field officers was completed as a priority task with a team of four staff selected from some 30 plus applicants. The team comprising two men (including the supervisor) and two women are contracted for a six month period through until mid-May 2015 to complete the capture of information relating to the 1730+ properties in the Luganville municipality required to create the valuation roll.

The field officers were provided with two weeks of intensive training during which information relating to some 200 properties was collected. To assist with the commencement of the valuation work in Luganville the international TA was supported by the Australian Youth ambassadors for Development (AYAD) GIS volunteer who assisted with compilation of the zone map and by the OGCI computer programmer who spent two and a half days in Luganville setting up office IT systems and the equipment (including tablet computers) required to electronically record field data for direct upload into the e Valuation system.

Excellent progress has been made in respect of field data capture operations in Luganville. The field teams worked during the six week period 10<sup>th</sup> November 2014

through until the 19 December 2014 and have recommenced work on the 12 January. The following provides a summary of progress as at the time of preparation of this report. It is anticipated that field data collection work will subject to weather and other natural phenomena be easily be completed within the projected time frame.

**Table 4: Number of properties for which valuation data was collected on a weekly basis (based on an anticipated total of 1733 properties).**

| <b>Weeks</b>   | <b>Total data collected</b> |
|----------------|-----------------------------|
| <b>Week 1</b>  | 47                          |
| <b>Week 2</b>  | 143                         |
| <b>Week 3</b>  | 114                         |
| <b>Week 4</b>  | 101                         |
| <b>Week 5</b>  | 169                         |
| <b>Week 6</b>  | 129                         |
| <b>Total :</b> | <b>703</b>                  |

**Table 5: Percentage of data collected during first 6 weeks of exercise (based upon an anticipated total of 1733 properties).**

| <b>Weeks</b>     | <b>Percentage of data collected</b> |
|------------------|-------------------------------------|
| <b>Week 1</b>    | 2.72%                               |
| <b>Week 2</b>    | 8.26%                               |
| <b>Week 3</b>    | 6.59%                               |
| <b>Week 4</b>    | 5.83%                               |
| <b>Week 5</b>    | 9.76%                               |
| <b>Week 6</b>    | 7.45%                               |
| <b>Total % :</b> | <b>40.61%</b>                       |

### Remaining Tasks

Prior to the international TA's departure at the end of November progress was made in respect of an initial definition of the Luganville Valuation zones and the preparation of draft table rates. However much work remains to be done and the Valuation Unit has received written instructions from the TA in respect of this work. Most importantly it is essential that the field data capture exercise referred to above is completed in a timely manner. It's anticipated that the international TA will remobilise for the final month of the data collection exercise in order to finalise the zone map and table rates; work with OGCI0 programmer to carry out data integrity work on the captured data; understand the requirements of the valuation zone system including any modifiers to develop the necessary algorithms for the generation of mass assessments for both land rent and the Valuation Roll for Luganville and test with a sufficient sample the resulting generated assessments so that they match any manual assessment by the DoL valuers.

### **3.5.5 Issues / Lessons Learned/ Quality of Outputs /End of Program Outcomes**

#### **ICT SYSTEMS**



**Issues:** During 2014 human resource issues continued to adversely affect the timing of development and implementation of DoL ICT systems and hence the proposed Vanuatu Land Administration System (VANLAS). To date much of the Program supported system development has been undertaken by one staff member – a former DoL employee who now works for the OGCIO. Non availability of this person in early 2014 and delays in DoL contracting and recruiting ICT staff delayed Program supported ICT activities.

**Lessons Learned:** The ICT section of the DoL is under the control of DoL Corporate Services (CS). There needs to be far greater engagement between the two sections so that CS fully understands the importance of ICT's role. As part of this and to ensure that the Ministers vision of a '*Digitised, highly functioning organisation where the team-members offered consistent and professional service and were a key part of the Land system*' is both realised and maintained the ICT section must have a full complement of staff with the requisite range of ICT skills including programming, database administration, network engineering etc. There remains an over reliance on one programmer (now with OGCIO) with all of the risks attached to this. DoL needs to plan for knowledge transfer and capacity building in this area. The DoL struggles with the additional demands that a digital working environment brings in terms of consumables and stationary. This needs to be accounted for as a part of recurrent expenditure. The Program has provided significant funding support for the acquisition of hardware. A proper asset inventory along with a maintenance program needs to be devised to ensure the longevity of these assets once the Program has concluded.

**Quality of Outputs:** The quality of outputs in respect of systems development has been acceptable. The DTS is now fully utilised by Land Registry and operational across the DoL. Progress on TIS development remains on track.

#### **End-of-Program Outcomes:**

Anticipated end of program outcome for Objective B2 (IT Systems):

- VANLAS (Vanuatu Land Administration System) is functioning and servicing the needs of the staff of DOL, and of the land professionals.

The outcome is partially met. At the time of preparation of this report it is unlikely that a fully digitised and integrated land administration system (VANLAS) will be implemented. Neither the ICT capacity in DoL or sufficient program funding and technical assistance is available. During the final year of the program effort will focus on: ensuring that the Document Tracking System is fully implemented and in use across all sections of the DoL as this has the potential to provide the management of DoL with an extremely powerful tool to monitor workflow and performance provided they utilise it; ensuring that the necessary ICT changes are made that will facilitate the implementation of the new Survey Directions; ensuring that the valuation database is updated to include the Luganville Valuation Roll; continuing with data integrity checking; ensuring that the Title Information System is implemented.

#### **SURVEY AND MAPPING**

**Issues:** The key issues facing Survey and Mapping Section are structural, human resource capacity and ICT support issues. The current institutional and human resource arrangements of the Survey and Mapping Section are impeding its ability to



ensure that there are resources available to drive Program activities. Human resource issues have been compounded by staff suspensions (reducing the mapping section to a single staff member) and staff going on long term study leave without any succession / contingency planning in place.

**Lessons Learned:** The organisational structure of the section is management heavy and this is inhibiting capacity building and operational activities. A flatter more operationally focused organisational structure has, with program support, been proposed for the section and the success or otherwise of implementing this will be considered as part of the DoL organisational review scheduled to be undertaken by the Program in early 2015. Irrespective of the success or otherwise of this endeavour there is a desperate need to recruit technically qualified staff to fill the vacant positions in the section.

The technical nature of survey and mapping activities mean that they are very reliant upon IT support. The limited ICT support within DoL as covered above represents a major sustainability issue as the work of the section is driven by technological change and upgrade.

**Quality of Outputs:** The quality of outputs delivered by international technical assistance in the form of documentation and new survey practices and procedures including survey directions were of a high technical standard. Unfortunately and for the reasons stated above this has not translated into improved service outputs from the DoL.

#### **End-of-Program Outcomes:**

Anticipated end of program outcomes for Objective B2 (Survey and Mapping) are:

- Survey Directions are designed, distributed and complied with by registered surveyors;
- DOL offers immediate and efficient services to surveyors

End of program outcomes have not been met.

- Despite considerable Program support and technical assistance in 2014 the new Survey Directions remain unimplemented. The delay in implementation has been caused by a lack of IT resources being available to make the necessary changes to supporting ICT systems along with a lack of capacity within the survey section to test the changes. At the time of preparation of this report the necessary IT changes are a work in progress. Following a period of testing that will coincide with the next input of the Database Administration Adviser it's anticipated that the directions will now be implemented in the first quarter of 2015.
- In terms of the efficiency of services to surveyors DoL survey staff are generally well regarded by private sector surveyors. The major impediment that prevents delivery of services is maintaining sufficient human resource capacity.

## **VALUATION**

**Issues:** The main issue facing the Valuation Section is the availability of human resources. For most of 2014 the section was reduced to two personnel as a result of staff suspensions and this adversely affected the commencement of planned activities associated with the creation of the Luganville valuation roll.

**Quality of Outputs:** The main output is the Luganville valuation roll. Work completed to date is of an acceptable standard and is being guided by the Vanuatu Valuation Standard which was developed through program support.

**End-of-Program Outcomes:**

Anticipated end of program outcomes for Objective B2 (Valuation Services) are:

- An updated Valuation Roll 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.

End of program outcomes have been achieved.

With the successful completion of the preparation of the Valuation Roll for Port Vila and the launching of the Vanuatu Valuation Standards the Valuation Unit has in effect been able to successfully complete its end-of-program outcomes. The end-of-program outcomes for valuation were not specific in relation to the location of activities and although Port Vila has been completed activities to undertake the completion of the valuation role for Luganville are now in progress building upon the work already completed.

## PART C

### 3.6 Objective C - 1 Effective consultation and coordination between stakeholders of the Vanuatu Land Program

#### Activity Management

##### PMC meetings and consultation

The PMC approved 2014 Annual Plan was used as the primary tool for the control, monitoring and evaluation of activities by the Program Management Office supported through PMC meetings and regular contact between the Program Director, international advisers and Program Partners.

There was a significant change in Program activities in early 2014 brought about by the gazettal of new land laws. This resulted in an updated Annual Plan being circulated in April 2014.

The PMC continues to play an important oversight / governance role for the Program. During 2014 there were 4 meetings as detailed at 4.2.1 above. During 2014 the most pressing issues in respect of the PMC were securing meeting dates and obtaining meaningful feedback on program reports. Addressing the first issue is always going to be problematic given the composition of the committee (with an emphasis on higher level government officers) and their commitments to other work. In an effort to address the second issue and notwithstanding the nature of this report efforts are being made to produce more concise reports.

### 3.7 Objective C - 2 Effective and efficient management of all resources provided to deliver services including personnel, funds, services and equipment

#### Management and financial records

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. For the purpose of the Program the LEI has put in place 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 budget for the period from 1 January 2014 through to 31 December 2014 was prepared during the preparation of the Annual Plan for the same period. The budget was based on activities that were proposed at that time by program I 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 January 2014 through to 31 December 2014.

**Table 6: 2014 Expenditure Summary**

| Expenditure Item                 | Estimated Budget from 1 January 2014 through to 31 December 2014 | Expenditure through to 31 December 2014 | Percentage of Estimated Budget Utilised |
|----------------------------------|--|---|---|
| Adviser and Contract Staff costs | AUD 850,040  | AUD 894,881                             | 105%                                    |
| Procurement Costs                | AUD 267,947  | AUD 192,740                             | 70%                                     |
| Totals                           | AUD1,117,987   | AUD1,087,621                            | 97%                                     |

The table highlights that the overall expenditure for the reporting period was 97% of the budgeted amount.

The following comments are made in relation to under expenditure of the budget against actual expenditure.

**Staffing:**

- Expenditure during 2014 came in just over budget. All of the planned international technical support took place and as well as an additional input by the Database administration adviser associated with development of the TIS.
- Overall it's anticipated that the Program will remain on budget in respect of Adviser and Staff costs as only 54% of the budget was utilised in 2013.

**Procurement:**

- Funding reallocated from Objective A1 to support the implementation of the new land laws wasn't utilised
- Some of this funding was used to support the unplanned outsourcing of the development of the TIS and the early start-up of activities associated with investigating community led custom governance initiatives.

### 3.8 Objective C - 3 Effective and efficient reporting and monitoring and evaluation of Program activities and deliverables

#### Program reporting

Program activities have been recorded in reports that have been produced as part of adviser or management outputs and as per the requirements of the head contract. In addition the Program Director provided DFAT with regular update reports on program activities. All of the reports produced by the Program are listed in Attachment 2.

#### Monitoring and Evaluation Framework Implementation

##### Gender strategy implementation

Since the completion of the adviser inputs for the cross cutting issues in 2013 it has been difficult to maintain any impetus with regard to gender and M&E activities. There has been very little interest shown by program partners to maintain implementation of

gender and M&E efforts. Despite considerable input by the Program the relevance of these activities to good management practices has yet to be realised and this has been further compounded by the limited capacity within the agencies to continue these activities.

### Monitoring the Risk Management Plan

Review and update of the Program Risk Management Plan is included in the agenda at all PMC meetings. During 2014 the plan was updated twice, in April and again in October (as part of the 2015 Annual Planning process). Program partner ownership and interest in the risk matrix has been very limited despite efforts by the Program to simplify the structure of the plan and changes and updates have invariably been made by the Program Director / Office with input and suggestions from DFAT.

## 4. ASSESSMENT OF PROGRESS AGAINST ANTICIPATED END OF PROGRAM OUTCOMES

### 4.1 Introduction

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.

The following table summarises the end-of-program outcomes as agreed by the program partners in late 2012 and in light of what is reported in Section 4 above provides an indication of progress by program partners towards achieving the end-of-program outcomes as at December 2014.

While preparing the 2014 Annual Report it became evident that a number of the end of program outcomes are no longer valid – primarily as a result of the passing of the new land laws. These outcomes will need to be revisited by program partners and redefined changed at the earliest opportunity in 2015.

**Table 7: Summary of progress against End of Program Outcomes**

| Objective   | Expected Outcomes   | Adequacy of Progress   |
|---|---|--|
| A1.<br>Informed collective decisions by customary landholders | <ul style="list-style-type: none"> <li>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.</li> <li>The defined priority resolutions from the 19 resolutions adopted by the MNCC at their annual</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome not achieved: The implementation of the new land laws will facilitate the definition of custom boundaries and the chiefly structures.</li> <li>Outcome not achieved. The implementation of the new land laws will facilitate the implementation of key resolutions.</li> </ul> |

|                                   |   |   |
|-----------------------------------|---|---|
|                                   | <p>meeting of April 2012 are being implemented.</p> <ul style="list-style-type: none"> <li>• A process to protect customary land rights is designed.</li> </ul>   | <ul style="list-style-type: none"> <li>• Outcome achieved: The new land laws, gazetted in February 2014 introduce mechanisms that are designed to ensure that customary land rights are protected.</li> </ul>   |
| A2. Participatory land governance | <ul style="list-style-type: none"> <li>• Functioning participatory mechanisms (sustainable, gender inclusive) in place for the governance of land at sub-national levels.</li> <li>• Custom owner groups are better informed on land lease issues, and participate more effectively in formal land dealings.</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>• Outcome Not Achieved.</li> <li>• Outcome Not Achieved: The introduction of the new land laws should enable achievement of this outcome as it's planned to run community awareness and outreach sessions as a part of the new leasing process.</li> </ul>  |
| A3. Registry                      | <ul style="list-style-type: none"> <li>• The land registration process meets the needs of 95% of clients.</li> <li>• All applications are registered in the same order as lodgements, and within 20 working days.</li> <li>• All Land Registry records are accessible through the TIS.</li> </ul>                       | <p>Progress Satisfactory and anticipate that outcomes will be met.</p> <ul style="list-style-type: none"> <li>• Outcome Not Achieved: No means of measurement has been put in place. It's planned to introduce a rudimentary customer service survey in 2015.</li> <li>• Outcome Achieved: The introduction of the DTS has facilitated improved processing of applications for registration. Provided that requisition arises dealings are being registered within 20 days.</li> <li>• Outcome Not Achieved: The TIS is still under development. When implanted it will provide access to all Land Registry records.</li> </ul> |

|                              |  |  |
|------------------------------|--|--|
| A3. Lease planning           | <ul style="list-style-type: none"> <li>The COIF process is transparent and involves all stakeholders (MNCC custom land officers assist DOL in identifying chiefs).</li> <li>All leases are drafted by registered (members of a professional association) professionals following strict guidelines.</li> <li>Documentation in Bislama is accessible to all.</li> </ul> | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome superseded with the introduction of the new land laws and thus needs to be redefined.</li> <li>Outcome not achieved with no means of verification in place.</li> <li>Achieved. Lease planning information leaflets have been translated into Bislama</li> </ul>  |
| A3. Lease enforcement        | <ul style="list-style-type: none"> <li>95% of all Land rents are collected annually.</li> </ul>  | <p>Progress Inadequate</p> <ul style="list-style-type: none"> <li>Outcome not achieved: Unable to determine % of land rent collected.</li> </ul>   |
| B1. Customary Land Tribunals | <ul style="list-style-type: none"> <li>As a result of training, the appeals to decisions by CLTs are reduced.</li> <li>CLTU have proper management, administrative procedures, equipment and a computerized database.</li> <li>Reviewed CLTU Act.</li> </ul>   | <ul style="list-style-type: none"> <li>These outcomes are no longer valid as the CLT Act has been repealed and the CLTU replaced by the CLMO and thus need to be redefined.</li> </ul>   |
| B2. IT systems               | <ul style="list-style-type: none"> <li>VANLAS (Vanuatu Land Administration System) is functioning and servicing the needs of the staff of DOL, and of the land professionals.</li> </ul>   | <p>Progress adequate and anticipate outcomes being achieved</p> <ul style="list-style-type: none"> <li>Outcome partially achieved: The valuation data set for Port Vila was completed in 2013. Luganville valuation data will be added by mid-2015. The DTS has been introduced across all sections of the DoL. The TIS is under development and will be implemented in early 2015.</li> </ul> |
| B2. Survey                   | <ul style="list-style-type: none"> <li>Survey directions are designed, distributed and complied with by registered surveyors.</li> </ul>   | <p>Progress satisfactory and anticipate outcomes will be achieved</p> <ul style="list-style-type: none"> <li>Outcome not achieved: Survey directions have been designed but not yet implemented by DoL.</li> </ul>   |



|                  |  |   |
|------------------|--|---|
|                  | <ul style="list-style-type: none"> <li>DOL offers immediate and efficient services to surveyors.</li> </ul>  | <ul style="list-style-type: none"> <li>Outcome not achieved: No baseline</li> </ul>   |
| B2.<br>Valuation | <ul style="list-style-type: none"> <li>An updated Valuation Role provides meaningful valuations for land rates, and fair values for land dealings.</li> <li>Valuation standards are designed, training is provided, and registered valuers comply with the standards.</li> </ul> | <p>Outcomes achieved</p> <ul style="list-style-type: none"> <li>Outcome partially achieved: With program support the Port Vila valuation roll was completed in 2013. The valuation roll for the Luganville municipality is currently being compiled and will be completed by mid-2015.</li> <li>Outcome achieved: Valuation standards were introduced in 2013 and supplemented with training and capacity building activities.</li> </ul> |

## 5. CONFLICT MANAGEMENT ISSUES ARISING DURING THE YEAR

Compared with previous years the Program received very little publicity and / or criticism during 2014. Where the Program has featured in the press the coverage has generally been positive with stories relating to the provision of new survey equipment and the training of the CLMO being two examples. There was some negative press. For reasons unknown to the program an old story that levelled unfounded criticism of the Mama Graon program resurfaced and the Program was implicated in a critical report on the Port Vila Land Rent Review. During its final year the Program will continue to publicise its success stories while at the same time answering any unfounded criticism.

## 6. 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 LEI under the terms of the contract are defined in Attachment 1 as well as a summary of the achievement against defined milestones. LEI met all of its milestone commitments in a timely manner with only one milestone document (the 2015 Annual Plan) delivered after the due date as a result of the need to obtain inputs and feedback from Program Partners taking longer than anticipated.

The PMC approved Annual Plan has controlled the implementation of activities by the Program Management Office. The pattern of implementation has been inconsistent but

overall progress has been made particularly in the core land administration areas in line with the recommendations of the Program Refinement Report.

## 7. CONCLUSION AND MANAGEMENT RESPONSE

During 2014 the Program has continued to work towards realisation of the overarching goal of the initiative, namely that *'All Vanuatu people prosper from the equitable and sustainable development of their land, while ensuring stability and securing the heritage for future generations'*.

To this end efforts have sought to ensure that land administration systems, both formal and customary are more effective and transparent so as to facilitate fair land dealings for all. Progress towards achieving this goal and towards the realisation of end of program outcomes has been inconsistent - with some activities successfully moving ahead, others progressing slowly and others not starting at all.

Key issues faced by the Program during 2014 include:

### 'User driven modality' not entirely successful

The 'user driven' approach identified at the program design stage as being the 'optimum modality' for implementation continues to be problematic. This approach envisaged program partners leading the way with both the identification and implementation of program activities supported through funding and technical assistance as appropriate. The approach has not been entirely successful. Identification of suitable program activities has not always been easy and even where this has happened the ability to take activities forward has proven to be beyond the capacity of many of the program partners. As a result 2014 has been no different from previous years of the program where at year end a picture emerges of some activities having been completed, some not started and deferred some abandoned altogether.

### Lack of Capacity and Resources within key institutions

A major factor influencing the aforementioned issue is the lack of capacity and resources within key institutions. As a result of this the Program has continued to face significant challenges in supporting the implementation of a number of the activities proposed by Program partners. In the custom land area the lack of capacity within the Malvatumauri has meant that it's been almost impossible to take forward activities under Program Objective A1. The capacity of DoL to support some of the strategic Program initiatives remains problematic due to both limited human resources and also resources with appropriate skills. Throughout 2014 planned activities were once again delayed or curtailed as a result of key staff being absent on study leave or staff being placed on suspension as a result of alleged misconduct.

### Lack of Engagement and Program Fatigue

The lack of manpower in certain sections of the DoL e.g. lease planning and survey has had the effect of limiting engagement with the Program. The few staff remaining in these sections having to concentrate their efforts of maintaining day to day service provision. There are also signs of 'program fatigue' as evidenced by the lack of engagement a lack, indifference in taking planned activities forward, a lack of ownership of program related initiatives, a lack of attendance at important meetings such as the PMC and very limited critical feedback on program reports.

### Reliance on Key Personnel

Where progress has been made there has been an over reliance upon key personnel. For example the Acting Director DoL was instrumental in driving forward many of the key initiatives in Land Registry in the early part of the 2014. Similarly the Executive Officer at the Customary Land Management Office was a key figure in engaging the program to assist with the capacity building associated with the new land laws. Loss of such personnel would pose a considerable risk to the ongoing sustainability of program sponsored improvements.

### Over Reliance on Technical Adviser Inputs

The use of mainly international technical advisers while playing a critical part in driving forward program activities and ensuring suitable technical solutions has in some instances resulted in an over reliance on their work input and advice. This is despite all technical advisers working in a structured manner to share and impart knowledge to local counterparts. During 2014 there have been several instances where work on a particular activity e.g. IT system implementation, introduction of the survey directions, has simply stopped awaiting the return of an adviser. There are various factors influencing the apparent lack of willingness to drive activities forward / lack of ownership of the work - knowledge that the adviser will return and the aforementioned lack of capacity being key.

### Sustainability

The sustainability of Program led activities will remain a challenge for program partners. Even as the program enters its final year there is still reliance upon the Program to assist with items that should now form part of recurrent expenditure e.g. basic stationary, maintenance of equipment such as printers, copiers, fuel for vehicles. The implementation of the new land laws is likely to put further strain on the GoV's already stretched resources unless revenue collection in areas such as land rent can be dramatically improved.

### **Critical Success Factors**

Despite these issues 2014 wasn't without its successes. Activities in the core land administration functions progressed as did activities associated with capacity building institutions involved in implementing the new land laws. Where success was achieved during 2014 it was invariably driven by identifiable critical success factors that include:

- Continued donor commitment to the Program
- Support from the Minister of Lands
- Engagement and commitment of key personnel amongst program partners
- Ongoing commitment and support from international TA (even when out of country)
- Program Office backstopping – in terms of ensuring momentum is maintained in driving activities forward

In respect of the core land administration functions and as reported above most progress was made in the Land Registry. New filing facilities and systems were introduced; a document tracking system was implemented; procedures manuals were introduced; staff training continued and client service levels are perceived to have improved. In the Valuation Section work has started on creation of the Luganville

Valuation Roll. Progress in the Survey and Mapping area has been more problematic due mainly to a lack of human resources although again there have been successes with new survey equipment provided and the integrity of the DCDB improved. Even the Lease Planning and Enforcement area, which has traditionally opted for little Program engagement, sought Program assistance with training in late 2014. All of this was assisted by the DoL move into the Pompidou Building which overall offers improved accommodation to the former premises.

In respect of customary land the Program has continued to engage with all of the relevant partners. Successful outcomes during 2014 arose as a result of Program support associated with the passing of the new land laws and involving the CLMO and the CLOs. Investigatory work has also started into community led custom governance initiatives in order to determine if they offer an alternative means of achieving implementation of the Malvatumauri Roadmap.

### **Management Responses**

As 2015 marks the final year of the Vanuatu Land Program the scope to make major changes to program design and introduce new approaches is constrained by the remaining resources (human and financial) that are available.

In respect of defined activities for 2015 the Program will focus support on the completion of activities that offer the best opportunity for achievement and sustainability of end of program outcomes. This will include:

#### **Objectives A1 and A2**

- Continued support the implementation of the new land laws over customary land. This will take the form of support for pilot case studies and involve community outreach and awareness, training of chiefs and adjudicators and assistance with the production of supporting publicity and information material. (This support will facilitate progress towards the achievement of end of program outcomes associated with Objectives A1 and A2 for which to date little progress has been made)
- Conclusion of the work associated with the investigation of community led custom governance initiatives and reporting back to the Malvatumauri and Minister of Lands. (This work should assist with the implementation of the Malvatumauri Roadmap)

#### **Objective A3**

- Completion of the scanning of land registry parcel files and lease register cards as a prerequisite to the achievement of the outcome relating to the availability of land registry records through the TIS
- Ensuring that the Title Information System is implemented and available to clients and staff of the DoL
- Ensuring that all land registry data (in the form of scanned imaged and lease register cards) are as a result of data migration, available electronically through the TIS

#### **Objective B1**

- Working with DoL Survey Section to ensure that the Survey Directions are successfully implemented

#### Objective B2

- Completion of the Luganville Valuation Roll which together with the already completed Port Vila roll will provide GoV with a solid basis for the determination and collection of land rent and assist with the achievement of end of program outcomes relating to Objective A3 lease Enforcement

In addition to the above there are a number of 'additional' activities that the Program has identified as necessary to the achievement of end of program outcomes. These are as follows:

- As a result of the passing of the new land laws some of the existing end of program outcomes are no longer valid (e.g. those associated with Objective B1) and thus will need to be redefined. The Program Office will work with relevant program partners to make this happen and present the amended outcomes to the PMC
- Work with DoL to initiate surveys to measure client satisfaction and determine how leases are prepared in accordance with end of program outcomes relating to Objectives A3 and B2 (Survey). Draft surveys have already been proposed and were included in the Program M&E Framework Report No C- 3.8
- Work with program partners to improve the implementation of program M&E in particular ensure that the three monthly reporting as recommended by the M&E framework is in place and that issues identified through the reporting are being appropriately addressed
- Continue to monitor improvements to processes and procedures in the DoL through use of DTS reports, TIS reports and discussions with key partners to ensure that they are embedded and part of day to day business
- Ensure that exit and transition arrangements are included as a section in all program produced reports during 2015

## ATTACHMENT 1: A SUMMARY OF THE STATUS OF INPUTS PROVIDED BY THE CONTRACTOR AGAINST THE CONTRACT

The inputs and milestones for the annual plan period that were required to be met by Land Equity International under the terms of the contract were defined in the contract documents and highlighted in the 2014 Annual Plan. The following table details the expected progress against the milestones as detailed in the contract document and Annual Plan.

### Milestones for 2014

| Milestone Number | Report / Document Title   | Verifiable Indicators  | Timing          | Submitted on Time Y/N |
|------------------|---|--|-----------------|-----------------------|
| 19               | 2013 Final Annual Report submitted to PMC   | Report submitted to PMC and accepted by DFAT                         | 31 January 2014 | Y                     |
| 20               | Report on the institutional, organisational and capacity building review of the DoL | Report to Surveyor General and accepted by DFAT                      | 30 April 2014   | Y                     |
| 21               | 6 Monthly Report  | Submitted to PMC and accepted by DFAT                                | 10 June 2014    | Y                     |
| 22               | Progress report on the operations of the Land Registry                              | Report submitted to PMC and accepted by DFAT                         | 31 July 2014    | Y                     |
| 23               | Annual Plan for 2014  | Submitted to PMC and accepted by DFAT                                | 1 October 2014  | N                     |
| 24               | Report on all records management activities in the DoL                              | Report submitted to Director of Lands and DFAT acceptance in writing | 1 December 2014 | Y                     |

All milestone reports / plans with the exception of the 2015 Annual Plan were submitted on time. The actual progress against each of the milestones is summarised below.



**Milestone 19:**

A draft of the Annual Report was completed in mid-January 2014 and submitted to the PMC on the 23<sup>rd</sup> January 2014. Following a period for feedback and comment the report was signed off by DFAT in mid-February and presented to the PMC at a meeting held on 7<sup>th</sup> March 2014

**Milestone 20:**

Milestone No. 20 – “Report on the institutional, organisational and capacity building review of the DoL’ was prepared by the program Institutional Adviser and submitted to the Director of Lands and heads of sections on 30<sup>th</sup> April 2014. Feedback from DoL was very limited and the report was eventually signed off for approval in early June 2014.

**Milestone 21:**

The 6 Monthly Report was prepared by the Program Director and submitted to the PMC / DFAT for consideration in early June 2014. Limited feedback from program partners was incorporated and a final version submitted to DFAT on 26 June 2014 with approval following in early July 2014.

**Milestone 22:**

Milestone No 22 - “Progress report on the operation of the Land Registry Office” was prepared by the Program’s Land Registry adviser and submitted to the PMC and DoL on 31<sup>st</sup> July 2014. No feedback was forthcoming and so the report was re-issued on the 18<sup>th</sup> August 2014. Limited feedback was received and the report was submitted to DFAT for payment approval on the 26<sup>th</sup> August 2014 with approval following on the 5<sup>th</sup> September 2014.

**Milestone 23:**

2015 Annual Plan - Activities associated with the preparation of the Annual Plan for 2015 commenced on 22<sup>nd</sup> July 2014 with the Program Director sending an email to the PMC setting out the timetable for the 2015 planning cycle. In the email the Program Director invited Program Partners to propose activities for inclusion in the 2015 plan reminding them that the Program was already committed in principle to supporting certain activities associated with the introduction of the new land laws. The intention was then to run three PMC meetings to launch the plan, consider a draft plan and sign off. As it eventuated only two meetings were held a launch meeting in and a sign off meeting. Obtaining proposals for activities took much longer than anticipated and as the deadline approached for submission of the plan only two proposals had been received. Availability of committee members was also an issue and several attempts to hold a mid-cycle review meeting had to be abandoned. Following the incorporation of feedback from both program partners and DFAT a final version of the plan was submitted to the PMC on and signed off at a PMC meeting on the 21<sup>st</sup> October 2014. In November 2014 additional comments on the content of the plan were submitted by the Minister of Lands. These were duly responded to and revised version of the plan was prepared and issued by the Program Director on 25<sup>th</sup> November 2014.

**Milestone 24:**

Milestone No. 24 “Detailed report on all records management activities in DoL” was prepared by the Program Director following extensive consultation with DoL section leaders and submitted to the Director of Lands and the Executive Officer Corporate Services on 1<sup>st</sup> December 2014. At the time of preparation of this report the Program is still awaiting sign off of the report by DoL.

## ATTACHMENT 2: TECHNICAL REPORTS

The technical and management reports produced through the Vanuatu Land Program since the commencement of the Program through until January 2015 are summarized in the tables below.

| 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                      | October 2012 | Gary Tavo                     |
| A-1.8   | Malvatumauri National Council of Chiefs (MNCC) Roadmap Implementation Approach | March 2013   | Russell Nari                  |

| PART A                                       |   |                |            |
|--|---|----------------|------------|
| Objective A-2: Participatory land governance |   |                |            |
| A-2.1  | Presentation to Media Asosiesen blong Vanuatu | 22 August 2012 | Jilda Shem |

| PART A   |  |               |                           |
|--|--|---------------|---------------------------|
| Objective A-3: Effective and Enabling Services |  |               |                           |
| A-3.1  | Land Registry Report June 2011   | 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                |
| 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   | Draft Land Registry Office Manual of Practice  | July 2012     | David Mulcahy             |
| 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              |
| A-3.17   | Urban Strategic Plan (Urban Master Plan for Port Vila) – Proposal for Consideration by the Minister of Lands | May 2013      | Chris Lunnay              |
| A-3.18   | Parcel File Scanning Project Procedures  | Oct 2013      | Kevin Rainsford           |
| A-3.19   | Land Registry Office Procedure Manual  | Oct 2013      | Kevin Rainsford           |

| PART A   |   |               |                 |
|--|---|---------------|-----------------|
| Objective A-3: Effective and Enabling Services |   |               |                 |
| A-3.20   | Land Registry Adviser Exit Report   | Oct 2013      | Kevin Rainsford |
| A-3.21   | Land Registry Office Strategic Directions   | Oct 2013      | Kevin Rainsford |
| A-3.22   | Document Tracking System Test Plan  | Sept 2013     | Kevin Rainsford |
| A-3.23   | Report on the Institutional, organisational and capacity building review of the Department of Lands | April 2014    | Gayle Stapleton |
| A-3.24   | Progress Report on the Operation of Land Registry   | August 2014   | Kevin Rainsford |
| A-3.25   | Report on the records management activities in the Department of Lands                              | December 2014 | John Meadows    |

| 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                            | Nov 2012      | Gary Tavo   |
| B-1.5   | Training - Customary Land Tribunal Act No 7 of 2001               | Oct 2013      | Edson David |
| B-1.6   | Training – Minute Taking  | Oct 2013      | Edson David |
| B-1.7   | Training – Organise and conduct effective meetings                | Oct 2013      | Edson David |
| B-1.8   | Problem Solving   | Oct 2013      | Edson David |

| PART B  |                       |          |             |
|---|-----------------------|----------|-------------|
| Objective B-1: A Strengthened Customary Land Tribunal consistent with the Gov.'s National Plans |                       |          |             |
| B-1.9   | CLT Hearing Procedure | Oct 2013 | Edson David |
| B-1.10  | Training of Trainers  | Oct 2013 | Edson David |

| PART B  |   |                |                 |
|---|---|----------------|-----------------|
| Objective B-2: A Land Information Management system that meets current and future needs and supports economic development |   |                |                 |
| B-2.1   | Information System Strategic Plan   | August 2011    | Kevin Rainsford |
| B-2.2   | Valuation Interim Status Report   | 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 an efficient and Sustainable Land Rent Management System | 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      |



| PART B  |  |               |                 |
|---|--|---------------|-----------------|
| Objective B-2: A Land Information Management system that meets current and future needs and supports economic development |  |               |                 |
| 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 (Standard Operating Procedures for DCDB for Data Entry in E-Survey) | 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    |
| B-2.21  | Survey Directions Delineation of Kastom Boundaries (Draft)   | December 2012 | Allan Wilson    |
| B-2.22  | Updating the Gazetteer – Activity proposal and methodology   | March 2012    | Tim Gunson      |
| B-2.23  | GIS TA Exit Report   | May 2013      | Tim Gunson      |
| B-2.24  | Standard Operating Procedure 1 – Scanning Coordinate Data Sheets   | May 2013      | Tim Gunson      |
| B-2.25  | Standard Operating Procedure 2 – DCDB Data Entry eSurvey   | May 2013      | Tim Gunson      |
| B-2.26  | Standard Operating Procedure 3 – eSurvey Spatial – DCDB Maintenance & Administration                       | May 2013      | Tim Gunson      |
| B-2.27  | Standard Operating Procedure 4 – Assessing the DoL Spatial Database  | May 2013      | Tim Gunson      |
| B-2.28  | Standard Operating Procedure 5 – Saperion Plan & Document Viewer   | May 2013      | Tim Gunson      |
| B-2.29  | Standard Operating Procedure 6 – Geo-registering Images in manifold  | May 2013      | Tim Gunson      |

| PART B  |  |                |                 |
|---|--|----------------|-----------------|
| Objective B-2: A Land Information Management system that meets current and future needs and supports economic development |  |                |                 |
| B-2.30  | Standard Operating Procedure 7 - Survey Sketch Production                                | May 2013       | Tim Gunson      |
| B-2.31  | Standard Operating Procedure 8 - QA in DCDB Production                                   | May 2013       | Tim Gunson      |
| B-2.32  | Standard Operating Procedure 9 – Saperion Image Administration                           | May 2013       | Tim Gunson      |
| B-2.33  | Standard Operating Procedure 10 – Producing CIMS from the DCDB in manifold               | May 2013       | Tim Gunson      |
| B-2.34  | Standard Operating Procedure 11 - Guidelines for handling client requests                | May 2013       | Tim Gunson      |
| B-2.35  | Standard Operating Procedure 12 – eSurvey Administration                                 | May 2013       | Tim Gunson      |
| B-2.36  | Standard Operating Procedures 13 - GPS Procedures for Gazetteer Mapping                  | May 2013       | Tim Gunson      |
| B-2.37  | Valuation Capacity Building Plan – August 2013   | August 2013    | Mark McLoughlan |
| B-2.38  | Standard Operating Procedures 16 – Defining Unallocated Urban Land Parcels               | August 2013    | Tim Gunson      |
| B-2.39  | Standard Operating Procedures 17 – Unallocated Land Survey Sketch Production             | August 2013    | Tim Gunson      |
| B-2.40  | Defining Unallocated Parcels within Urban Areas – Port Vila and Luganville Working Paper | August 2013    | Tim Gunson      |
| B-2.41  | GIS TA Exit Report August 2013   | August 2013    | Tim Gunson      |
| B-2.42  | Document Tracking System Specification   | September 2013 | Pat Van Berkel  |
| B-2.43  | TA Exit Report   | September 2013 | Pat Van Berkel  |
| B-2.44  | Activity Summary Report  | September 2013 | Pat Van Berkel  |
| B-2.45  | Title Information System Specification (v1.06)   | September 2014 | Pat Van Berkel  |

| PART B  |   |                |                 |
|---|---|----------------|-----------------|
| Objective B-2: A Land Information Management system that meets current and future needs and supports economic development |   |                |                 |
| B-2.46  | Standard Operating Procedure SOP 18 – For Survey Spatial – DCDB Maintenance and Administration              | November 2013  | Tim Gunson      |
| B-2.47  | GIS TA Exit Report  | November 2013  | Tim Gunson      |
| B-2.48  | Survey Directions – Interpretation Guides   | December 2013  | Allan Wilson    |
| B-2.49  | Valuation Capacity Building   | October 2013   | Mark McLoughlan |
| B-2.50  | Port Vila Roll Completion Report  | October 2013   | Mark McLoughlan |
| B-2.51  | Final Report – Valuation Zone System Port Vila  | October 2013   | Mark McLoughlan |
| B-2.53  | Exit Report – Database Administrator  | November 2013  | Pat Van Berkel  |
| B-2.54  | Survey Directions – Interpretation Guides   | May 2013       | Allan Wilson    |
| B-2.55  | GIS Exit Report   | June 2014      | Tim Gunson      |
| B-2.56  | Exit Report – Database Administration Adviser   | September 2014 | Pat Van Berkel  |
| B-2.57  | Database requirements of the Customary Land Management Office   | September 2014 | Pat Van Berkel  |
| B-2.58  | Amendments to eSurvey and DTS – specification in support of the implementation of the new Survey Directions | September 2014 | Pat Van Berkel  |
| B-2.59  | Exit Report – Valuation adviser   | November 2014  | Mark McLoughlan |
| B-2.60  | Exit Report – Database Administration Adviser   | December 2014  | Pat Van Berkel  |

| PART C  |                               |            |              |
|---|-------------------------------|------------|--------------|
| Objective C-1: Effective Consultation and Coordination between Stakeholders of the Vanuatu Land Program |                               |            |              |
| C-1.1   | Monthly Briefing Report No. 1 | Feb 2011   | Chris Lunnay |
| C-1.2   | Monthly Briefing Report No. 2 | March 2011 | Chris Lunnay |

| PART C  |                                  |               |              |
|---|----------------------------------|---------------|--------------|
| Objective C-1: Effective Consultation and Coordination between Stakeholders of the Vanuatu Land Program |                                  |               |              |
| C-1.3   | Publicity and Promotion Strategy | March 2011    | Chris Lunnay |
| C-1.4   | Monthly Briefing Report No. 3    | April 2011    | Chris Lunnay |
| C-1.5   | Monthly Briefing Report No. 4    | May 2011      | Chris Lunnay |
| C-1.6   | Monthly Briefing Report No. 5    | June 2011     | Chris Lunnay |
| C-1.7   | Monthly Briefing Report No. 6    | July 2011     | Chris Lunnay |
| C-1.8   | Monthly Briefing Report No. 7    | August 2011   | Chris Lunnay |
| C-1.9   | Monthly Briefing Report No.8     | 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 |
| C-1.19  | Monthly Briefing Report No 18    | October 2012  | Chris Lunnay |
| C-1.20  | Monthly Briefing Report No 19    | November 2012 | Chris Lunnay |
| C-1.21  | Monthly Briefing Report No 20    | January 2013  | Chris Lunnay |
| C-1.22  | Monthly Briefing Report No 21    | February 2013 | Chris Lunnay |
| C-1.23  | Monthly Briefing Report No 22    | March 2013    | Chris Lunnay |
| C-1.24  | Monthly Briefing Report No 23    | April 2013    | Chris Lunnay |
| C-1.25  | Monthly Briefing Report No 24    | May 2013      | Chris Lunnay |

| PART C  |                               |                |              |
|---|-------------------------------|----------------|--------------|
| Objective C-1: Effective Consultation and Coordination between Stakeholders of the Vanuatu Land Program |                               |                |              |
| C-1.26  | Monthly Briefing Report No 25 | June 2013      | Chris Lunnay |
| C-1.27  | Monthly Briefing Report No 26 | July 2013      | Chris Lunnay |
| C-1.28  | Monthly Briefing Report No 27 | August 2013    | Chris Lunnay |
| C-1.29  | Monthly Briefing Report No 28 | September 2013 | Chris Lunnay |
| C-1.30  | Monthly Briefing Report No 29 | October 2013   | Chris Lunnay |
| C-1.31  | Monthly Briefing Report No 30 | November 2013  | Chris Lunnay |
| C-1.32  | Monthly Briefing Report No 31 | Jan/Feb 2014   | John Meadows |
| C-1.32  | Monthly Briefing Report No 32 | Feb 2014       | John Meadows |
| C-1.33  | Monthly Briefing Report No 33 | March 2014     | John Meadows |
| C-1.34  | Monthly Briefing Report No 34 | April 2014     | John Meadows |
| C-1.35  | Monthly Briefing Report No 35 | June 2014      | John Meadows |
| C-1.36  | Monthly Briefing Report No 36 | July 2014      | John Meadows |
| C-1.37  | Monthly Briefing Report No 37 | August 2014    | John Meadows |
| C-1.38  | Monthly Briefing Report No 38 | September 2014 | John Meadows |
| C-1.39  | Monthly Briefing Report No 39 | December 2014  | John Meadows |

| 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 |

| PART C   |  |                |                  |
|--|--|----------------|------------------|
| Objective C-2: Effective and Efficient Management of all Resources provided to deliver services including Personnel, Funds, Services and Equipment |  |                |                  |
| 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 – 2012 Draft   | October 2012   | Chris Lunnay     |
| C-2.14   | Annual Report for 2012   | January 2013   | Chris Lunnay     |
| C-2.15   | Six Monthly Report January to May 2013   | May 2013       | Russell Nari     |
| C-2.16   | Annual Plan 2014   | October 2013   | Chris Lunnay     |
| C-2.17   | Annual Report for 2013   | January 2014   | Chris Lunnay     |
| C-2.18   | Report on the New Zealand Funded Activities for 2013                               | February 2014  | Chris Lunnay     |
| C-2.19   | Six Monthly Report June 2014   | June 2014      | John Meadows     |
| C-2.20   | Annual Plan 2015   | October 2014   | John Meadows     |
| C-2.21   | Annual Report for 2014 (DRAFT)   | January 2015   | John Meadows     |



| 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                           |
| 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<br>(replaced by C-3.7) |
| C-3.6   | Communication Strategy                 | July 2012     | Jilda Shem                             |
| C-3.7   | M&E Framework                          | Nov 2012      | Paul De Villers                        |
| C-3.8   | M&E Framework Revision                 | April 2014    | John Meadows                           |

| 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-4.7  | Program Gender Strategy Plan final                             | December 2012  | N'Deane Helajzen           |
| C-4.8  | Anti – Discrimination Anti-Harassment and Anti-Bullying Policy | July 2012      | N'Deane Helajzen           |

| 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-4.9  | Risk Management Plan                         | October 2012 | Chris Lunnay |
| C-4.10   | Department of Lands Gender Exhibition Report | March 2013   | Gary Tavo    |
| C-4.11   | Department of Lands Gender Workshop Report   | March 2013   | Gary Tavo    |
| C-4.12   | Risk Management Plan                         | October 2013 | Chris Lunnay |
| C-4.13   | Risk Management Plan Revision                | April 2014   | John Meadows |

### ATTACHMENT 3: TRAINING CAPACITY BUILDING AND OUTREACH EVENTS SUPPORTED BY THE PROGRAM IN 2014

| Event | Date                  | Partner Agency   | Workshop/Training/Outreach Event   | Location  | Participants |     |       |
|-------|-----------------------|--|--|---|--------------|-----|-------|
|       |                       |  |  |   | M            | F   | T     |
| 1.    | 10.1.2014             | DoL Senior Management Team                                 | Coaching Review Workshop   | Grand Hotel, Port Vila  | 6            | 2   | 8     |
| 2.    | 16.1.2014             | DoL Senior Management Team                                 | Review of DoL Structure  | MoL Conference Room   | 10           | 2   | 12    |
| 3.    | 2-7.2.2014            | Total Survey Systems, DoL Survey and Mapping Section       | New Survey Equipment Training  | Survey and Mapping Office, DoL, Port Vila   | 9            | 0   | 9     |
| 4.    | 4 -19.2.2014          | Hon Minister of Lands & Cabinet                            | New Land Laws Consultation   | Efate Communities   | 1,204        | 410 | 1,614 |
| 5.    | 3 - 7.2.2014          | Customary Land Tribunal Unit                               | CLT Training   | Tegua, Torres, Torba Province   | 23           | 1   | 24    |
| 6.    | 10-14.2.2014          | Customary Land Tribunal Unit                               | CLT Training   | Gaua, Torba Province  | 35           | 2   | 37    |
| 7.    | 7 -11.4.2014          | Customary Land Management Office                           | Familiarization training on Customary Land Management Act and Land Reform Act    | Meteo conference room   | 25           | 5   | 30    |
| 8.    | 14 - 20.4.2014        | Hon Minister of Lands and Cabinet represented by First PA. | New Land Laws Consultation   | Pentecost Communities   | 136          | 94  | 230   |
| 9.    | 24.3.2014 – 25.4.2014 | Private Sector Surveyors                                   | Nine (9) individual training sessions on the new Survey Directions               | Program Office, Port Vila<br>Offices of private survey companies and DoL Luganville, Santo and field work | 10           | 2   | 12    |
| 10.   | 30.4.2014             | Customers of the DoL Land Registry Office                  | Inaugural focus group meeting – Private Sector Meeting for Land Registry Process | MoL Conference Room   | 7            | 5   | 12    |
| 11.   | 7-12.4.2014           | National Coordinator                                       | Launching of Kastom Boundary & Related governance system                         | Labultamata, North Pentecost  | 2            | 0   | 2     |

**VANUATU LAND PROGRAM**  
**Draft Annual Report for 2014**

|     |                                |  |   |                                |    |   |    |
|-----|--------------------------------|--|---|--------------------------------|----|---|----|
| 12. | 18-19.7.2014                   | Institutional Strengthening Advisor                            | Coaching skills for Leaders program                               | Grand Hotel, Port Vila         | 7  | 3 | 10 |
| 13. | 24 & 26.6.2014<br>1 & 3.7.2014 | Land Registry Advisor  | Strata Title Training   | MoL Conference room            | 6  | 3 | 9  |
| 14. | 4-7.8.2014                     | Acting Director Lands, Vanuatu Land Program Governance Adviser | CASLE/UTS Symposium on land rights in the South Pacific           | Honiara, Solomon Islands       | 3  | 0 | 3  |
| 15. | 3-4.9.2014                     | Customary Land Management Office                               | Review on Customary Land Management Act training modules          | Grand Hotel, Port Vila         | 10 | 2 | 12 |
| 16. | 22-26.9.2014                   | Lease, Planning, Enforcement Unit                              | Introductory training on the new Leasing process                  | Airline Business Hotel         | 23 | 5 | 28 |
| 17. | 29.9.2014-3.10.2014            | Customary Land Management Office                               | Training of Trainers on the CLTU act review module                | Meteo conference room          | 23 | 4 | 27 |
| 18. | 4.11.2014                      | Valuation Advisor  | Valuation workshop to review the approach to valuation in Vanuatu | The Melanesian conference room | 11 | 0 | 11 |
| 19. | 10-26.11.2014                  | Valuation Advisor & Team                                       | Valuation roll out  | Santo, Luganville              | 4  | 3 | 7  |
| 20. | 12-26.11-2014                  | Land Governance Advisor  | Pentecost Custom governance pilot project consultation            | North Pentecost                | 3  | 0 | 3  |
| 21. | 15-19.12.2014                  | Land Governance Advisor  | Epi custom governance pilot project consultation                  | Epi                            | 1  | 0 | 1  |