

Management Response

Mid-Term Evaluation of GCP/MOZ/096/NET

Submitted by Julio de Castro, FAOR Mozambique, as budget holder

Introduction

The project GCP/MOZ/096/NET, “Promoting the use of land and natural resources for equitable development” started implementation in April 2009 with financing from the Government of the Kingdom of Netherlands and a total budget of € 2,851,289. In May and June of 2011 an independent midterm evaluation (MTE) was carried out by OEDD, and the final report was received by the budget holder on 15 July 2011.

FAO notes that the report was not circulated officially for comments and corrections before the final report was issued. Some comments below address issues that would have been submitted as corrections rather than as a response to recommendations.

The MTE report and recommendations were discussed during a backstopping mission during the week from 22-26 August 2011, with the participation of LEGN as LTU, NRL and ESW. Meetings were held both within FAO and with the two counterpart institutions of the Government of Mozambique (GoM), as well as with the donor. Separate meetings took place with each partner, followed by a tripartite technical meeting with representatives of FAO, GoM and the Netherlands Embassy.

This report presents the management response, including the overall opinions held by FAO, GoM and the Netherlands, as well as detailed response of FAO by recommendation. It is presented in OEDD standard format, as per the requirements of the Programme Committee and the Joint Meeting of the Programme and Finance Committees.

GoM counterparts and the Netherlands Embassy have been encouraged to submit their comments also in writing.

Overall response

FAO

FAO welcomes the report of the Mid-Term Evaluation, which is well structured, well written and reflects very well the successes achieved as well as the difficulties and challenges, which are treated fairly.

FAO is pleased by the MTE’s positive findings concerning the project delivery, relevance, effectiveness and efficiency, and good relations with all partners; and is also encouraged by the recommendation that the project should be extended for nine months with additional funds of USD 1,000,000 in order to strengthen the sustainability of its achievements and provide a more thorough impact evaluation of what is the last stage in a successful, ten year long cooperation programme.

FAO feels however that the time has come for a new vision and new focus, so that a major extension would not be warranted. Thus FAO agrees with the donor that it would be better to draw a line under the present programme and move into a new phase of support for the GoM, reflecting new realities and needs. In this context FAO feels that the suggestion by the donor to prepare a follow-up project which would include some of the recommended activities within a new programme is better than an extension.

On the other hand, FAO is concerned that the time needed for a new project to become operational may lead to a gap in activities and loss of momentum, with particular reference to the programme at the National Directorate for Promoting Rural Development (DNPDR) and the new activities being launched with the National Directorate for Lands and Forests (DNLF). These issues will be taken up with the donor in due course.

FAO is also encouraged by the emphasis the MTE puts on the wider programmatic aspects of the Organization's long engagement on land and other natural resources over the last two decades, which demonstrates the importance of a programmatic approach and showcases the importance of long-term donor commitment and support.

FAO agrees with the suggestion to take a holistic approach to land, through a programme which moves seamlessly from policy to legislation to implementation of tenure rights and from there to participatory territorial development. Indeed this is exactly what the FAO land programme in Mozambique has managed to do, with the current project largely focused on the links between the protection and recognition of land rights and rural development. This implies not only a holistic approach to land administration but to land management and natural resources use and access as well. The choice of words in some paragraphs of the report might give rise to the misunderstanding that the project deals mainly with aspects of land administration (see for instance middle part of paragraph 88), but FAO believes the intention of the MTE was to endorse the approach taken by FAO in its land programme in Mozambique.

The report raises some concerns related to FAO internal arrangements dealing with land issues as they are handled by different departments. FAO wishes to reaffirm that its work on land valuation and taxation and a proposed pilot programme on community delimitation are an integral part of the land programme in Mozambique, even though they are implemented in the context of collaboration with the World Bank. FAO also wishes to stress that the proposed approach to land delimitation is in accordance with the system established by Mozambican policy and laws, rather than being an "imported system of land registration and taxation". FAO will ensure stronger direct linkages between all elements of its overall land programme in the follow-up project.

While acknowledging the short and positive statement of the evaluation regarding the project's treatment of gender issues, FAO would have wished to have achievements on gender better highlighted in the report. In addition to the contribution of the Norwegian project on gender and land, which forms an integral part of FAO's land programme, the current project has extended the gender work of the

previous project (which launched the CFJJ training programme) and continued to integrate women's rights and gender aspects into the learning material produced and the design of the training courses, as well as including gender issues into the research programme. It also contributed to the development of new material and a stronger course component on gender, implemented under the Norwegian project. All these activities have subsequently been greatly strengthened by the Norwegian project, which in the wider programme context, represents the main FAO response to this issue.

The Netherlands

The Embassy of the Netherlands in Mozambique raised the following points concerning the project and the MTE:

- High level of satisfaction with activity results (training etc)
- Concerns expressed about :
 - Baseline survey, which has suffered serious delays and is now not a feasible option – the donor agrees with the proposal by the project to instead do an impact survey (although not one as thorough as the KAP approach proposed by the MTE which would require additional time and funding);
 - The failure by the CFJJ to finalize its Strategic Plan and move to a more sustainable programme platform with project support – the donor accepts that this is not the fault of the project, but does see this issue as one that might still cloud any future relationship with the CFJJ unless it is resolved, and expects the project to do what it can in the time still available to move things forwards;
 - Gender is not very visible in project reports and the MTE has insufficient information – FAO has undertaken to rectify this, partly through this management response and in future communication and dissemination activities;
 - Administration difficulties, including the failure to implement 'HACT' - the donor agrees that it is now too late to use HACT, but is pleased to see that FAO is now moving to use this in the gender project, and that it will be operational in time to be included in the new project.

With regard to the future, and based upon its observations about the present project and its achievements, the donor feels that:

- An extension is not justified:
 - CFJJ should now be sustainable and does not need further technical assistance (although it will still need additional financial support through partners);
 - The Strategic Plan of CFJJ is not likely to be ready for implementation during the extra period proposed by the MTE (this continues to be a source of great concern);
 - Government partners can work together, i.e. if technical assistance is provided to DNDF and DNDPR then they should contract CFJJ for training etc.
- A new programme is instead needed, to address current concerns:
 - Land Consultative Forum (policy and legal review underway since late 2010);

- Focus on bringing land into production (large areas unused, including ‘community land’);
- Promote a participatory local development model with good relations between investors, local people and the State;
- Support to DNTF and its implementation capacity;
- Gender should be structural part of the new programme.

CFJJ

The Center for Legal and Judicial Training (*Centro de Formação Jurídica e Judiciária, CFJJ*) made the following comments on the MTE report:

- Very satisfied with results of cooperation;
- Commitment to carrying on with training programme after the end of the project;
- Strategic Plan is now in final draft phase (being handled by the CFJJ);
- Ready to finish project activities;
- Concerns about support post-2012;
- Accept need for moving to new phase of some sort, although they would have preferred an extension to ensure continuity and sustainability

DNPDR

The National Directorate for Promoting Rural Development (*Direcção Nacional para a Promoção de Desenvolvimento Rural DNPDR*), made the following comments:

- Very satisfied with training activities and technical support (indeed have already included a new round in their 2012 programme, anticipating some form of continued support);
- Note the need to do a seminar for the most senior political and government officers – this process is underway;
- Gender has long been a central pillar of DNPDR’s programme and the project has continued and developed this
- DNPDR also needs a strategic plan to develop capacity to implement the Rural Development Strategy (EDR) through its current phase (2011-2014) and prepare for phase two (to 2025);
- It is very concerned about how to maintain FAO technical support for its ‘PRENAD’ (Natural Resources and Development) Programme; and the Community-Investment Partnership Project (funded by the Netherlands and IFAD with FAO technical assistance provided through the current project).
- They therefore endorse the extension proposal made in the MTE report;
- They reaffirm the strong ministerial support for the programme activities being developed and implemented with FAO/Netherlands cooperation.

Management response by recommendation								
Recommendations	Further funding required (yes or no)	Acceptance by Management			Comment on the Recommendation	Action to be taken		
		Accepted	Partially Accepted	Rejected		Action	Timing	Unit Responsible
1. Nine months extension with USD one million top-up	Yes		X		The donor is providing a small top-up for new activities but indicated a preference for a new programme, building on the work of the project but taking new directions. FAO agrees that this is a preferred option, but is concerned about maintaining continuity of TA while the new programme is formulated and implemented	Formulation of a new project document with stakeholders. Consultations with donor on extension of current project to ensure continuity in TA.	Final draft to donor by December '11; assuming approval, entry into FAO project approval process for implementation July 2012 if possible. Possible extension request to donor by February 2012	STA, LEG (with NRL, NRC, ESW)
2. In case of extension granted, the following activities to be undertaken:								
2a. KAP-type survey	Yes		X		FAO agrees that a KAP survey would be more effective and warranted after a long period of cooperation, but cannot be done without a time and funding extension; existing project proposal to do a simpler impact assessment within current arrangements	Current project is undertaking a control group survey to measure impact on communities, men and women, which is within available resources	By March 2012	STA

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					is acceptable and agreed by donor			
2b. Review of community-investor projects	Yes			X	FAO agrees on the utility but notes that such a review has been undertaken by SNV, no need to duplicate it.	N/A	N/A	N/A
2c. Technical assistance to various projects	Yes	X			While FAO agrees that a new project would be preferable to an extension, it also agrees with the recommendation that TA be assured for following up specific activities with DNPDR and DNTF, which would be put at risk if the TA were withdrawn; while FAO agrees that a new project is preferable to an extension, all partners need to be prepared for delays in project approval, and consider some form of extension that would allow the STA to continue until the new project is implemented.	To follow up with donor as project formulation and approval progresses	By March 2012	FAOR MOZ, LEG, NRL

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2d. TA to MJ for preparation of SP for CFJJ	Yes			X	Since the completion of the MTE, CFJJ has advised that it is finalizing the Strategic Plan for sending on to the Ministry of Justice and subsequent GoM approval . Current project will however continue to monitor progress and provide support as needed.	Current project to monitor and support as needed.	By March 2012	STA
2e. Support to Land Consultative Forum	Yes	X			Current technical support to the policy debate, through GCP096, will end with the project, unless STA presence is extended. An already agreed project top-up will provide institutional assessment and programme development assistance to the DNTF (lead GoM entity in the Forum), and a new TCP has been prepared and submitted by FAOR to FAORAF for processing for start in early 2012, to provide a limited amount of technical support. The new project to	Consultant for DNTF being recruited; TCP being processed, funds available in 2012, include in drafting of new project	DNTF institutional assessment and proposal by March 2012 (likely to merge with new project formulation); TCP to launch early 2012 for one year	FAOR Moz, LEG, NRL, STA

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					be formulated would incorporate the outcomes of all of these activities and carry them forward.			
3. Ministry of Justice to finalize Strategic Plan	N/A	N/A	N/A	N/A	CFJJ informs that the SP is being finalized for submission to the Minister, and subsequent GoM approval	N/A	N/A	N/A
4. Ministry of Justice to consider status, certification and legal framework for paralegals	N/A	N/A			This is already a current project objective; the CFJJ advises they are working with the Ministry to establish formal accreditation of paralegals by the State Institute for Promoting Access to Justice (IPAJ); current TA support to this key issue for paralegal programme sustainability cannot continue beyond March 2012 unless additional funding is found; meanwhile the project will do all it can to provide support before it ends	Current project to support as required (to establish sustainable paralegal programme; planning for 2012 and beyond)	March 2012	STA

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5. Ministry of State Administration to support high level seminar on land law	N/A	N/A			This already forms part of current project objectives; renewed DNPDR commitment should help identify a slot in ministerial agendas to ensure implementation by project end.	Current project to support as required	By March 2012	STA
6. FAOR to consider providing dedicated administrative / operations support officer to land projects	Yes		X		The project has some internal support (Admin Assistant) but this is not enough for the complex tasks required by the programme. Staff in FAOR Operations, Programme and Administration are overworked with the number of projects, but presently there are not sufficient resources to add staff. Administration and operations are also separate functions, implying a need for two additional officers, which is certainly not possible.	FAOR will do their best for the smooth running of the current project, and look at ways to improve administration, together with project team. The follow up project could be designed with a less complex programme, and will be able to take advantage of developments with HACT; the new project should consider having its own administrative officer within its budget and workplan.	Improvements discussed by December 2011; new proposals into new project by March 2012	FAOR Moz, STA
7. Meeting convened by ADG NR, chaired by LEG	No	X			FAO agrees that such a meeting, including also ESW,	A meeting will be convened to discuss the overall land	By end 2011. Timing should also take into	LEG, ADG NR

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as LTU, bringing together NRL, NRC and TA staff of current project as well as GCP/MOZ/086/NOR					is needed to discuss FAO's strategy in the land sector (administration and management) in general, and how to foster convergence between the technical assistance provided to the World Bank strategy and the follow up project in particular.	programme integrating administration, land and resource management and territorial development concerns; and with a full consideration of gender as a central and transformational issue within any new programme. The participation of LEGN and both NRC and NRL, as well as ESW, is essential, including the present TAs assigned to the Mozambican projects.	account the availability of the Global Evaluation of Tenure Activities report, which at the time of this MR, has not yet been finalized.	