



TAJIKISTAN LAND REFORM AND FARM RESTRUCTURING PROJECT

FINAL REPORT



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“My family is very thankful to the USAID Land Reform and Farm Restructuring Project and the great efforts the project makes to protect our land rights, inform us about our land rights, especially through educational events. If my wife hadn’t participated in the training, I and another six people would have had no chance to restore our land rights and return to our share of land, which is a critical source of employment, food, and income for many rural Tajik men.”

— **ABDURAKHMOM SAFAROV,**
SHAREHOLDER OF BAKHTIYOR-I DEHKAN FARM

[Female farmers listen intently during a Female Tashabuskors Exchange Forum training session in their jamoat. Tashabuskors shared their experiences creating their own dehkan farms with their peers and provide advice on how to obtain land rights. PHOTO: USAID LRFPR]

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Cover photo: Women farmers from Yakkadin jamoat gather during a tashabuskor training to receive a new issue of project-supported newsletter “Agroinform” to learn about their land rights. Tashabuskors use forums like these to distribute important information on land reform, land rights, and farm restructuring. (Credit: USAID LFRFP)

DISCLAIMER

The authors’ views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States government.

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ACRONYMS

ADB	Asian Development Bank
DCC	Development Coordination Council
DF	Dehkan Farm
DFID	United Kingdom Department for International Development
FAO	Food and Agriculture Organization
FFP	USAID Family Farming Program
FTF	Feed the Future
FTF/TJ	Feed the Future/Tajikistan
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GoTJ	Government of Tajikistan
LAC	Legal Aid Center
LIU	lifelong inheritable use
LRCSSAP	World Bank Land and Cadastre Project
LRF RP	USAID Tajikistan Land Reform and Farm Restructuring Project
LRPT	USAID Land Reform Project in Tajikistan
MOA	Ministry of Agriculture
NGO	nongovernmental organization
OSC	Overseas Strategic Consulting
PIR	project intermediary result
PPD	public private dialogue
PMEP	Performance Monitoring and Evaluation Plan
RT	Republic of Tajikistan
SLC	State Land Committee
SMT	Simoi Mustaqili Tojikiston
ToT	training of trainers
SUERIP	State Unitary Enterprise for the Registration of Immovable Property
UN	United Nations
USAID	United States Agency for International Development
USG	United States Government

WG	Inter-ministerial Working Group on Land Reform Management
WB	World Bank
ZOI	zone of influence



With the help of LRRFP, farmer Odilijon Rakhmatov created his own dehqan farm. After learning about his freedom to farm rights through project resources, he decided to grow wheat for the first time. PHOTO: USAID LRRFP

EXECUTIVE SUMMARY

Throughout Tajikistan, land, and access to it, is paramount to continued resilience and improved livelihoods of rural citizens. Agricultural output, especially from small to medium sized farms, constitutes a disproportionately high percentage of Tajikistan's overall Gross Domestic Product (GDP) and represents an opportunity for continued economic growth for both the farmers and the country. Since the end of Tajikistan's civil war, and more recently over the last decade, Tajikistan has made continued progress in its efforts to reform land use through the restructuring of Soviet-style collective farms, improving legislation to provide better access to land, and supporting initiatives to develop the foundation of a market in land use – an effort to allow farmers to put land to its most productive use.

Despite progress, challenges remain, including a lack of awareness by rural populations of their rights to land, unequal distribution and documented land rights between men and women, and corruption at the national and local level attempting to prevent farmers from exercising their land-use rights. However, steadfast support to the land reform effort from USAID and other donors has allowed Tajikistan to make significant progress in overcoming these constraints. As a result, rural Tajik farmers remain motivated, and as land reform progresses, they continue to find ways to capitalize on new opportunities and thrive.

In October 2013, USAID launched the Feed the Future-funded Land Reform and Farm Restructuring Project (LRFPR), a \$5.5 million, three-year project that supported the continuing process of dehkan farm restructuring and recognition of property rights leading to a market in land-use rights through four key tasks: 1) legislative reform, 2) building the capacity of Tajik officials, farmers, rural stakeholders, and civil society, 3) increased public information and awareness, and 4) provision of legal advice and assistance to rural farmers. LRFPR's broad range of activities covered 12 districts in the Khatlon region, which comprises 67 *jamoats* (see Exhibit 1). To achieve its results, LRFPR worked through the four mutually reinforcing project tasks, generating significant reforms and improved awareness among Tajik citizens that will have lasting effects for generations to come.

- Through **improved legislation and support to legislative drafting**, LRFPR supported the creation of, and amendments to, legislation that dramatically improves the lives of Tajik farmers in the near and long term. Throughout implementation, LRFPR staff supported the analysis and development of 14 pieces of legislation to advance the land reform process. Most significantly, with LRFPR assistance, the new Law on Dehkan Farms was signed into effect by President Rahmon on March 3, 2016. As a result of this law, and other legislative successes, farmers and their dehkan farms can legally be registered ensuring better protection under the law.

Another critical milestone was the submission of the draft regulation on *granting land users paid and unpaid land-use rights and the right of alienation (ROA)* of land-use rights, (i.e., the right to buy, sell, mortgage, lease, donate, or transfer the rights to use specific land plots) . ROA, when passed, will

EXHIBIT I: ZONE OF INFLUENCE MAP

LRFRP ACTIVITY IN TAJIKISTAN



mark a significant step forward in the land reform process as it sets the foundation for the creation of a market for land-use rights.

- **Capacity building** efforts took shape in many ways throughout the Khatlon region. As implementation occurred, it became clear to the project that the State Unitary Enterprise for the Registration of Immovable Property (SUERIP) at the national and local level needed significant support to provide documented property rights to rural citizens. At SUERIP's request, LRFRP staff initiated a significant capacity building program focused on improving the agency's focus on client services, introducing streamlined registration procedures through the implementation of one-stop-shop principles, and facilitating the creation of three pilot registration offices, including the implementation of reformed registration processes and provision of information technology upgrades to improve the efficiency of farm registration.
- Complementing legislative reform and capacity building efforts, LRFRP designed and implemented a robust **public information awareness campaign** through multiple channels, including print, TV, radio, public-private dialogues, and improved access of information to high-school and college students. In particular, LRFRP was able to introduce land reform coursework into 629 high schools throughout the Khatlon region, reaching more than 31,000 students and 1,200 teachers. Coursework will have a ripple effect throughout the region, as our interviews with students show that they share the lessons they learn with their families, many of whom are farm workers.
- Without **legal advice and assistance**, reforms would not have the impact that they do. Throughout implementation, LRFRP supported 12 Legal Aid Centers (LACs), one in each of the 12 project districts, to ensure that Tajik farmers have access to critical legal support if/when needed. LACs also supported a network of 67 *tashabuskors* (rural land activists) to serve as field-based information providers and act as a formal referral system for farmers in need of LAC support. Through project-supported LACs, farmers won 93 percent of cases, either through mediation or in court, resulting in the return of 750 hectares of land to 830 farmers.

The broad-based impact of LRFRP's innovative approaches to land reform and farm restructuring surpassed nearly every indicator measured and had a tangible effect on Tajik citizens. In total, the project has helped more than 56,000 people acquire documented property rights, provided training that reached more than 88,000 citizens, and almost 29,000 farmers have received legal services through project-sponsored LACs. As a result, 82 percent of citizens are now aware of their freedom to farm, a critical indicator in their awareness of the land reform process.

PROJECT ACTIVITIES AND KEY OUTCOMES

Project activities were developed to achieve the project's ultimate goal — agricultural productivity through strengthened property rights and more efficient use of land. Through USAID support, LRFRP supported the institutions necessary to

develop a land market. Our experience in Tajikistan and our broader regional experience supporting land reform and market development in Central Asia underscore the importance of identifying local champions and establishing political buy-in from government institutions to support the land reform agenda. USAID's investments have supported Tajikistan's progress in land reform for nearly a decade, and Chemonics is proud to have helped almost every step of the way (see table below).

KEY LRFRP ACHIEVEMENTS

Legal Reform: The *Law on Dehkan Farms* was signed into legal effect by President Rahmon on March 3, 2016 and the GoTJ approved two implementation regulations: *Rules and procedures for registration (July 2014)* and *Regulation on establishing public easements (servitude) (December 2015)*

Capacity Building: More than 88,000 participants received training to increase their awareness of land rights and land reform through seminars, PPDs, FGDs, and RTs. 67 tashabuskors were trained to provide information on land-related issues. Thirteen tashabuskors were promoted to local administrative positions as a result of their active work within their communities, trust of rural citizens in their leadership skills, and desire to protect the rights of the communities they serve.

Local Government Strengthening: The project opened three Model Registration Offices, implementing new registration regulations, and trained deputy heads of SUERIP from all 12 districts. More than 1,900 local government officials trained on new legislation and land reform issues.

Rights to Land Use: 1,200 land certificates issued free of charge under newly established registration processes, and 6,927 new dekhkan farms were created in the 12 FTF target districts.

Farm Restructuring Achieved: Due to successful collaboration and joint efforts by government actors, donors, and LRFRP, large-scale inefficient collective farms now make up less than 1 percent of all arable agricultural land in Tajikistan, due primarily to the successful creation of individual and family dehkan farms. Dehkan farms now make up 81 percent of all arable agricultural land in Tajikistan.

Gender Integration: LRFRP's approach uses public education, legal aid, and rural activists to identify abuses of women's rights to land. Women represent 49 percent of the 56,000 project beneficiaries who received documented property rights; 90 percent of all project indicators have been disaggregated by gender, and of those indicators, more than 95 percent were achieved.

Scaling Up Impact: Originally piloted successfully in 12 schools, LRFRP's land curriculum was approved by the Department of Education and instituted in 629 high schools across Khatlon Province. LRFRP's Land Law textbook was approved by the Ministry of Education for distribution to all higher education institutes/universities nationwide, with more than 2,000 copies already distributed across universities.

Raising Awareness: Public-awareness efforts resulted in 82 percent of farmers believing that they have "freedom to farm" and 52 percent of farmers becoming interested in purchasing or acquiring new land due to increased awareness of rights and access to legal services to support this endeavor.

PROMOTING LEGISLATIVE REFORM

BACKGROUND

The implementation of Land Code regulations, promotion of the Law on Dehkan Farms, and advocating for the rights of alienation are the cornerstones of land reform in Tajikistan, and thus have been the focus of LRFPR's work. To accomplish these goals, LRFPR collaborated extensively with the Inter-Ministerial Working Group on Land Reform Management (WG) to develop comprehensive land reform legislation with the goal of assisting the Government of Tajikistan (GoTJ) to form a common land policy and favorable legal framework, creating a platform to strengthen land-use rights.

In the project's first year, former Deputy Prime Minister Alimardon appointed members from key state ministries and agencies such as the Ministry of Agriculture, Ministry of Justice, State Committee on Land Management and Geodesy, as well as the Presidential Apparatus and Parliament, to serve on the WG. Composed of senior-level GoTJ representatives, the WG was responsible for leading farm restructuring policy reform, amending existing laws, creating new legislation, and implementing regulations to promote the creation of a land-use rights market. LRFPR's work with the WG, working side-by-side with it to support the legislative drafting process, enhanced members' knowledge, skills, confidence, and abilities to ensure local ownership of the processes needed to serve Tajikistan long after the end of the project.

RESULTS ACHIEVED

- Law on Dehkan Farms passed
- Regulation on Establishing Public (Involuntary) Easements passed
- Rules and procedures for registration passed
- All 5 stages of implementation achieved for 3 of 14 laws and regulations, exceeding contract requirements.
- 500 copies of LRFPR's *Comments to the Law on Dehkan Farms* provided to Parliament at its request
- Created a gender checklist toolkit, which LRFPR lawyers and WG members used successfully to integrate gender considerations into all 14 laws and regulations covered by the project.
- Working Group drafted, finalized, and submitted the long-term land policy concept for GOTJ approval

OBJECTIVE AND ROLES OF THE WORKING GROUP

OBJECTIVE: Improve land tenure security and support the development of a land-use rights market.

ROLES & RESPONSIBILITIES:

1. Support drafting, adopting, and amending existing legislation and other bylaws.
2. Participate and provide support to monitor the implementation process of land legislation.
3. Participate in Working Group sessions to lead policy reform initiatives.
4. Support the development of sound policies and laws that protect women's rights, promote equality, and represent the interests of smallholder farms.

IMPLEMENTATION APPROACH

Promoting legislative reform through multiple channels. The project used a multifaceted approach to draft and support legal and regulatory acts, including 1) through governmental approval for decrees and regulations, 2) through counterpart ministries for internal procedures and implementing rules, and 3) through parliament for laws and other high-level documents (a new approach initiated under LRFPR). Throughout the process, LRFPR staff built the capacity of WG members from a variety of key ministries and state agencies to lead drafting by supporting an iterative process with input from international consultants, developing and revising draft versions, building strong relationships with key GoTJ officials, and ultimately getting WG members to submit legislative drafts onward for approval. In addition, LRFPR supported WG efforts to get the State Land Committee (SLC) and relevant ministry counterparts to lobby project-supported efforts to secure passage of relevant laws and regulations.

Linking policy advocacy and public information. The design and development of activities linked legal and policy activities to grassroots outreach, public awareness, and social inclusion strategies. The project supported policy positions with public information activities through print and broadcast media, workshops, seminars, and educational materials to encourage and increase public input into policy discourse.

Emphasizing the importance of gender and social inclusion considerations. Given that women represent the majority of the agricultural labor force, engaging women across all aspects of project implementation was a priority for LRFPR to ensure equitable access to information and application of the law. In Year I, the project engaged Gender Specialist Angelika Brustinow to conduct a training course on gender issues in legislative drafting for all WG members.

Based on recommendations and feedback from WG members, Ms. Brustinow developed a gender checklist-toolkit to ensure that current land legislation takes significant gender concerns into account. WG members now use this checklist as an important guide when creating and reviewing land-related legislation. Over the life of the project, LRFPR lawyers and WG members have successfully integrated gender sensitivity considerations into all 14 laws and regulations covered by the project.¹

Improving the number of laws, policies, regulations, and administrative procedures through project assistance. Throughout the life of the project, legislative progress was tracked through five stages of the legislation and regulation drafting process:

- Stage 1: Analyzed
- Stage 2: Drafted and presented for public/stakeholder consultation
- Stage 3: Presented for legislation/decreed
- Stage 4: Passed/approved
- Stage 5: Passed/implementation has begun

Since the project's inception, a 15-year long-term "Land Policy Concept (2016-2030)" and five-year program implementation plan (2016-2020) were finalized and

¹ Performance indicator I.3 achieved by 100%. See Annex F for a complete list of indicators, targets, and achievements.

submitted to the GoTJ for final consideration. Currently, three laws supported by LRRFP are in the first stage, one regulation is in the second stage, seven laws and regulations are in the third stage, and one law and two regulations have passed all five stages (see below), which means that the project achieved all of its long-term land reform policy targets.

EXHIBIT 2: STATUS OF IMPROVEMENTS TO LAWS AND REGULATIONS

#	LAWS AND REGULATIONS	STAGES				
		1	2	3	4	5
1	Rules and procedures for registration, forms of registration, registration books, petition/application book and serialization of cadaster number of immovable property					
2	Law on Dehkan Farm					
3	Resolution on establishing public (involuntary) easements					
4	Draft rules on transacting with land-use rights in the land-use rights market					
5	Draft resolution on use rights to lands located within coastal lines and public territories					
6	Law on Mortgage					
7	Law on Registration of Immovable Property					
8	Civil Code					
9	Regulation on Granting Land Users Paid and Unpaid Land-Use rights with the Right of Alienation					
10	Government’s decree on “land policy concept”					
11	Resolution on “approval of the state program of development of the land policy of the Republic of Tajikistan”					
12	Law on Lease					
13	Law on Land Valuation					
14	Tax code					

Key Result 1.1, Long-Term Land Reform Policy

Although the GoTJ’s position on land reform was expressed in general terms in various decrees and laws, there was little consolidated guidance. In response to this challenge, LRRFP, in collaboration with the WG, supported the SLC to create a unified long-term land reform policy document to lay the foundation for the LRRFP reform agenda. With assistance from the project’s land policy development specialist, the WG drafted a 15-year long-term policy document (2016-2030) that reflects a common vision for land management reform and tenure policies, regulations, and administration, and a 5-year land policy implementation plan (2016-2020).

These documents were finalized and submitted to the SLC for further consideration and are expected to be approved by the GoTJ in August 2016. Once approved, they will serve as an essential tool and work plan for SLC and SUERIP to continue monitoring and implementing new land regulations, policies, and laws, and to define each agency’s role in the land reform process more concretely.

Key Result 1.2, Amendments to Land Legislation and Farm Restructuring Laws

LRFRP exceeded project targets for three laws and regulations supported by the project: The *Law on Dehkan Farms*, *Resolution on Establishing Public (Involuntary) Easements*, and *Rules and procedures for registration* (see Exhibit I above) all achieved full approval, passage, and implementation.

Law on Dehkan Farms

Under the previous project, a draft version of the Law on Dehkan Farms (DFs) was submitted to the Ministry of Agriculture for review and approval. That draft, however, did not establish the legal status of DFs, which had not been addressed in other legislation. LRFRP worked extensively with WG members to amend the draft to address these gaps, harmonize it with updates in the current land code, and gain approval using the parliament initiative detailed above. With the



Members of the WG discuss key changes to the law during the Conference on the Law on Dehkan Farms, in Dushanbe on May 6, 2016. PHOTO: USAID LRFRP

help of project activities under this component and constant collaboration with the WG, SLC, and Parliament of the Republic of Tajikistan (RT), the Law on Dehkan Farms was approved by parliament (under Law № 186) and signed into law by President Rahmon on March 3, 2016 (under Law № 1289), marking a major milestone of success for the project. The law now clearly defines dehkan farms as legal entities (for farms with greater than 50 shareholders) and individual businesses (for farms with less than 50 shareholders).

The law also provides for important legal rights to dehkan farmers that will support the emergence of a market in land-use rights. For example, the law gives them the ability to manage their land freely and exercise their land-use rights with respect to the right of alienation (ROA) in civil transactions, such as leasing, mortgaging, buying, and selling land; which farmers will be able to fully exercise once ROA is approved (see below). The law also defines the property relations and property rights between dehkan farms and shareholders more clearly. It introduces the concept of "indivisible dehkan farm property,"



Thanks to the passage of the new Law on Dehkan Farms, Mekhrinisso Shoimova, tashabuskor from the Vaksh district commends, "62 women in our jamoat have adjoined their land shares and are thinking of establishing dehkan farms." PHOTO: USAID/LRFRP

which provides greater detail and description on the rights and responsibilities of

dehkan farm members, and mechanisms to prevent conflicts between shareholders. Members of dehkan farms are also now permitted to leave their group of shareholders while retaining their land parcel and can use their land as collateral.

Furthermore, the new law grants dehkan farmers the right to build field camps (outlawed since 2002) on their land parcels for farming purposes. Field camps significantly reduce the time farmers have to spend traveling from village to farm and increases agricultural efficiency, because farmers now have a safe place to store their agricultural equipment. This improvement to the law was made possible through grassroots public forums facilitated by LRFRP that allowed farmers to speak directly with WG members to express their needs and provide legislative input.

Key Result 1.3, Implementing regulations for land-related laws

Right of Alienation

The Tajik Constitution states that all land in Tajikistan is owned by the state; private ownership of land is not permitted. The 2012 Land Code amendments strengthened the security of land-use rights and introduced the concept of alienation of those rights (i.e., the right to buy, sell, mortgage, lease, donate, or transfer the rights to use specific land plots), providing the foundation for the development of a market in land-use rights. However,



Farmers holding newly acquired land certificates.
PHOTO: USAID/ LRFRP

future progress in land reform and the eventual development of a market depends on dehkan farmers gaining the right of alienation (ROA). ROA would guarantee dehkan farmers the right to transact freely with their land-use right. In Tajikistan there are three types of land-use rights: 1) limited-use rights (mainly leases), 2) unlimited rights (mainly cooperatives or collective farms), 3) lifelong, inheritable use rights (LIU) (mainly individual and family dehkan farms).

LRFRP introduced the idea of extending the right of alienation to dehkan farmers with the goal of building on the land-use rights that already existed. Initially, GoTJ officials were divided on the best approach to implement ROA; some officials wanted farmers to have to register, re-register, and/or purchase their rights of alienation, whereas other officials wanted to give farmers the right to alienate a portion of their lands in LIU rights, but wanted to require them to pay for the rights of alienation for the rest of their land. Still other officials advocated for a more restrictive policy, which would allow the state to confiscate and redistribute those portions of the land to which the farmers did not acquire rights of alienation by a certain deadline, even though their lifelong-inheritable use rights had already been registered and certified by the state.

The project proposed that dehkan farmers with lifelong-inheritable use rights should automatically be endowed with rights of alienation to all of their land at zero cost. Given that more than 150,000 dehkan farms had already been granted LIU rights, the

project focused on developing recommendations to accomplish this. In Year I, LRFPR discussed these recommendations and their significance with members of the Development Coordination Council (DCC) at an event that included DCC members from the World Bank, EU, GIZ, FFPD, FAO, UN, DFID, ADB and USAID to reach a consensus.

Establishing rights of alienation for dehkan farmers with lifelong-inheritable rights to farm land has been a major challenge. Without such rights, LRFPR concluded, farmers would not be able to conduct land transactions because they would not be able to mortgage their land plots to access capital under reasonable terms. LRFPR Land Policy Development Specialist Robert Cemovich conducted an analysis and provided recommendations on how to improve the regulation. He presented these recommendations, titled “Urgent Need to Address Land Policy Flaws with Potentially Severe Impact on Dehkan Farmers’ Land Rights,” to the WG in 2014. In November 2014, USAID officially drafted a letter to then Deputy Prime Minister Murodali Alimardon on behalf of the DCC expressing the importance of LRFPR’s and USAID’s position on granting the rights of alienation to dehkan farms at no additional cost.

After much deliberation and the project’s use of study tours to expose WG members to international best practices of countries that have already adopted this concept, all WG members finally agreed with LRFPR’s proposed strategy. The final draft *Regulation on Granting Land Users Paid and Unpaid Land Use Rights and the Right of Alienation* was reviewed by the SLC, which submitted it to the relevant GoTJ ministries and agencies for ultimate approval. The next step in Tajikistan’s land reform process is to allow ROA. Without it, an agricultural land market cannot be established.

Regulation on Developing Rules on Land-use Rights Transactions

The regulation *Draft Rules on Transacting with Land-Use Rights in the Land-Use Rights Market* prescribes procedures for individuals and legal entities to acquire the right to use land with formalized cadastral characteristics — not occupied buildings and other immovable property — in the land-use rights market (e.g., farmland, orchards, and vacant land). The regulations also define who may legitimately sell or buy land-use rights with the right of alienation. After receiving final approval from the Agency on Corruption in March 2016, the *Draft Rules on Transacting with Land Use Rights in the Land Use Rights Market* was submitted to the Executive Office of the President in April 2016. Pending Ministry of



PHOTO: USAID LRFPR

Farmer reads LRFPR’s book on women’s rights to land, which provides information addressing challenges specific to female farmers and links them with information and resources to help overcome these challenges.

Justice approval, the draft is expected to be reviewed at the Government Presidium in August 2016.

Law on Lease

LRFRP engaged Legal Expert Robert Cemovich to conduct an analysis of the current Law on Lease and he provided recommendations for ways to improve the law through future amendments to facilitate the establishment of a land market. After scrupulous review of the land code, law on lease, civil code, and Law on Dehkan Farms, among others, Mr. Cemovich determined there is a lack of legal and regulatory framework for leases of rights to farmland, highlighting the following key issues:

- Regarding leases as a category of “rights of alienation” creates confusion over the validity of oral leases and their enforcement in the event of a breach.² The words “rights of alienation” are absent in all the registrations of rights to farmland.
- Current lease legislation does not sufficiently address or distinguish leases involving private lessors from those where the state or local government acts as lessor.
- Other provisions found in the current lease legislation appear to focus excessively on collective forms of farming (sovkhoz lessors) and seem to be based on circumstances that are no longer applicable nor desirable.

The project developed the following recommendations to improve the law to move toward a market in land-use, as there is currently no legal framework for establishing agricultural land leases among private parties for the enforcement and repossession of farm land when a lessee breaches a lease agreement. A new law, amendments to the current law, or new regulation is needed to establish such a framework.

In addition, a well-defined, specific, and equitable mechanism is needed to guide courts, lessors, and lessees in adjudicating disputes arising from lease agreements involving farmland, removal of defaulting lessees, and repossession of the farm land upon removal. The term “lessor” should be more carefully defined to include all individuals and entities with exclusive rights over land, such as lifelong-inheritable use rights or use rights of unlimited duration. A viable mechanism for leasing private rights in farmland will ensure that more agricultural land can be put to best use.

Law on Mortgage

Mortgage legislation is a key component for the development and functioning of a viable land market. An improved law on mortgage will enable farmers to use their land rights as collateral to increase their ability to access finance. In Year 2, the project assessed the mortgage law to identify legislative and procedural gaps and impediments. Following the analysis, LRFRP facilitated an off-site retreat to the Sughd Region for the members of the WG and various experts, to discuss recommendations and the project’s analysis of mortgage legislation in Tajikistan.

² Farmland leases are typically oral leases, less than one year in term. Oral leases appear to be functional and should be further enabled through legal support (e.g., Article 2(2), Land Code).

Technical experts and WG members discussed specifications of pledging/mortgaging land-use rights and identified four pressing challenges that currently preclude banks from providing farmers with mortgage loans at affordable rates and reasonable credit terms: (i) lack of implementation mechanisms of land-use rights with the right of alienation (does not appear on title certificates or in registry records), (ii) difficulties in determining the market value of land-use rights, (iii) the cumbersome procedure of pledge registration, and (iv) the foreclosure process.

In collaboration with the WG, LRFPR finalized draft amendments to the Law on Mortgage and presented it to members of parliament for consideration. Parliament will present this law to the government as a parliamentary initiative. Amendments to the Law on Mortgage are expected to pass in late 2016.

Regulation on Establishing Public (Involuntary) Easements

The Regulation on *Establishing Public (Involuntary) Easement* on land plots and a form of agreement on private (voluntary) servitude was approved by the GoTJ on December 30, 2015, under decree No 814. Servitude allows limited land use for specified areas by someone other than the primary land user (e.g., a common space used by farmers to allow their animals to cross a river or a common water source). Servitude does not deprive primary land users of their land but rather, withdraws a part of the land in whoever's favor the servitude is settled. This can be established on a private (voluntary) or public (involuntary) basis.

Private (voluntary) servitude is established to ensure that the interests of both parties are protected by the formal agreement (the form of agreement is annexed to the Regulation). Public (involuntary) servitude may be imposed based on a court or local executive body decision in case of failure to reach an agreement on the establishment of private (voluntary) servitude, or in cases, where it is necessary to ensure the interests of the state and local population. The project helped draft the regulation and promoted it heavily for consideration by the SLC, Tax Committee, Agency on Corruption, Supreme Economic Court, and the Supreme Court and the Council of Justice.

Valuation Legislation

Currently, land valuation throughout Tajikistan is set by cadastral value, and there is no framework in place to allow valuation to be based on market principles (value). Current valuation legislation should, but currently does not, provide the legal basis to determine market-value prices through a set of core principles (e.g., transparency, impartiality, objectivity, credibility, and competency). The law in practice has not been widely used, due to a lack of implementing regulations and standardized valuation methodologies.

As part of the project's Year 3 Work Plan, LRFPR engaged Valuation and Appraisal Expert Nina Ignatenko to conduct an analysis of valuation legislation and current practices in Tajikistan to provide recommendations on methodologies to establish the market value of land parcels. All recommendations were presented and discussed at a project working session conducted on February 2, 2016. The working session brought together 27 specialists and experts from different organizations

working on valuation in Tajikistan, including the State Committee on Investment and RT State Property Management, State Unitary Enterprise on Valuation in Tajikistan, Associations of RT Banks, State Committee on Price Determination, State Land Committee, SUERIP, and commercial consulting companies.

Project experts developed and presented a comparative analysis between Tajikistan and neighboring countries (Russia, Kazakhstan, Kyrgyzstan, Belarus, and Ukraine), the United States, and Germany, and made valuable recommendations, including to support the institutional development of appraisers and specific legislative changes. For example, LRFRRP proposed to create an association of appraisers in Tajikistan, which would ensure further collaboration and development of Tajikistan’s national standards on valuation, secure their businesses, provide a legal basis for developing mechanisms and regulations, and serve as a platform to bring together specialists and experts.

In terms of legislative changes, the main issue is to amend current legislation to allow valuation to occur through market value rather than cadastral normative value. All participants, including the State Committee on Investment and State Property Management of the RT, State Unitary Enterprise on Valuation in Tajikistan, and SUERIP, supported this initiative, agreeing to collaborate further.

Law on State Registration of Right to Immovable Property

LRFRRP provided extensive support to the SLC and the newly established State Unitary Enterprise Registration of Immovable Property (SUERIP) to develop and publish rules and procedures for registration and serialization of cadastre numbers of immovable property. The new rules and procedures significantly decreased the time it takes to register and the cost of registration. Throughout implementation, the project trained registrars from all 12 SUERIP offices in the Khatlon region and the main Dushanbe office on maintenance of registration documents, registration books, application books, and provision of individual cadaster numbers for immovable property.

LRFRRP engaged international experts Narynbek Isabekov and Ivan Ford to analyze the current registration processes in Tajikistan and present their recommendations for consideration to USAID and the World Bank Land and Cadastre project



PHOTO: USAID/LRFRRP

Women farmers from the Bokhtar district proudly present their land use certificates during a peer-to-peer dialogue session.

“There are many unnecessary documents for registration, and procedures vary from rayon to rayon. Moreover, the additional documents are costly and time-consuming for farmers.”

— **MUMIN KURBONALIEV,**
HEAD OF SUERIP LEGAL
DEPARTMENT

(LRCSSAP). Their analysis and recommendations served as the basis of LRFRP's pilot model registration offices described in chapter 3.

Beyond capacity support, LRFRP also supported the SLC to draft amendments to the law on state registration of immovable property and rights to it. The amendments include a separate article dedicated to the registration of land use rights with ROA. Moreover, the new amendments to the law describes in detail the responsibilities of the SLC and SUEIP. Approval of the amendment to the *Law on Registration of Immovable Property* was submitted in January 2016, and it is expected to be approved in August 2016, upon which the draft law will then be submitted to Parliament for final approval.

SUCCESS STORY

Tajik farmers use opportunity to contribute to land legislation

The USAID Land Reform and Farm Restructuring Project incorporated farmers' recommendations on building temporary field camps into the Draft Law on Dehkan Farm to assist dehkan farms to effectively carry out farming activities.



PHOTO: LRFRRP/Madumar

Makhfirat Saidrahmonova, tashabuskor from Shahritus district, discusses the new Law on Dehkan Farms during the Conference on Women's Rights to Land, April 1, 2016, Qurghonteppa, Khatlon region.

"This is a big success because it will help all farmers across Tajikistan. Villages are very far away. Now we can preserve our harvest under the shade, have a place to rest, share meals, and keep our equipment safe."

— Makhfirat Saidrahmonova, tashabuskor from Shahritus district

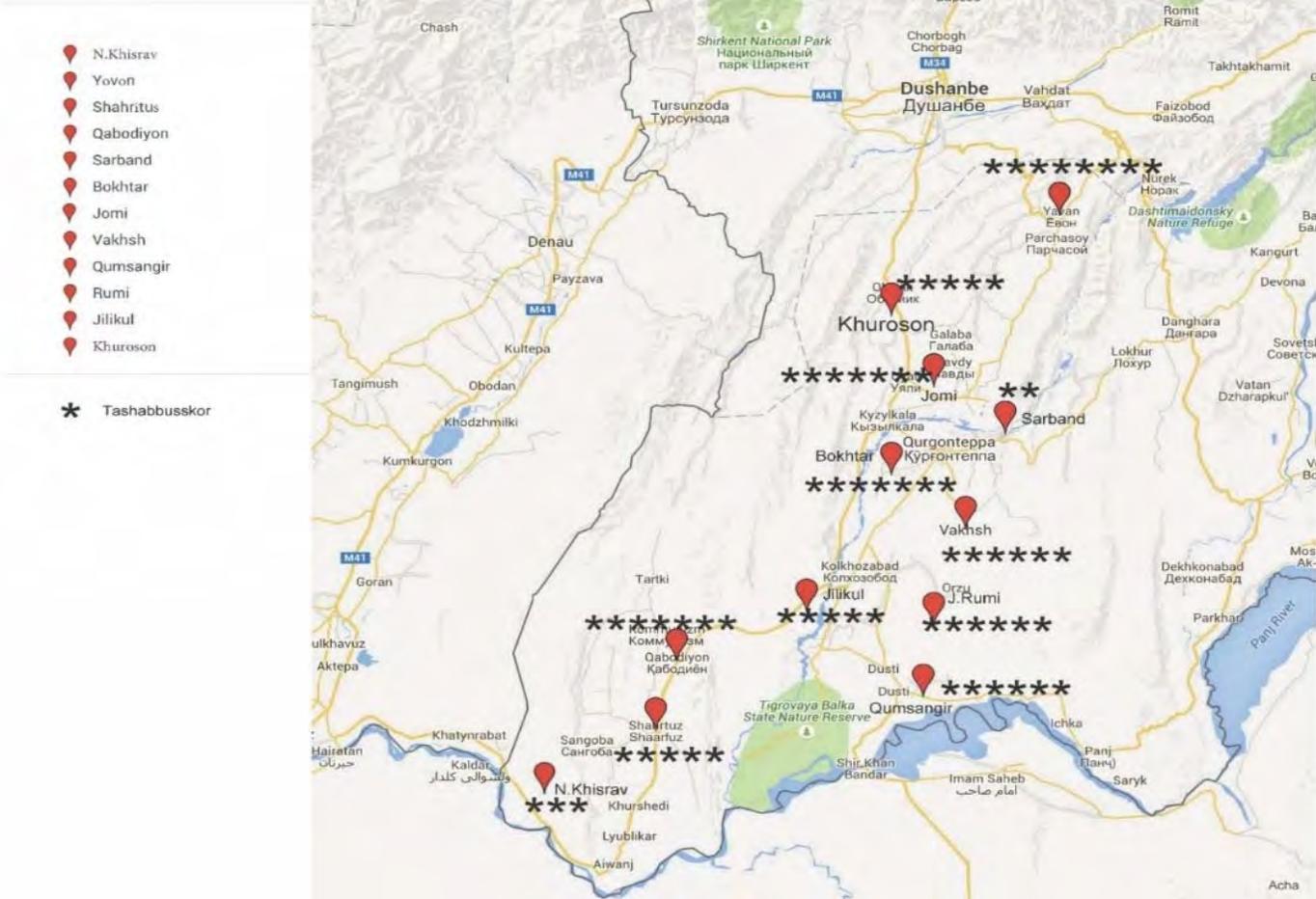
Makhfirat Saidrahmonova, head of the dehkan farm "Idibek," constantly faced issues commuting back and forth from her farm fields to her home. Since 2002, it had been illegal to build temporary shelter structures (field camps) on farmland. This was a problem not only for Makhfirat, but for all farmers working in the fields.

After Makhfirat learned about the project and the WG, she shared her situation and advocated for the right for farmers to build field camps on their agricultural land plots. Ultimately, the WG listened to her concerns and decided to incorporate her recommendations into the draft law. On March 15, 2016, the President of the Republic of Tajikistan approved the draft and signed the Law on Dehkan Farm (LODF) into legal effect. This law now gives farmers the ability to build temporary field camps on land parcels to use for farming purposes without disturbing the agricultural land area.

Establishing field camps, as the LODF now permits, significantly reduces time spent moving vehicles and equipment between the village and the farmers' place of work. Well-equipped field camps can create the necessary conditions for cultivation and improve agricultural production, because they provide a space to safely store harvest out of the sun. Over the life of the project, LRFRRP collaborated extensively with the WG to discuss, draft, and finalize the LODF. LRFRRP facilitated public forums for farmers to discuss their priorities and communicate their greatest needs, giving farmers a voice and say in the legislative process. This gave Makhfirat the chance to voice her concerns and contribute directly to the debate.

This highlights the importance of addressing the needs of dehkan farms and including farmers' experiences into policy discourse when developing draft laws and regulations. Now, farmers believe that their voice can be heard and that they can directly participate in legislation drafting.

EXHIBIT 3: LEGAL AID CENTERS AND TASHABUSKOR NETWORK MAP



EMPOWERING STAKEHOLDERS THROUGH CAPACITY BUILDING



Jumakhon Boboev attends a peer-to-peer training session to learn about the resources he can use to pursue his rights to land. He attended because he was unable to obtain his land share through the local government, even though he cultivated the land and paid taxes. PHOTO: USAID/LRFRP

BACKGROUND

Long-term success of the land reform process in Tajikistan is contingent on the capacity of national and local government officials, farmers, and rural stakeholders. Looking beyond the dissemination of public information materials, LRFRP used peer-to-peer training, public-private dialogues (PPD), study tours, roundtables, and forums to empower farmers and government actors to capitalize on the land reform process.

Local government officials and farmers have experienced a long history and culture of top-down planning, which created uncertainty on how to navigate new land policy and legal reform or exercise

RESULTS ACHIEVED

- Three Model Registration Offices opened in Bohktar, Dusti, and Yavon districts.
- Deputy heads of SEURIP from all 12 districts trained on new registration procedures.
- More than 1,900 local government officials trained on new legislation and land reform issues.
- Land law textbook approved by the Ministry of Education for distribution to all universities and higher education institutions nationwide.
- 88,369 beneficiaries trained
- 783 mini-sessions conducted for women to inform them of their rights to land.
- 67 tashabuskors trained to serve as community advocates.
- 13 tashabuskors promoted to local administrative positions for community leadership and trust-building skills.

their rights within an updated legal framework. Throughout the land reform process in Tajikistan, the provision of public information and training, coupled with mentoring and peer-to-peer engagement and learning opportunities, has been an effective way to build the capacity of stakeholders to assume greater control and responsibility over land and its productive use.

IMPLEMENTATION APPROACH

Using a multifaceted approach to reach the greatest number of beneficiaries and build their capacity.

LRFRP used a multifaceted approach to build the capacity of relevant stakeholders, combining public information campaigns to raise farmers' awareness of their rights in conjunction with training on how to navigate the complex processes for documenting and securing rights to land. LRFRP accomplished this by supporting seven NGOs through its grants program to train and manage 12



PHOTO: USAID/LRFRP

Tashabuskor from Navbahor district conducting focus group in the Bokhtar district. Participants engage in a discussion on establishing public easements under the Servitude Agreement.

Legal Aid Centers across Khatlon (see Exhibit 3). LACs trained 67 tashabuskors (rural land activists) from each target jamoat to 1) inform farmers and local government officials on a variety of land-related topics 2) provide capacity building and awareness-raising initiatives for remote farmers and 3) provide direct legal support for farmers through court actions, mediation, and consultations.

Following a training of trainers (TOT) model, LRFRP used a crosscutting approach to 1) build capacity and 2) raise awareness of land rights by conducting training, seminars, public-private dialogues, focus group discussions, and roundtables for farmers and local government officials. Each tool was customized to address the specific needs, concerns, and experiences of each stakeholder. Furthermore, the use of PPDs, public forums, and roundtables created a bridge between the two parties, allowing a space for farmers and government officials to engage in meaningful dialogue to address a variety of land-related issues.

Key Result 2.1, Sustainable non-public legal aid and awareness services increased

Building a network of rural land activists and trained local government officials. Over the life of the project, LRFRP developed a robust tashabuskor network located in every jamoat throughout the project's zone of influence to increase farmers' legal awareness of land reform and connect them with legal aid services. Many LACs were located far from remote jamoats, so LACs and LAC lawyers relied on tashabuskors to put them in direct contact with

TOPICS OF FOCUS GROUP DISCUSSIONS

- Creation of dehkan farms
- Women's rights to land
- Establishing public (involuntary) easement (servitude agreement)
- Taxation
- Inheritable land-use rights
- Contracts
- Farm restructuring
- Rights and responsibilities of local government officials

farmers from distant villages who needed support. As trusted and respected members of their communities, tashabuskors built trust and cooperation between villages and key local actors. They provided legal advice to farmers to help them resolve land-related legal disputes and helped defend farmers' land-use rights through mediation and training. Through training, seminars, focus-group discussions, and roundtables, tashabuskors and LACs distributed a variety of informational materials to raise farmers' legal awareness.³

Tashabuskors organized roundtable events and meetings and advised fellow community members on a myriad of land-related issues, including payment of taxes, dehkan farm creation, and farm restructuring. For more complex issues, tashabuskors referred farmers to LACs for their skilled legal advice. Overall, project LACs and tashabuskors trained more 88,369 participants throughout the project.



PHOTO: USAID/LRFRP

Farmers from jamoat Sayyod in Shahrituz district listen to a tashabuskor explain important updates on land related issues during a public forum. Participants received project newspapers to read about other farmers' success stories.

Training journalists to inform the public. To increase the accuracy and sustainability of land awareness outside of the historic LAC model, the project trained journalists from the National Association of Journalists. Training courses were developed to pique journalists' interests in land issues so that they retained an interest and would focus on similar issues following project close. LRFRP also launched a success story-writing competition to inspire journalists to write about the land reform process, keep citizens abreast of relevant legislation and policies, and build in friendly competition among journalists throughout the project's zone of influence.

Key Result 2.2, Expanding exchange of advice and meetings between peers

Female Tashabuskors' Forum. Given that female-to-female business discussions and collaboration is fairly rare in the RT, LRFRP organized a Female Tashabuskor Exchange pilot forum in jamoat "Sayod" (Shahrituz district) for 29 female farmers to exchange information, meet other female dehkan farm leaders, and promote peer learning. Makhfirat Saidrahmonova, one of the project's most active female tashabuskors and dehkan farm heads (see the success story preceding this chapter), hosted the forum to share her experiences creating and managing her own dehkan farm and exercising her freedom to farm. She presented information in the context of current land legislation to inform farmers of their own legal rights. Several

³ See table "Information campaign materials" table for full list of materials and content information.

participants have visited her office since to learn more about opportunities to attend other activities in her jamoat. Moreover, the project’s creative use of educational exchanges, forums, and study tours have served as invaluable learning opportunities for tashabuskors, heads of dehkan farms, and government counterparts to see the benefits of greater farm investment and productivity as a result of strengthened individual rural land rights in other regions and countries. Through these and the forums mentioned above, participants learned about alternative approaches, success stories, solutions, and key lessons that can be applied to their own experiences.



PHOTO: USAID/LRFRP

Female farmers and tashabuskors from Khatlon during the Female Tashabuskors Exchange Forum in Bokhtar district.

Increasing the capacity of government officials through the use of study tours. LRFRP conducted three international study tours to the Kyrgyz Republic, Georgia, and Armenia to familiarize WG members with international best practices in land-use rights (specifically land markets) in the former Soviet states, and in the mortgage of agricultural land, registration of immovable property, and private land surveys. WG members met with parliamentary deputies, members of the Committee on Agricultural Policy, ministers of agriculture, and representatives of cadastre and registration offices to learn about key components of each country’s land and agrarian reform processes to gain exposure to different examples of effective government-led policy, agricultural reform, and land tenure governance.

On the study tour to Kyrgyzstan, 25 SUERIP officials attended to familiarize themselves with the Kyrgyz experience in land reform and the Kyrgyz system of registration immovable property. Participants were able to witness the complete registration process firsthand, from start to finish. Moreover, participants discussed pertinent land legislation and important steps to move toward land reform and a functioning land market. As a result, SUERIP officials were better able to understand the principles of a functioning “single window” mechanism and expressed an interest in opening similar offices across the Khatlon region.

“What’s good is we got to know other female dehkan farm businesses, established connections, and networked to enhance business prospects for ourselves. It has been an eye-opening experience. When you witness for yourself, it’s different than being told. Very valuable!”

— **PARVINA TESHAEVA,**
FEMALE TASHABUSKOR, SUGHD
STUDY TOUR PARTICIPANT

Expanding women’s participation in land reform and promoting their leadership potential. In Year 3, the project sent 22 female heads of dehkan farms and tashabuskors on an internal study tour to the Sughd Province in Northern Tajikistan to learn about female farmers’ experiences creating their own dehkan farms. This not only

increased their legal awareness but allowed participants to witness and experience firsthand the benefits of crop diversification, alternative farming techniques, and build their local network to increase business opportunities, income, and agricultural land-use efficiency.



Representatives from SUERIP during the Kyrgyz Republic study tour. PHOTO: USAID LRFRP

Participants met with a farmer who used a greenhouse year-round to increase her harvests each year, inspiring farmers to build greenhouses on their own farms. Participants were amazed by her ability to successfully grow different crops and became inspired to grow alternatives to cotton, such as tomatoes, potatoes, melons, and even flowers — which can be sold at comparatively higher prices. The women still remain in contact to engage in inter-regional trade and networking opportunities.

Public-Private Dialogues. Public-private dialogues also became an essential element of the project and a valuable platform to facilitate ongoing governmental farm restructuring initiatives while ensuring that private stakeholders are included in the process. During the project's first public-private dialogue, 482 farmers from 20 jamoats had the opportunity to directly ask questions and speak with Deputy Chairman and Director of the State Unitary Enterprise in the Khatlon region, as well as project lawyers and experts.



Deputy Head of the State Land Committee Akram Kakhorov, answers farmers' questions during project round table forum. Photo: USAID LRFRP

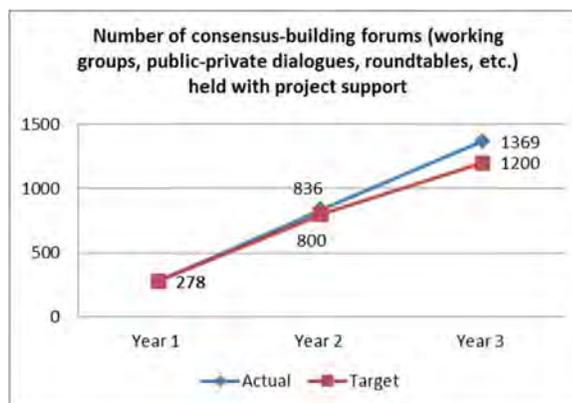
During the second public-private dialogue on tax-related issues, more than 400 participants had the opportunity to directly engage representatives of the State Tax Committee and heads of the local tax bodies in the Khatlon region. Together they discussed the types of taxes, procedures of tax payment for dehkan farms, tax breaks and deductions, and answered farmers' questions about what their taxes pay for, creating an opportunity for farmers to hold local government authorities accountable and transparent in their mentorship of local government processes.

Key Result 2.3, Improving local officials' ability to provide beneficial information and services

Strengthening SUERIP services. In 2012, the State Land Committee created a self-financed institution called the State Unitary Enterprise for the Registration of Immovable Property (SUERIP) to manage cadaster and registration services in one location. SUERIP began its operations in 2013. LRFPR's support to SUERIP offices was essential in helping the new agency understand, develop, and set prices for land registration services that fall within its purview. Exposure to successful alternative approaches through use of study tours, mentioned above, has also benefited SUERIP members, inspiring the introduction of similar registration offices adapted to fit the Tajik context.

On March 30, 2016, LRFPR and SUERIP celebrated the opening of the first Model Registration Office of Immovable Property in the Bokhtar district of Khatlon. Since then, LRFPR and SUERIP have opened two additional Model Registration Offices in the Dusti and Yovon district of Khatlon to improve local government services and streamline registration processes. These offices simplify procedures for beneficiaries by serving as a convenient one-stop-shop for registration of immovable property. In addition, the new registration offices allow farmers to formalize their property in significantly less time, at a much lower cost. Most important, the new system decentralizes the once heavily bureaucratic system of obtaining land-use certificates, allowing farmers to obtain certificates at the district level, rather than at the oblast level, which was burdensome, costly, and time-intensive. As a result of the new registration process, the project was able to provide 1,200 land-use certificates for farmers free of charge.

Focusing on inclusion of all relevant stakeholders. The project developed creative ways to include all stakeholders in its capacity-building activities, from judges, teachers, tashabuskors, students, and press secretaries to SLC and SUERIP officials, community leaders, and farmers. Project support toward the implementation of new regulations, described in greater detail under Task I, helped build the capacity of local government to implement and enforce new laws effectively. For instance, LRFPR project staff trained all deputy heads of each of the 12 districts on the new Law on Dehkan Farms and their responsibilities related to it.



Training judges to encourage accurate and equitable application of the law. Project lawyers Shukhrat Shorakhmonov, Nodira Sidykova, and Shavkat Ismoilov, trained judges throughout each district on new land-related laws and on how to apply the laws equitably throughout each district. The project's outreach and training reached a truly impressive number of participants over the life of the project. Overall, project-supported LACs and tashabuskors conducted 28,726 legal consultations; 1,369 consensus-building forums, including seminars for 1,932 government officials; and focus-group discussions for 67,068 participants over the life of the project. Moreover, LRFPR provided monthly information corners in all 12 LACs and SUERIP regional registration offices to highlight project activities and resources available, including information on registration procedures and application templates.

Key Result 2.4, Strengthening GoTJ capacity to develop, implement, and monitor land policies, laws, and regulations

Monitoring the reform process. The provision of legislative information materials and training (like *Comments to the Law on Dehkan Farm* for parliament members), particularly for national government authorities, enabled government officials and lawmakers to receive critical information in real time, building their capacity to inform and develop legislation and policies and, simultaneously, to push the land reform agenda. In Year 1, LRFPR worked extensively with the WG and SLC to develop the Land Concept Work Plan, which outlined, in immense detail, policy goals, strategies, and activities to achieve each goal over the life of the project. Keeping the work plan in mind, the project trained more than 1,900 government officials on relevant land-related legislation, policies, and challenges to help them do their jobs more effectively.

Building capacity of press secretaries to continue to share information on land reform. In addition to training journalists, LRFPR trained press secretaries from the SLC and the Ministry of Agriculture to use modern communications platforms like social media to reach target beneficiaries. The training showed the journalists and press secretaries how to share information in a mutually beneficial way that would support monitoring and reporting on land reform issues after the project. Such joint events proved that an effective approach to promote collaboration and remove barriers between relevant ministries and the public media promotes information sharing and will ultimately keep stakeholders better informed on land issues.

Cooperation with other projects and donors to enhance GoTJ capacity. The project cooperated closely with other donors to build collaborative information exchange, assign functions and responsibilities, and define and approve joint actions. Past legislative reforms were supported by USAID, GIZ, World Bank, UNFAO, and EBRD, allowing LRFPR to leverage expertise across the donor community to improve policy and legal development, expand awareness of land-use rights among stakeholders, and build government capacity to monitor and implement the land reform process effectively.

LRFPR developed a cooperative network with FTF/T projects to optimize coordination, enhance information exchange, and disseminate project successes and lessons learned to stakeholders and counterparts. For example, in Year 1, LRFPR's

Qurghonteppa office and the project's LAC from Shahritus (NGO Bonuvoni Fardo) participated in a training with representatives from the governmental Agency of Irrigation and Land Reclamation, organized by the USAID Family Farming project on the roles and responsibilities of Water User Associations (WUA)⁴

In Year 3, in cooperation with the FTF Tajikistan Agriculture and Water Activity project, LRFRP organized a roundtable on water-use issues attended by LACs and WUAs representatives. LACs and farmers discussed existing problems related to water use in dehkan farms and irrigation issues in jamoats and agreed that lawyers from LACs should help build the capacity of WUAs through information sharing so that they could better engage local officials if problems arose. This created a strong platform for dialogue between LRFRP and other FTF projects, generating valuable networking opportunities for dehkan farm members, WUAs, LACs, and tashabuskors.

⁴ Each WUA represents around 14,000 people covering 2,000 hectares of land each.

SUCCESS STORY

Preparing the Next Generation of Tajikistan's Legislators and Lawyers

USAID LRFRP trains young lawyers on land legislation in Tajikistan to become champions of land reform.



PHOTO: USAID LRFRP

University teachers and students examine the textbook *Land Law on Tajikistan* during presentation of the textbook in Dushanbe, June 30, 2016.

“This textbook provides an opportunity for training future lawyers in the field of land legislation. Because Tajikistan is an agrarian country, the textbook Land Law of Tajikistan is very timely and a novelty in the education system of Tajikistan.”

- Hokimi Aziz, Ministry of Education of the RT

USAID Land Reform and Farm Restructuring Project (LRFRP) supports the development of land legislation in Tajikistan. One of the project's priority areas is to increase the capacity of young lawyers.

In partnership with the NGO “Huquq va rushdi jomeai dehot,” LRFRP implemented a program to improve the ability and skills of practicing lawyers and public officials to provide efficient services on land reform issues.

In cooperation with the Ministry of Education and Science of the Republic of Tajikistan, LRFRP has introduced special courses on land law for students of the Finance and Economics Institute of Tajikistan for two years, and together with the NGO “Huquq va rushdi jomeai dehot,” has developed the textbook *Land Law of Tajikistan*. This is the first textbook on Tajik land legislation. Before, all university land law textbooks in Tajikistan were based on legislation in Russia and Belarus.

The textbook's first edition was published in 2015. It was used on a pilot basis in the Financial-Economical Institute of Tajikistan's courses on land law. On December 30, 2015, the Ministry of Education and Science recommended that it be used in all higher educational institutions of the country.

The project republished the textbook *Land Law of Tajikistan* (1,500 copies in Tajik and 500 copies in Russian) and included the approved Regulation of the Government of Tajikistan on Establishing Public (Involuntary) Easement and the Law of the Republic of Tajikistan “On Dehkan Farms,” based on the latest Tajik land legislation. The book is designed for students, teachers, practicing lawyers, graduate students of law faculties, and everyone interested in land law issues.

INFORMING FARMERS THROUGH MASS MEDIA AND PUBLIC OUTREACH

BACKGROUND

Before the project started its information campaigns, most of the population of Khatlon Province suffered from a severe lack of information on land reform in Tajikistan and how to protect their individual land rights. Given the scarcity of internet access in rural areas, many Tajiks rely on radio, television, and newspaper as main sources of information. LRFPR support gave farmers regular access to new information on land issues through television, radio, and print media. The project targeted key beneficiaries such as women, teens, and rural farmers to increase their awareness of freedom to farm principles, land-use rights, and the benefits of land reform and farm restructuring.

Due to significant private sector service gaps in television and radio coverage, LRFPR engaged the State Committee on Radio and Television in Year 1 to reach the maximum amount of beneficiaries, approximately 99.7 percent of the population. In Years 2 and 3, the project worked closely with the private TV and radio company Simoi Mustaqili Tojikiston (SMT) to increase its capacity and to produce and broadcast a series of TV programs entitled “Your Rights to Land.”



A reporter interviews a farmer to share his success story for LRFPR-supported TV Show, “Your Rights to Land.” The project shared many success stories using this type of media outlet to inspire farmers to exercise their rights and utilize available legal aid resources.

RESULTS ACHIEVED

- Public-awareness efforts resulted in 82 percent of farmers believing that they have the freedom to farm
- Land curriculum approved by Department of Education and instituted in 629 high schools
- 5,000 newspapers distributed each month to 12 LACs in ZOI
- Produced and aired 25 TV and 40 radio programs broadcast nationwide
- 76 “information corners” publicized throughout all LACs
- 1,256 teachers trained and 31,570 students trained on land rights and reform.

IMPLEMENTATION APPROACH

Designing training and outreach activities on a demand-driven basis. Through an analysis conducted in the beginning of Year 1, the project learned that that men generally rely on newspapers and television sources, whereas women rely more on radio and television sources to receive information. LRFPR therefore tailored its approach to take this into account in the design and implementation of the project’s mass media activities. Capitalizing on local knowledge drawn from the LAC/tashabuskor network, project staff also designed suitable training and outreach activities and

materials for farmers, land users, and local government officials tailored to address specific problems and gaps in knowledge. LRFPR informed farmers through broadcast and print media to reach those they were unable to reach through in-person field trainings and consultations. The project's media team used various mass media outlets to publicize success stories to demonstrate how farmers can take effective actions to gain and protect their land rights, using this as an opportunity to answer questions directly from the public through special newspapers and radio broadcasts.

Key Result 3.1, Increasing awareness of land-related laws and regulations on part of jamoat officials, local land committee representatives, and other relevant government personnel

Engaging local government. LRFPR used its grant program to design individualized grassroots advocacy campaigns and develop materials to distribute on priority land reform legislation throughout the project's zone of influence. LACs and tashabuskors trained local government officials, including SLC employees, on issues related to taxation, registration, and the creation of dehkan farms, among many other topics, to keep them informed of the latest policies and laws and how their role can support the land reform process.

To publicize the new Law on Dehkan Farms and increase farmers' and local government's awareness of the newly approved law, LRFPR launched an information campaign, producing and distributing more than 8,000 copies of the following brochures through LRFPR's Legal Aid Centers: *The Law on Dehkan Farms and Rights and Responsibilities of Dehkan Farms*. Often, at the request of the government and relevant counterpart ministries, the project supplied GoTJ officials with materials and updates on new laws and policies. For example, Parliament requested 500 copies of LRFPR's *Comments on the Law on Dehkan Farms*, which provides reliable and in-depth information on all changes to the new law, article by article.

Key Result 3.2, Increasing high school students' awareness of land-related laws and regulations

Including youth in the land reform process is critical, because youth represent the next generation of community leaders and future shareholders of dehkan farms. Currently, Tajiks become eligible to apply for land shares at 16 years of age. Thus, the project emphasized the importance of youth inclusion in the reform process. Because youth in rural areas regularly contribute to household farming activities, it is crucial to inform them about the importance of the land reform process in Tajikistan and equip them with knowledge so that they have a firm understanding of their rights.



Students from high school #12 in the Bokhtar district learning about land reform during LRFPR's land class. PHOTO: LRFPR

Through a grant provided by LRFPR to local NGOs Navzamin and Tajikagrofond, the project piloted an extra-curricular course on land rights for students in 36 schools in the project's zone of influence. The Department of Education of Khatlon Region was so pleased with results of the project's pilot program that it approved the incorporation of the extracurricular classes into the ongoing school curriculum in June 2015, with the condition that LRFPR would train each teacher on the subject before they included it in their economic theory class.

In collaboration with local grantee Tajikagrofond, the project increased high school students' awareness of land reform, freedom-to-farm principles, and marketability of land use rights in 629 schools. In total, 1,256 teachers were trained on legal studies in all districts of Khatlon, representing 90 percent of all economic theory teachers. In turn, the trained teachers conducted land reform courses for 31,570 high school students. After students attended extra-curricular courses, they often shared what they learned about land rights and reform with their parents and referred their parents to legal aid centers in nearby districts for legal support, causing a ripple effect of increased awareness.

Key Result 3.3, Targeting the FTF population through TV, radio, and print media

Throughout implementation, the project has relied heavily on television, radio, and print media to raise awareness of the land reform process and land rights among farmers, rural residents, local government officials, women, and youth. LRFPR increased the capacity of local grantee SMT through training on how to report more effectively on land-related matters. LRFPR also worked with SMT to produce radio and TV programs aimed at target beneficiaries in all 12 target districts across the Khatlon region. The "Your Rights to Land" radio program has been very successful and effective in reaching a large audience base, even attracting listeners from neighboring Uzbekistan.

The project engaged technical specialists to broadcast the project phone number during program, so farmers could call and speak directly with project specialists. At the end of radio shows, the program would accept 10 calls from interested farmers seeking advice. Knowing that women rely heavily on TV for information, LRFPR produced several 20-minute programs focused on issues that disproportionately affect women. LRFPR also sponsored the *Agroinform* newspaper, with sections by guest writers dedicated to women and local governments in land reform, printing and distributing 5,000 copies each month through the LAC and tashabuskor network. The newspaper highlighted success

Radio and TV Program Topics

- Obtaining Free Land Certificates
- Increasing the capacity of female heads of dehkan farms.
- The role of project tashabuskors.
- Legal assistance to dehkan farmers in Jilikul area.
- Farmers and Economic courts
- Q&A with Chairman of the Regional Economical Court in Khatlon region, Amirhudzha Gaibnazarov.
- Q&A with District Attorney in J. Rumi, Mirzo Nabiyev districts
- Legal assistance to dehkan farms, roles and importance of LACs

stories to inspire farmers to fight for their rights, informing them of numerous cases in which land disputes have been settled in farmers' favor.

Key Result 3.4, Increasing awareness of rights among FTF target population



Farmers gathered during a tashabuskor peer learning forum, reading LRFPR's newspaper to learn about land rights.
PHOTO: USAID/LRFPR

In addition to public broadcasting, more than 140,000 informational campaign brochures were printed in Tajik, Russian, and Uzbek and distributed among farmers, LACs, tashabuskors, jamoats, local counterparts, NGOs, and national governmental authorities to serve as educational resources and training materials to use during TOTs, seminars, roundtables, and forums (see the textbox on the next page). The project also supported capacity building initiatives and informational materials on crosscutting topics such as the transparency of local tax authorities and public utilities through public-private dialogues and public information. For example, many farmers and tashabuskors encountered issues with local tax committees demanding excessive taxes from dehkan farms. To address this, LRFPR published the correct tax rates twice a year for each district, to eliminate corruption and ensure that farmers were aware of what the tax rates really were. The project also published information on how much farmers should be paying for water, depending on the type of land they have. Along with this information, LRFPR published examples of contracts that farmers could rely on to use for accurate information and legal protection. Up until then, the water utility had designed its own contracts, which were not regulated or standardized.

INFORMATION CAMPAIGN MATERIALS USED TO INCREASE LEGAL AWARENESS

Collection of Land Legislation of the Republic of Tajikistan. This book describes all land laws and legal acts pertaining to land. Judges, prosecutors, lawyers, land management committee specialists, and land users use this collection.

Women Rights to Land. This brochure provides legal guidance on how to access land and to claim their rights to land, what kind of support they can get from the Government, and how to use and defend rights to land.

Competences of State Authorities on Land Relations. This brochure provides information on the roles and responsibilities of local authorities and land committees with respect to land legislation and was updated according to new amendments introduced to the Land Code in 2013.

Land Disputes Resolution Procedures in Economical Courts. This document provides information on land-related regulations to enable judges of the Supreme Economic Court and subordinate courts to better understand and effectively apply and enforce Tajik land legislation.

Settlement of Land Disputes for Attorneys. This book includes information on land-use and property rights, land management and land conservation issues, environmental liability and responsibility for violating land legislation.

Registration of Immovable Property for Farmers. This brochure provides legal guidance on the uniform and nationally recognized property registration documentation, providing farmers with a clear explanation of the new registration process.

Procedures for the State Registration of Immovable Property and Rights to It. Provides legal guidance on registering statements and a clear explanation of the new registration process.

Restructuring and Creation of Dehkan Farm. Provides information on the reorganization process for large Dehkan farms and the documents needed to obtain a land-use certificate.

Basis of Land Law; Textbook for students of law faculties. This textbook covers basic principles of land law, rights for land, land use, and land property based on Tajik legislation.

Taxation of Dehkan Farms in Tajikistan. This brochure provides information on types of taxes, order and procedures of paying the taxes in Dehkan farms, tax breaks, and tax deductions for Dehkan farms.

Termination of land-use rights. The brochure is designed to provide information for dehkan farms on procedures for termination of land-use rights.

Comments to the Law on Dehkan Farms. The brochure includes comments and an explanation of each article of the Law and how it can be used practically. The brochure is designed for state agencies, as well as for farmers.

Servitude. The brochure includes information on the government regulation and procedures of establishing public (involuntary) and private (voluntary) servitude agreements.

Brochure promoting new law on DF to farmers. Highlights the main goals of the new Law on Dehkan Farms. The brochure is designed to provide information for dehkan farms on newly approved Law on Dehkan Farms.

SUCCESS STORY

USAID Engages Tajik Youth in the Land Reform Process

USAID LRFPR introduces land rights into the high school curriculum across Khatlon Province.



Extracurricular class conducted by the USAID LRFPR grantee PO Tajikagrofond at school #3 in the Bohktar district.

“All my colleagues support the idea to widen legal studies and introduce basic land issues into the current curriculum. None of the high school children knows about the land reform process in Tajikistan, in particular about their land use rights and the benefits they can get. Extracurricular classes are the first step forward that promotes land reform in Tajikistan and creates a knowledge platform for younger generations.”

— Sharif Sangov, Bohktar District High School Legal Studies Teacher

The USAID Land Reform and Farm Restructuring Project (LRFPR) is focused on increasing the role of youth in the land reform process in Tajikistan. To increase the spread of public information about the land reform and farm restructuring process, LRFPR persuaded a secondary school in the rural Bokhtar district to include land-use rights courses in its curriculum on a trial basis. In June 2015, high school students were familiarized with the land reform process in Tajikistan for the first time.

These are the first extracurricular classes on land-reform issues in Tajikistan as part of an integrated legal studies curriculum. They supplement the existing curriculum to include information on the land reform process in Tajikistan and rights and responsibilities of citizens in this process.

Sharif Sangov, a high school legal studies teacher for the past 10 years comments, “Considering that young people in rural areas often contribute to their household farming activities and are seen as potential future shareholders, there is a crucial need to inform them about the main steps and achievements in the land reform process in Tajikistan.”

Building on this notion, the project developed a brochure on land-related issues, based on the results of an analysis and poll among teaching staff and tenth- and eleventh-grade students. The brochure covers important information on land reform, land-use rights of shareholders, and steps on how to create a dehqan farm. Overall, the project conducted extracurricular classes in 629 schools of Khatlon region. As a result, more than 31,000 high school students and 1,256 teaching staff learned more about their land rights.

PROVISION OF LEGAL ADVICE AND ASSISTANCE



PHOTO: USAID LRFRP

Ruzihon Mirzoeva, head of the *Firuz* dehkan farm in Dusti district, examines LRFRP informational materials to learn about her land rights. She participated in LRFRP’s study tour to the Sughd region with 21 additional female dehkan farm leaders.

BACKGROUND

In Tajikistan, it is all too common that rural citizens, especially women, are subjected to the threat of losing their land and livelihoods due to inconsistent application of the law and the illegal transfers of property. Moreover, it is not uncommon for heads of large dehkan farms to make illegal adjustments to their list of shareholders, excluding women’s names to eliminate proof of their shares — even though they have spent years working on the farm and have a legal right to a share.

Farmers unaware of their rights have little way of knowing the legal channels and support outlets available to overcome these predicaments. With LRFRP’s help, many beneficiaries turned to USAID-sponsored LACs for assistance (see Exhibit 5) through the provision of training, seminars, and forums, and through initiating court proceedings and mediation. There have been

RESULTS ACHIEVED

- 1,200 land-use certificates provided free of charge under new registration process.
- 52 percent of farmers interested in purchasing or acquiring new land.
- 56,000 property rights granted to farmers, 49% of whom were women.
- 6,927 new dehkan farms created and 647 collective dehkan farms reorganized
- LACs resolved 132 disputes through mediation and representation of farmers in court, resolving 93% of all cases in favor of the farmers.
- The project initiated 30 court proceedings to protect farmer’s land rights

many success stories replicated hundreds of times throughout Tajikistan through the use of LACs and the tashabuskor network of rural land activists, legal advocates, and project specialists.

IMPLEMENTATION APPROACH

Empowering local people, organizations, and local governments to promote transparency.

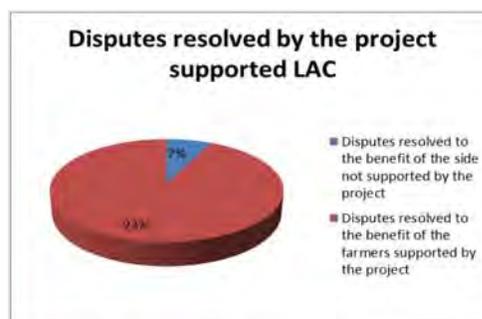
The project’s activities aimed to reduce corruption by promoting simplicity and transparency in procedures to provide access to land. Policy and legal drafting work, complemented by mass public information activities and legal aid, supported this objective. In addition, gender has been of paramount concern, because women suffer most from inequitable access to land. The project’s approach used public education, legal aid, and rural activism to identify abuses of women’s rights to land and remedy inequalities in land allocation and farm reorganization. Project activities also aimed to increase transparency and efficiency in land use and management and provide citizens with practical information and training on land-related issues. This was done by transferring tools and methodologies to citizens, local organizations, and local governments.

“Today there are a lot of women who work in the agricultural sector, and our role and mission as public organizations is to help them protect their rights, support them, and create conditions encouraging women to form their Dehkan farms.”

— MANZURA SULTANOVA,
HEAD OF PUBLIC
ORGANIZATION SAODAT

Key Result 4.1, Increasing availability of sustainable public information and legal assistance in all FTF district jamoats

To provide effective legal assistance, LACs kept regular office hours for farmers to visit, request legal advice, and discuss disputes and problems they were facing. They used various problem-solving techniques to help farmers resolve issues with investors, debt collectors, and government officials. In one-on-one consultation sessions, the centers helped farmers complete court applications, review contracts, calculate correct tax payments, and provide information on basic land law. Over the life of the project, LACs resolved 132 disputes through mediation and representation of farmers in court. The project initiated 30 court proceedings to protect farmer’s land rights and allow them to successfully obtain their land use certificates, resulting in the reappropriation and return of 750 hectares of land to 830 farmers.⁵



⁵ For a full list of legal aid topics covered by LACs and frequency of use, see Annex C.

Exhibit 5: Legal Aid Center Contact Information

#	Region	Name of LAC	Address	Email
1	Sarband	“Ilhom”	Sarband, 15 Abdulloev str.	ilhomngo@rambler.ru
2	Jomi	“Ilhom”	16 Somoniyon str.	ilhomngo@rambler.ru
3	Bokhtar	“Ilhom”	21 Zafar, Ismoil Somoni str.	ilhomngo@rambler.ru
4	Vakhsh	“Mahbuba”	14 Khairiddin Davlatov str.	mahbuba.pdv@gmail.com
5	Dusti	“Tajagrofond”	17 A.Karimov str.	taf.org@mail.ru
6	Qabodiyon	“Tajagrofond”	52 Lenin str.	taf.org@mail.ru
7	Shahritus	“Bonuvoni Fardo”	28 b Ismoil Somoni str.	anora.69@mail.ru
8	N.Khisrav	“Bonuvoni Fardo”	Jamoat Firuza, Shahraki Bahor	anora.69@mail.ru
9	Jayhun	“Mahbuba”	Jamoati Qumsangir	mahbuba.pdv@gmail.com
10	J.Balkhi	“Navzamin”	J. Rumi str. 26	jrc.navzamin@mail.ru
11	Khuroson	“Arbitrazh”	Jamoati Ayni	sadullo.sherov@gmail.com
12	Yovon	“Arbitrazh”	Yovon , 42 Mirzo Tursunzoda str.	sadullo.sherov@gmail.com

To increase the availability and sustainability of public information and legal services, LRFPR continued to support LAC sustainability efforts by working with grantees to develop marketing training materials to increase their client base and outreach to local communities. The trainings provided an introduction to marketing to demonstrate the benefits of using powerful marketing strategies. Through this training, LACs were able to discuss key programming and operational challenges to craft effective marketing plans based on the specific needs of each LAC.

LAC sustainability. Throughout the project, LRFPR made a concerted effort to enhance the self-sustainability of LACs by working with them to develop revenue-generating business plans, marketing, and communication strategies to increase their client base. The project also helped design a website to house information and contacts for all legal aid services and resources available by district to continue to link farmers with resources after the project ends (www.lac.tj). Three of the 12 LACs were successful in reaching revenue

“Women were not aware of their rights before. Now we all know and we have the chance to learn about our rights. Through this LAC we have the power to shape our own lives.”

— SABAGUL ISLOMOVA, HEAD OF MAHALA VILLAGE, KHATLON PROVINCE

targets through charging fees for services. Unfortunately, the recent Law on Legal Profession and Legal Activity has created complications for LACs that operate as NGOs and wish to charge fees for their services.

As of June 27, 2016, project LACs operating as NGOs can no longer charge clients fees for their legal services. Only lawyers who are certified with special license can charge a fee. These regulatory restrictions render it impossible for LACs to become sustainable through a fee-for-service model. The regulations also underscore a growing trend in the increase of state intrusion into nongovernmental assistance. Despite these challenges, the project explored alternative sustainability models in an effort to maintain continuity in the provision of legal assistance and public access to legal aid. The project engaged LAC Sustainability Specialist Stevan Dobrilovic to recommend alternative models to overcome this challenge.⁶

Key Result 4.2, Increasing number of individuals and family dehkan farms in all FTF districts

As of 2016, a project report determined that large-scale collective farms make up less than 1 percent of all arable agricultural land in Tajikistan, due primarily to the successful creation of individual and family dehkan farms. The further creation of dehkan farms, which now make up 81 percent of all arable agricultural land in Tajikistan, has been a result of successful collaboration and joint efforts by government actors, donors, and effective LRFRP programming.



Farmers visit LAC for informational brochures to learn about the new Law on Dehkan Farms. Brochures are distributed by LRFRP to LACs on a monthly basis.
PHOTO: USAID/LRFRP

In total, LRFRP helped reorganize 647 large-scale collective dehkan farms and helped create 6,927 individual and family dehkan farms. To increase farmer's awareness of their land rights and opportunities to create their own individual and family dehkan farms, the project distributed brochures and informational materials as a part of its public outreach campaign, to inform farmers of this process. Furthermore, LACs offered public-private dialogues, special training, and consultations for farmers interested in creating their own dehkan farms and assisted with registration procedures by preparing all of the necessary documentation to help farmers acquire property rights throughout all 12 districts. It is important to note that LRFRP's restructuring efforts were at the request of farmers operating within collective farms and were not solicited or pushed by the project, further showing that information on the economic and personal benefits of creating new family or individual dehkan farms is becoming more widespread throughout the project's zone of influence.

Key Result 4.3, Target FTF farmers using newly acquired rights

⁶ Recommendations discussed further in Chapter 7.

At the onset of the project, LRFRP immediately launched its information campaign to teach farmers how the new land regulations apply to farmers' land rights. For example, after the regulation on servitude was approved, the project developed brochures and trained LACs and tashabuskors on land rights, conducting extensive field consultations and informational activities across rural populations in the project's zone of influence. As a result, most farmers now know the resources available to them to help settle land-related disputes. Many dehkan farmers visited LAC lawyers to resolve their issues once they realized they had rights to servitude and learned about servitudes agreements and conditions. For example, during a land dispute involving water access, a farmer can pay another farmer for land use, to essentially gain access to the water resource.

Since the beginning of the project, nearly 29,000 farmers have received legal aid and support on land issues through project LACs, and more than 88,000 beneficiaries have been trained on their land rights. Through a series of office and field consultations, farmers have increased their knowledge of land reform and resources available to them to exercise their rights. This is evident in the significant number of dehkan farms created since the project's inception. Moreover, the project's ability to scale up successful land curriculum and educational materials across schools and universities, will empower beneficiaries to continue to exercise their land rights for generations to come.

SUCCESS STORY

USAID Restores Land Rights for 72 Shareholders

The USAID Land Reform and Farm Restructuring Project provided legal support to protect the land rights of 72 shareholders of the dehkan farm, Mirzo Gado.



LAC lawyer Ibrohim Sharipov consults Mr. Said Sharipov, and other shareholders of the Mirzo Gado dehkan farm. PHOTO: USAID LFRFP

“Roundtables on farm restructuring issues are a good platform to discuss land problems together with the responsible state officials in order to find a solution.”

— Said Sharipov, shareholder of Mirzo Gado Dehkan Farm

Four years after 72 shareholders of the Mirzo Gado dehkan farm were assigned 65.17 ha of land, a local government official illegally withdrew eight hectares of their land without asking permission from the shareholders and transferred them to another dehkan farm for fishery purposes in 2012. Since then, these 72 shareholders have been unsuccessful in trying to regain their land. Despite awareness-building efforts, many farmers remain ignorant of laws on land-use rights and as a result, some local officials are able to manipulate or obstruct dehkan farm members’ ability to exercise their rights.

LFRFP regularly supports roundtables to promote dialogue between farmers and government officials. On February 25, 2014, shareholders from Mirzo Gado participated in a roundtable on farm restructuring conducted by a USAID-sponsored Legal Aid Centers (LAC) Ilhom and Tajagrofond. The farmers had the opportunity to talk directly with a representative of the rayon State Unitary Enterprise, Akram Makhmadkulov, and asked for clarification regarding their case. Mr. Makhmadkulov explained to the farmers that the chairperson’s decision was illegal and told them what specific measures the farmers needed to take to regain their land.

Ibrohim Sharipov, the lawyer of LAC Tajagrofond, together with the project lawyers, helped the farmers complete the necessary documents and instructed them on how to file petitions in court. The LAC lawyer provided legal advice and submitted the farmers’ claims to the Economic Court of the Khatlon District on March 2, 2015.

On March 13, 2015, (decision № 2-46/15) the court declared that the actions of the chairperson of the Jomi district were illegal and ruled that the eight hectares of land be returned to the 72 shareholders. The farmers received their land back and began to cultivate their eight hectares. As a result, their restored shares of land will increase Mirzo Gado’s harvest production yields.

Expanding land-use rights of farmers fosters greater transparency in land administration, leading to more efficient use of land and improve the livelihoods for Tajiks living in rural areas.

CHAPTER FIVE

EMPHASIZING THE IMPORTANCE OF GENDER AND SOCIAL INCLUSION



PHOTO: USAID LRFPR

Female farmers in a Legal Aid Center from the Vakhsh District read the LRFPR-sponsored newspaper *Agroinform* to learn about their rights to land and how to create their own dehkan farm. LRFPR distributes 5,000 copies of the newspaper each month on new land-related information.

BACKGROUND

Although women comprise 70 percent of Tajikistan's agricultural labor force, they continue to be underrepresented in leadership roles, with only 12 percent of women serving as heads of dehkan farms, and are also less likely to have formal documented land-use rights. Even though great strides have been made over the past few years to increase women's participation and leadership in the land reform process, cultural norms continue to prevent women from fully exercising their rights. Lack of access to information and legal assistance has prevented many women from full realization of their land rights. Consequently, the project has consistently focused on implementing activities that make legislation more equitable with respect to women's and men's rights, improve women's capacity to capitalize on the land reform process, encourage

RESULTS ACHIEVED

- 90% of all project indicators disaggregated by gender to ensure promotion of women's rights.
- Gender considerations integrated into all 14 project laws and regulations.
- Women represent 49% of the 56,000 project beneficiaries that received documented property rights, providing legal assistance and special focus group consultations for 9,626 women
- 783 mini-sessions conducted for women to inform them of their rights to land.
- 32,473 female beneficiaries assisted throughout the ZOI

women's involvement in dehkan farm management, and provide legal assistance to women who wish to acquire their own land.

IMPLEMENTATION APPROACH

Emphasizing the importance of gender and social inclusion considerations. Given that women represent the majority of the agricultural labor force and suffer the most from inequitable access to land, engaging women across all aspects of project implementation was a priority for LRFPR to ensure equitable access to information and equitable application of the law. The project used public education, legal aid, and rural activism to improve women's rights to land and remedy inequalities in land allocation and farm reorganization through various project activities to achieve large-scale impact.

An August 2013 gender assessment conducted in preparation for USAID Tajikistan's Feed the Future Project Appraisal Document, identified the following key gender gaps and made the following recommendations: 1) focus on both men and women, recognizing that constraints exist for both male and female farmers; 2) increase women's confidence in the land reform process at all levels of households, farm, community and government; 3) reduce the rights gap through policy and other changes that broaden awareness of land tenure rights; and 4) reduce the resources gap to ensure that men and women farmers have equal access to important information, legal services, credit, and agricultural inputs. The project team took these recommendations into consideration while designing LRFPR's initial work plan and integrated gender as a crosscutting component across all activities over the life of the project.

PROJECT ACTIVITIES

Achieving large-scale impact at all levels. LRFPR recognized the importance of addressing key gender gaps and issues at the national level through policy and legislative remedies to make gender considerations part of a reformed legal framework that prioritizes inclusive social policies. As mentioned previously in Chapter 2, in Year 1, the project engaged Gender Specialist Angelika Brustinow to conduct a training course on gender issues in legislative drafting for all WG members. Based on her recommendations and feedback from WG members, Ms. Brustinow developed the gender checklist-toolkit to ensure that current and future land legislation took into account significant gender concerns. Over the life of the project, LRFPR lawyers and WG members successfully integrated gender sensitivity considerations into all 14 project-supported laws and regulations.

In many cases, this has resulted in more favorable legal protection for women farmers and has been essential in helping women secure land-tenure rights, as it provides them with a legal basis to ensure equal protection and equal access under the law. Women are now better equipped with the knowledge and legal support needed to reduce the current gender equity gaps with respect to documented land-use rights and have the support they need from LRFPR's networks of LACs and tashabuskors to advocate for their rights.

Increasing access to public information for women and promoting their leadership potential. The project sent several female heads of dehkan farms and tashabuskors on study

tours to Sughd Province in Northern Tajikistan for example (see Chapter 3), to learn about other Tajik female farmers' experiences creating their own dehkan farms and exercising their freedom to farm. Study tours, female tashabuskor forums, women entrepreneur forums, targeted informational public-private dialogues, roundtables, and outreach activities (e.g., LRFRP conducted 783 mini-information sessions for women on land rights) are useful tools to increase women's awareness of land rights, create opportunities to network with other female entrepreneurs and farmers, and give women opportunities to seek legal assistance and access important legal services. In addition, LRFRP developed information materials (the *Women's Rights to Land* series) targeted specifically toward women to educate them on their rights to land and provide information addressing challenges specific to female farmers, linking them with information and resources to help overcome these challenges.

In addition to study tours, project LACs and tashabuskors created several learning opportunities for women through consultations and peer-to-peer engagement to promote mentorship and increase awareness of land rights and the land reform process as a whole. For example, tashabuskors identified women farmers with successful household plots to use as demonstration plots in piloted training to provide hands-on mentoring and training focused on improved farming techniques, marketing, and bookkeeping, among other topics, to help women in the community assume greater control and responsibility over their land and its productive use. LACs and project lawyers were able to protect women's rights through court proceedings, in addition to providing legal assistance and special focus-group consultations for 9,626 women.

Overall, the LRFRP's emphasis on the inclusion of gender considerations across every aspect of implementation has resulted in substantially more balanced citizen participation in the land reform process, an increased number of female dehkan farm leaders and dehkan farm creation, greater land-tenure rights for women, and enhanced capacity of all beneficiaries to realize and exercise their land-use rights. The project reached a total of 32,473 women throughout the project's zone of influence.

LESSONS LEARNED AND RECOMMENDATIONS

In close collaboration with WG members, LACs, and tashabuskors, the project reached an impressive number of individuals through extensive training, mass media, public outreach campaigns, and provision of legal assistance to build capacity and empower all relevant stakeholders across all aspects of the land reform process, including judges, students, teachers, GOTJ officials, and farmers. Legislative progress made by the project, such as the passage of the Law on Dehkan Farms, has significantly increased land use rights for individuals and families in Tajikistan.

LRFPR's emphasis on building the capacity of stakeholders, increasing awareness of land reform and farm restructuring, promoting legislative reform, and bolstering secure land rights has laid the groundwork to enhance agricultural productivity through the introduction of a viable, well-functioning agricultural land market in Tajikistan. To shift toward a market in land-use rights and capitalize on recent project gains, such as the implementation of model registration offices and simplification of land registration processes, future projects will need to address lingering constraints, such as uncertainty and gaps in legislation and LAC sustainability issues. Consequently, the following recommendations should be taken into account for future interventions.

I. Use the Parliament Initiative to continue to pass legislation.

As key government officials shifted out of office and new officials replaced them, the project had to retrain relevant counterparts on the importance of the implementation of regulations and advocate, continuously, to ensure buy-in at the top-levels of government. This has been especially difficult to do for the *Right of Alienation* (ROA), as political will has been limited.

In Year 2, significant political changes occurred in Tajikistan that affected LRFPR's ability to deliver technical activities under Task I. Of these challenges, the most significant occurred during March 2015, when the president made structural changes within project counterpart ministries, resulting in the removal of Deputy Prime Minister Murodali Alimardon, a longtime land reform champion. As a result, the project explored ways to obtain legislative approval through alternative channels — by engaging parliament directly.

The project used its connections with various ministry officials who were also members of the Working Group to submit legislative drafts through parliament as a parliament initiative and assist in getting the land committee and relevant ministry counterparts onboard to lobby on the project's behalf. Using a technique that had worked on a similar project in the Kyrgyz Republic, the team drew from international best practices to improve this process, using an innovative approach to cut out bureaucratic lag and work around gridlocked government.

This resulted in the passage and full implementation of three project-initiated laws and regulations.⁷ Future projects should consider using the parliament initiative as a means of passing improved legislation and regulations, while continuing to develop relationships with ministry counterparts, and integrate them into the WG. Projects should also continue to increase awareness of land legislation and build the capacity of government to implement and enforce new laws effectively.

2. Find alternatives to overcome the LAC sustainability challenge:

Before June 27, 2016, project LACs were able to charge fees for their services. After the Law on Legal Profession and Legal Activity went into effect, however, NGOs were no longer allowed to generate revenue in this manner. The new law complicates LAC operations and their ability provide legal aid services as an NGO. Because lawyers are restricted from associating with NGOs to generate fees for services, it seems unlikely that an NGO can provide legal aid services for a fee as long as this law is in force.

To address these restrictions, some non-LAC NGOs have resorted to partnering with properly formed business entities to provide services and charge fees. Although innovative, the NGO and private business must keep separate tax and accounting aspects, which will likely cause challenges for many rural NGOs. Furthermore, LACs have openly expressed their preference to continue to receive funding through grants and donors, which has affected their motivation to pursue alternative sustainability models or self-financing. Future projects must develop alternative approaches to create viable, self-sustainable models for LACs. Alternatives for future projects to consider include the following:

- Register LACs as networks or associations to give them an opportunity to apply to other grants programs.
- Develop LAC representatives' knowledge and skills to write project proposals to win grants in the future.
- Collaborate with law firms to represent farmers in court on a pro bono basis.
- Promote a mobile version of the LAC website to allow users to navigate on portable devices, which will increase convenience and accessibility for farmers.

3. Provisions in current legislation need to be updated to address legislative gaps to move towards a land market.

With respect to the Law on Lease, there is currently no legal framework for establishing agricultural land leases among private parties. A new law, amendments to the current law, or a regulation is needed to establish such a framework to govern the formation and enforcement of agricultural land leases among private parties.

In addition, a well-defined, specific, and equitable mechanism is needed to guide courts, lessors, and lessees in adjudicating disputes arising from lease agreements involving farmland, removal of defaulting lessees, and repossession of the farmland

⁷ The three pieces of legislation include the Law on Dehkan Farms, Resolution on Establishing Public (Involuntary) Easements, and Rules and Procedures for Registration.

upon removal. The term “lessor” should also be better defined to include all the individuals and entities who have exclusive rights over land, such as lifelong-inheritable use rights or use rights of unlimited duration. A viable mechanism for leasing private rights in farmland will ensure that more agricultural land is put to best use.⁸

Finally, when ROA is passed, issues regarding land delineation may arise as land may be delineated according to farmers’ preferences — creating openings for disputes among farmers. Future projects will need to set up a framework and process to prepare for this.

4. Move toward a market-based mechanism to support land transactions.

Leasing of rights to farmland should provide the right-holders, as lessors, a source of passive income (rent paid by lessees); permit lessors to retain their land rights so that they may farm the land themselves or lease it to a more profitable lessee if they choose; and provide the more productive and capable farmers a means to expand their farming operations by acquiring additional land to farm, through the use of leases.

Valuation legislation will be another important piece of legislation for future projects to consider, to help establish a market in land-use rights, given the current lack of regulatory framework to appraise and assign value to land parcels. Currently, prices are based from normative valuation processes rather than accurate market pricing mechanisms. Valuation legislation should provide the legal basis for appraisal mechanisms aimed at identifying market value prices through a set of core principles (e.g., transparency, impartiality, objectivity, credibility, and competency).

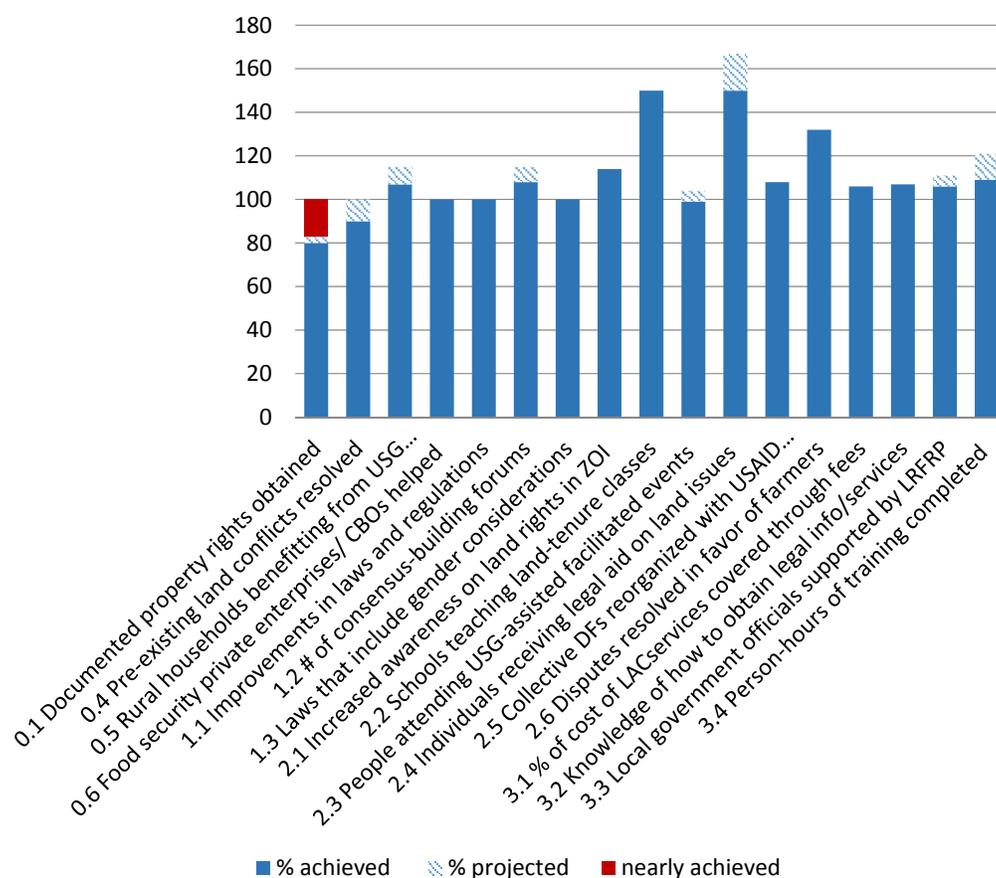
Finally, future projects should support SUERIP to continue the rollout of one-stop-shop registration offices to streamline and simplify registration processes, because registration will be a prerequisite for farmers to enable them to transact with and mortgage their land.

⁸ “Assessment of Tajik Legislation Impacting the Leasing of Agricultural Land Rights” by Robert Cemovich.

PERFORMANCE MONITORING AND PROJECT EVALUATION

This report includes cumulative results through June 2016 of the final project implementation year and projected results up to the final project month (August 2016). As of June 2016, targets on 14 indicators were met, targets on an additional indicator is expected to be met by the end of project implementation, targets for one (0.1) indicator are not expected to be met, and two indicators (0.2, 0.3) were not measured due to the reasons outlined below.⁹

EXHIBIT 4: LRFRP INDICATORS AND % OF TARGET ACHIEVED



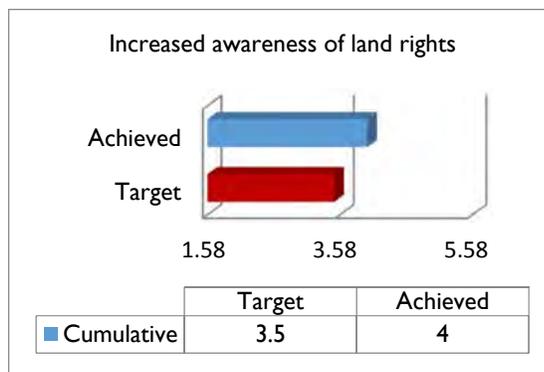
Achieved

The project exceeded targets for 11 of the 19 indicators, with exceptional performance (exceeding targets by more than 110 percent) under indicators 2.1, 2.2, 2.6, and 3.2. For example, out of a total of 121 disputes, including conflicts and court

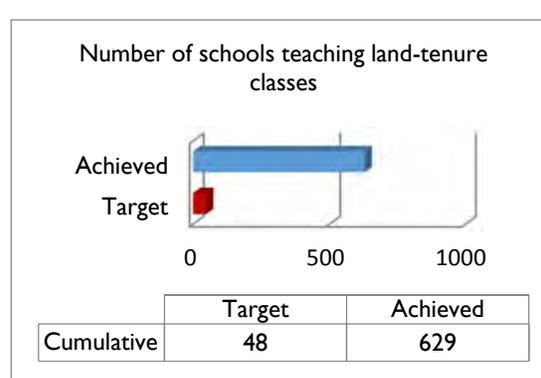
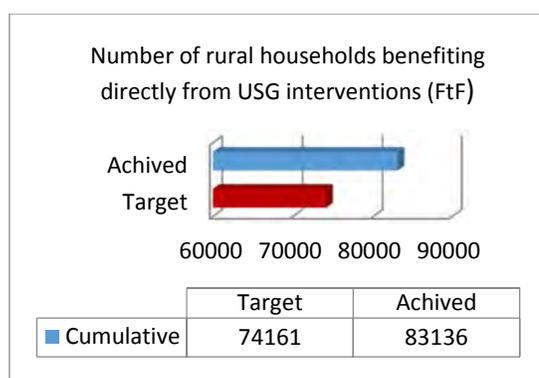
⁹ Full list of indicators, with targets and percent of target achieved listed in full detail in Annex D.

cases registered by project-supported LACs, with project support, 113 (93 percent) cases were resolved in favor of the farmers. Moreover, LRFPR implemented the extra-curricular land rights course in 629 schools, exceeding the original target of 48 by 1,210 percent. Indicator 3.2 was measured through a Knowledge Attitudes and Practices (KAP) survey conducted by Overseas Strategic Consulting’s (OSC) international expert Eric Abbott. Despite a low response rate to the question: “Do you know about how to obtain information about land use rights?” the study provided strong evidence showing that almost all farmers (99.1 percent of participants) reported they have received information about land-use rights and land registration from at least one project source, and most have used multiple sources.

Indicator 2.1 was also measured by the KAP study, through a self-rating by farmers of their knowledge of land use rights. Based on the question: “How much do you think you know about land use rights (including registration, transactions, etc.)?” there were five choices with the following numerical values: (1) totally unaware, (2) mostly unaware, (3) average knowledge, (4) mostly aware, (5) totally aware.



Results for the 2016 KAP survey included 1,201 farmers in 12 Khatlon rayons and revealed that the overall mean score for self-rated knowledge is 4.0, exceeding the target of 3.5 by 114 percent. The target was surpassed in 9 of the 12 rayons, by both men and women (note: men scored higher than women in self-ratings). This highlights the success of LRFPR’s public outreach efforts and its effective use of LACs, tashabuskors, mass media, and information campaigns to increase awareness of legal services, land reform, and land rights across the project’s zone of influence.



Nearly Achieved

Indicator 0.1. We expect that an additional 1,731 shareholder certificates will be issued by September 2016, with an overall expected target achievement rate of 83 percent. Although the target set at the beginning of the project was not met, it is important to note that the number of certificates issued have been declining each

year. The aforementioned LRFRP KAP study revealed that 93 percent of respondents said their land was already registered and that they have already received a certificate for their farms. Therefore, the decrease in the number of certificates issued could be attributed to the fact that most of the dehqan farms in the FTF zone of influence are already registered and have received the required documents.

Not Measured

Indicators 0.2 and 0.3. Measurement of these indicators required an approval of legislation (Regulation on Granting Land Users Paid and Unpaid Land Use rights with the Right of Alienation) by the GoTJ, which is currently still pending. This indicator can be measured only after all appropriate legislation is passed, and therefore, targets were not set and performance against those targets were not measured.

ANNEX A. BENEFICIARIES TRAINED

NUMBER OF INDIVIDUALS ATTENDING USG-ASSISTED EVENTS TO STRENGTHEN UNDERSTANDING AND AWARENESS OF PROPERTY RIGHTS

DISTRICT	TRAININGS FOR DEHKAN FARMERS/JOURNALISTS/TEACHERS		FOCUSGROUP DISCUSSIONS FOR DEHKAN FARMERS		SEMINARS FOR GOTJ OFFICIALS		COURSES FOR STUDENTS		MINI-SESSIONS FOR WOMEN	PUBLIC-PRIVATE DIALOGUES	
	Total	Female	Total	Female	Total	Female	Total	Female	Total	Total	Female
Shahritus	1,810	932	6,620	2,161	200	123	60	31	120	71	36
Qabodiyon	885	581	4,698	2,348	69	35	68	29	125	70	27
N. Khisrav	1,617	587	4,193	1,600	117	36	101	64	127	87	17
Jilikul	787	297	4,427	1,681	106	27	100	48	116	116	17
Jomi	1,705	830	6,721	3,161	143	40	40	21	101	71	12
Qumsangir	1,684	536	7,380	2,521	105	24	100	41	18	99	11
Vakhsh	1,072	562	4,642	1,973	112	41	66	25	14	98	17
Khusoron	1,183	327	5,352	1,041	124	37	105	46	19	70	35
Bokhtar	1,278	452	5,992	3,034	233	61	101	30	19	0	0
Sarband	1,096	462	2,027	920	165	65	60	40	21	0	0
Yovon	1,667	269	9,381	661	161	26	60	15	22	92	5
J. Rumi	1,662	687	5,635	2,420	156	40	109	48	20	106	7
Dushanbe/ Qurghonteppa	21	5	0	0	241	33	245	49	61	24	9
TOTAL:	16,467		67,068		1,932		1,215		783	904	
GRAND TOTAL:										88,369	

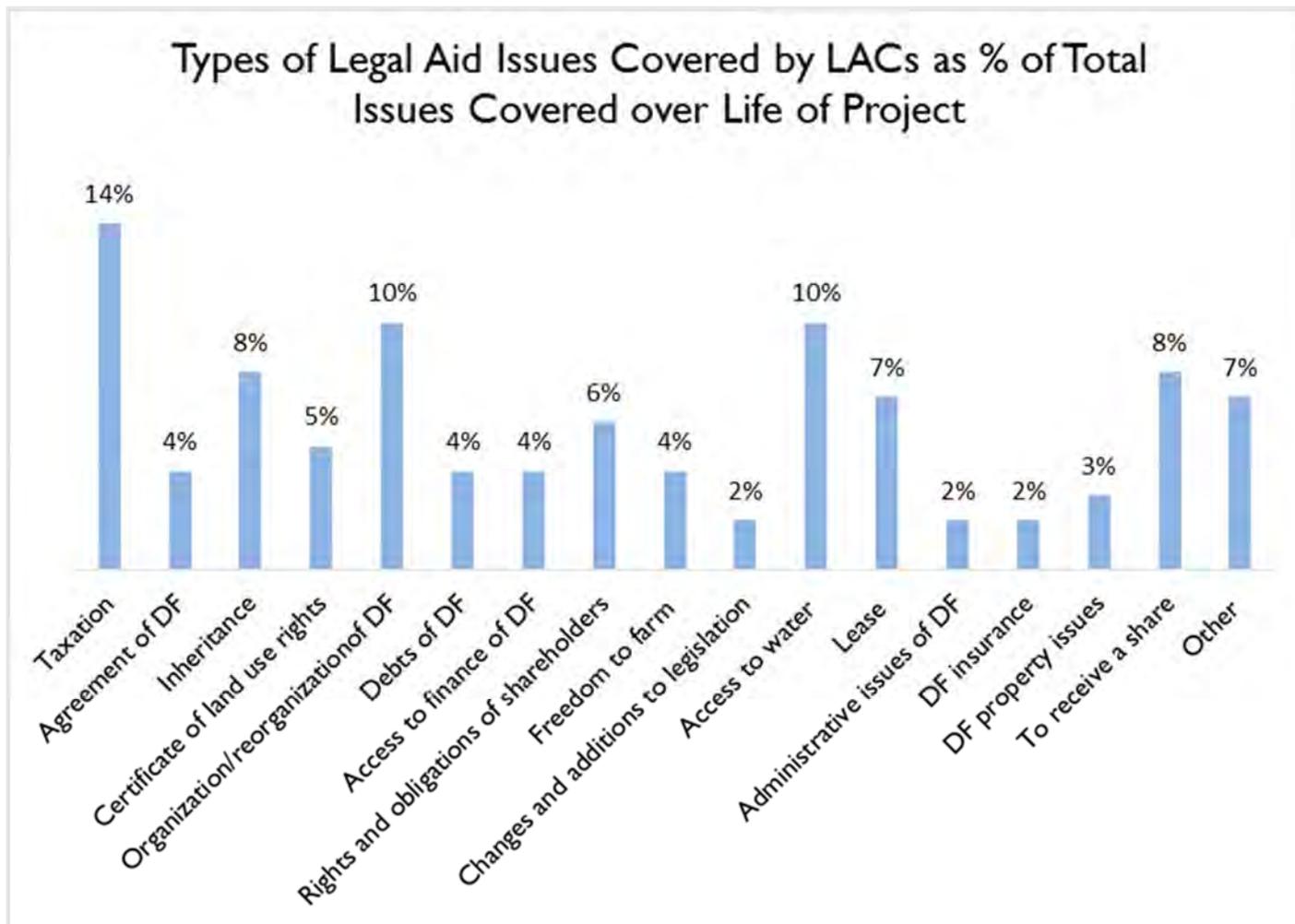
ANNEX B. BENEFICIARIES RECEIVING LEGAL AID

NUMBER OF INDIVIDUALS WITH LAND ISSUES RECEIVING LEGAL AID IN FTF TARGET DISTRICTS

DISTRICT	YEAR 1				YEAR 2				YEAR 3				TOTAL
	OFFICE CONSULTATIONS		FIELD CONSULTATIONS		OFFICE CONSULTATIONS		FIELD CONSULTATIONS		OFFICE CONSULTATIONS		FIELD CONSULTATIONS		
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	
Shahritus	264	116	70	25	549	279	128	65	874	571	204	132	3,277
Qabodiyon	89	98	68	112	340	152	342	167	409	144	407	341	2,669
N. Khisrav	112	54	58	46	263	215	155	82	538	330	165	120	2,138
Jilikul	64	56	41	72	75	28	268	75	465	180	345	99	1,768
Jomi	20	5	20	10	340	157	195	64	796	348	327	164	2,446
Qumsangir	62	17	30	10	480	140	383	150	496	115	497	177	2,557
Vakhsh	13	26	7	23	163	89	155	99	484	428	419	351	2,257
Khusoron	55	14	68	22	269	107	178	90	502	134	350	67	1,856
Bokhtar	37	34	18	27	209	116	380	170	772	297	681	441	3,182
Sarband	49	30	53	35	115	120	179	84	301	243	321	201	1,731
Yovon	40	4	49	5	294	48	270	48	684	127	870	138	2,577
J. Rumi	74	32	28	16	298	212	310	131	401	215	346	205	2,268
Total	879	486	510	403	3,395	1,663	2,943	1,225	6,722	3,132	4,932	2,436	28,726

ANNEX C. LEGAL AID TOPICS

TYPES OF LEGAL AID ISSUES COVERED BY PROJECT LACs AS A % OF TOTAL ISSUES COVERED OVER THE LIFE OF PROJECT



ANNEX D. PERFORMANCE INDICATORS AND ACHIEVEMENTS

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
Project Purpose: Increase Agricultural Productivity by Strengthening Property Rights Leading to the More Efficient Use of Land								
1	0.1. Number of individuals who have obtained documented property rights as result of USG assistance (FtF, STARR)	Measures the number of individuals in the FtF target areas receiving documented property rights as a result of the project's land reform assistance. "Households" cannot be used as the measurement, because certificates are not issued at the household level but rather at the individual level.	GoTJ, land committee and district authorities statistics, project records	Statistics review Responsibility: M&E Specialist Timeline: annually	Gender of property rights holder, individual/family farm, (in case of family farm – head of farm)	Baseline: 0 Target: 70,000	Result: 56,280 (80.4% of target achieved)	See comments in Chapter 7 above.
2	0.2. Number of recorded land transactions facilitated by the project	This is a count of land transactions involving a purchase/sale, lease, or exchange, facilitated by project LACs. Inheritance is not included, as it occurs independent of the land market	GoTJ, land committee and district/jamoat authorities statistics, project records	Statistics review, Information provided by LACs (monthly M&E formats) Responsibility: M&E Specialist Timeline: annually	By type of transaction: sale and purchase, land lease, exchange of land; By district; By gender	Baseline: 0 Target: TBD	Not measured	Measurement of this indicator requires the approval of legislation (Regulation on Granting Land Users Paid and Unpaid Land Use rights with the Right of Alienation) by the GoTJ. This indicator can be measured only after appropriate legislation is passed. Until then, it is not applicable.
3	0.3. Total number of recorded land transactions formally registered in the targeted region	This is a count of land transactions, whether involving a purchase/sale, lease, or exchange, formally registered in the targeted FTF region. Inheritance is not included as it occurs independent of the land market	GoTJ, land committee and district/jamoat authorities statistics, project records	Statistics from district and jamoat level of local authorities Responsibility: M&E Specialist Timeline: annually	By type of transaction: sale and purchase, land lease, exchange of land; By district; By gender	Baseline: 0 Target: TBD	Not measured	Measurement of this indicator requires an approval of legislation (Regulation on Granting Land Users Paid and Unpaid Land Use rights with the Right of Alienation) by the GoTJ. This indicator can be measured only after appropriate legislation is passed. Until then, it is not applicable.

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
4	0.4. Number of previously existing land and natural resource-based conflicts resolved in areas receiving USG assistance for land conflict mitigation	Number of natural resource-based conflicts existed before project implementation e.g., land, water, road conflicts and disputes and resolved in results of project assistance. Depend on identification by LACs of pre-existing conflicts that were resolved with project assistance.	Court documents, project and partner records M&E formats filled by LACs	Responsibility: Legal Advisors, Grants and Subcontracts Manager, M&E Specialist, and legal aid centers Timeline: quarterly	Matter (subject) of dispute, district	Baseline: 0 Target: 30	Result: 30 (100% of target achieved)	
5	0.5 Number of rural households benefiting directly from USG interventions (FtF)	Defined as households receiving legal assistance, participating in trainings, and receiving documented property rights. Household is calculated from number of people by considering those with the same surname as members of one household.	Monthly M&E format provided by LAC	Responsibility: M&E Specialist, and legal aid centers Timeline: quarterly	Gendered Household type	Baseline: 0 Target: 74,161	Result: 83,136 (112%, exceeded target)	
6	0.6 Number of food security private enterprises (for profit), producers organizations, water users associations, women's groups, trade and business associations, and CBOs receiving USG assistance(FtF)	Total number of community-based organizations, receiving USG assistance related to food security	Project & partner reports	Responsibility: Grants and Subcontracts Manager, M&E Specialist Timeline: annually	Type of organization	Baseline: 0 Target: 10	Result: 10 (100%, met target)	

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
PIR I. Improved Land Policy and Legislation								
7	1.1. Number of improvements in laws and regulations affecting property rights of the urban and rural poor as a result of USG assistance, by stage (STARR, FtF)	Measures the number of laws, policies, regulations, and Administrative Procedures improved through project assistance. Results are tracked for each stage of the process. Stage 1: Analyzed; Stage 2: Drafted and presented for public/stakeholder consultation; Stage 3: Presented for legislation/decrees; Stage 4: Passed/approved; Stage 5: Passed for which implementation has begun. Stage 4 and 5 track the STARR indicator. Depends on government	Work Group meeting minutes, official GoTJ publications	Responsibility: Policy and Legal Drafting Specialist, Timeline: quarterly	By Stage, Respective laws and regulations: <ul style="list-style-type: none"> • Laws • Decrees • Amendments • Regulations • Procedures • Forms • Other 	Baseline: 0 Target: 14	Result: 14 (100% of target achieved)	
8	1.2. Number of consensus-building forums (working groups, public-private dialogues, roundtables, etc.) held with project support	The number of meetings, roundtables, forums, and other venues, in which civil sector actors (i.e. legal advocacy representatives, farmers, and others) interact with government officials regarding specific, demand-driven provisions of land policy and legislation	Attendance sheets, project partner records	Responsibility: Policy and Legal Drafting Specialist, Senior National Capacity Advisor; Regional Capacity and Training Director Timeline: quarterly	By type of consensus-building forum; By topic, by district	Baseline: 0 Target: 1,200	Result: 1,369 (114% exceeded target)	
9	1.3. Percentage of laws targeted laws that include gender considerations	Percentage of all policies/laws/regulations LRFRP lawyers and other Working Group members worked on that take into account gender. Project gender specialist and lawyers will make the decision whether the law includes gender consideration Depend of government action	Project and partner records, official GoTJ publications	Responsibility: Policy and Legal Drafting Specialist, Senior National Capacity Advisor Timeline: Semi-annually	None	Baseline: 0 Target: 14 (100%)	Result: 14 (100% target achieved)	

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
PIR 2. Increased Awareness and Protection of Land Use Rights								
10	2.1. Increased awareness on land rights in the target region	An index score from project survey that measures the knowledge of farmers on the rights accorded by the land reform process.	Project surveys	Responsibility: Public Information / Mass Media Specialist and M&E Specialist; Timeline: annually	By gender (as possible) By district; By mass media; By farmer	Baseline: 1.56 Target: 3.50	Result: 4.0 (114%, exceeded target)	
11	2.2. Number of schools teaching land-tenure classes	Represents the number of schools where the project organized teaching land-tenure classes	Project and partner reports, attendance sheets	Responsibility: Public Information / Mass Media Specialist and M&E Specialist; Timeline: quarterly	District, Type of school	Baseline: 0 Target: 48	Result: 629 (1,310% exceeded target)	
12	2.3. Number of people attending USG-assisted facilitated events geared toward strengthening understanding and awareness of property rights and resource governance-related issues (STARR)	Number of participants of project-facilitated educational events including short-term training, school training, university courses, roundtables, and other awareness-raising events	Attendance sheets Monthly M&E reports, project partners	Responsibility: Public Information / Mass Media Specialist and M&E Specialist; Timeline: quarterly	Gender of recipient; Type of service; type of client, District	Baseline: 0 Target: 86,146	Result: 88,369 (103% of target achieved)	
13	2.4. Number of individuals that receive legal aid on land issues in the FTF target districts supported by USAID assistance	This is a count of all occurrences of individuals directly consulted by project-supported legal aid centers and Tashabuskors, and also individuals who receive court representation and other paid services	Project and partner reports Monthly M&E format provided by LAC	Responsibility: Grants and Subcontracts Manager, M&E Specialist and legal aid centers Timeline: quarterly	Gender of recipient, district, type of service, type of client	Baseline: 0 Target: 18,000	Result: 28,726 (159% exceeded target)	

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
14	2.5. Number of collective dehkan farms reorganized with USAID assistance	Number of collective dehkan farms reorganized with USAID assistance in the FTF target districts.	Monthly M&E format provided by LACs	Responsibility: Grants and Subcontracts Manager, M&E Specialist and legal aid centers Timeline: quarterly	district	Baseline: 0 Target: 600	Result: 647 (108% exceeded target)	
15	2.6. Percent of disputes resolved to the benefit of the farmers supported by the project	The project will measure the percent of resolved disputes to the benefit of farmers from the total number of disputes that were registered at LACs	Court documents, project and partner records M&E formats filled by LACs	Responsibility: M&E Specialist, and legal aid centers Timeline: quarterly	By court case, mediation, or agreement of parties, formal complaint; If court case, by type of court; By farm and number of farmers; By LAC; By gender; By district; By type of dispute	Baseline: 0 Target: 70%	Result: 93% (132% exceeded target)	Out of the total 132 disputes, including conflicts and court cases registered by project-supported LACs, 123 (93%) were resolved in favor of the farmers supported by the project
PIR 3. Improved Capacity of Stakeholders to Capitalize on Land Reform								
16	3.1. Percent of cost of LAC services that is covered through fees	Tracks the services provided by legal aid centers for fees as a percentage of overall operating budget in order to measure sustainability progress. These numbers will be tallied only for project-supported legal aid centers employing lawyers that are properly licensed to charge fees for services in accordance with Tajik legislation. The project will conduct an initial assessment of sustainability of legal aid centers to identify realistic yearly targets.	Project and partner reports Monthly M&E format provided by LAC	Responsibility: M&E Specialist and legal aid centers Timeline: quarterly	By LAC	Baseline: 0 Target: 15%	Result: 16% (106% exceeded target)	

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
17	3.2. Percentage of individuals in FTF areas who indicate that they know how to access legal information and services	This is the percentage of land users who know how to access legal information and services, in accordance with project land reform messages, as determined by periodic project and other donor-supported surveys	Project & partner records, survey	Responsibility: M&E Specialist and legal aid centers, in cooperation with donor farm surveys Timeline: annually	By gender; By district	Baseline: 78% Target: 15% over BL	Result: 21% over the BL (140%, exceeded target)	This indicator was measured through the KAP study, conducted by LRFRP international expert Eric Abbott. Despite the relatively low percentage reported for the general question about knowing how to obtain information about land use rights, there is strong evidence that almost all farmers (99.1%) report they have received information about land use rights and land registration from at least one source, and most have used multiple sources. Baseline for this indicator was identified as 78%. Target of this indicator for third year is 15% over the baseline (93%). Target for final project year is achieved by 107%.
18	3.3. Number of local government officials supported by USG assistance related to land tenure and property rights in FTF zone of influence	Tracks number of local government officials from relevant key institutions that participated in educational and consensus-building events. Relevant key institutions include organizations affiliated with the SUI "State registration of immovable property", regional committees on land management, tax offices, departments of agriculture, local executive authorities, local self-government bodies and etc., at village, jamoat (sub-district), district and regional levels in the targeted FTF districts.	Project and partner records, attendance sheets, statistical data Monthly M&E reports from LAC, project partners	Responsibility: Public Information / Mass Media Specialist and M&E Specialist; Timeline: quarterly	Type of event Gender of participant	Baseline: 0 Target: 1,800	Result: 1,932 (107%, exceeded target)	

#	Indicator (and Type)	Definition	Data Source	Data Collection Method	Disaggregation	Baseline and Targets	Results Achieved	Comments
19	3.4. Person-hours of training completed by government officials, traditional authority or individuals related to land tenure and property rights supported by USG assistance (STARR)	Represents hours spent by all participants (government officials or land users) in educational events. Calculated by multiplying the duration of training by number of participants	Project and partner reports Monthly M&E reports from LACs and other partners	Responsibility: Public Information / Mass Media Specialist and M&E Specialist; Timeline: quarterly	Gender of participant, type of training, By district	Baseline: 0 Target: 103,476	Result: 119,540 (116% exceeded target)	The events organized and facilitated by LRRFP and its grantees have different durations, from 0.5 – 8 hours. Each event's duration is taken into account and multiplied by the number of its participants.

ANNEX E. COURT CASE EXAMPLES

Case of Abdurakhmon Safarov, Shareholder of “Bakhtiyor-I” Dehkan Farm in Jaloliddin Rumi District

Many Tajik farmers who have a share in dehkan farms are compelled to find work in Russia to increase their incomes. But if the land is not being used, the head of a farm might independently seek to terminate that person’s land rights and distribute his share among other members of the farm. Abdurakhmon Safarov, a shareholder of the “Bakhtiyor-I” dehkan farm in Jaloliddin Rumi district faced this problem. For many years, he had been working on this farm, but because of dwindling profits, he decided to leave for Russia to earn money and provide for his family.

When the head of his dehkan farm learned that he had left for Russia, the head illegally terminated his land rights and confiscated the land share, adopting an illegal decision on behalf of the “Bakhtiyor-I” collective dehkan farm. Since 2010, Mr. Safarov had been trying unsuccessfully to reclaim his land rights and get his property returned to him. In June 2014, his wife, Gulnora Safarova, participated in a training on land use rights organized by the USAID-supported legal aid center (LAC) “Navzamin,” based in Jaloliddin Rumi and organized by LRRFP.

Together with her husband, they went to the Navzamin LAC to seek legal counsel on their land dispute. The lawyers provided free legal advice and assisted in writing and submitting the claim to defend the family’s interests and rights in the Jaloliddin Rumi district court. The lawyer advocated for Mr. Safarov’s land-use rights by proving that the general council had never taken place and that the decision to make the illegal transfer of land was fabricated. The lawyer also discovered that the dehkan farm head’s fabrication had violated the rights of another six farmers.

As a result of this case, the LAC lawyer protected seven farmers from illegal termination of their land use rights. Based on the decision of the Regional Economical Court of Khatlon, the dehkan farm head was overruled, restoring the land use rights of the seven shareholders of “Bakhtiyor-I.” Abdurahmon Safarov and another six shareholders returned to their 7.14 hectares of irrigated land.

Case of Dehkan Farm “Bobo” of the Vakhsh District

Safarova applied to the LAC “Mahbuba” with a land share allocation problem. The head of the Somon DF would not let her create her own dehkan farm with her land share. Safarova came from the Jamoat Rudaki to seek LAC guidance. Lawyers from LAC “Mahbuba” prepared her claim to submit to the Regional Economic Court of Khatlon to overrule that decision. On December 7, 2015, the Regional Economic Court of Khatlon ruled in Ms. Safarova’s favor and decided to award her the three hectares of land to create her own dehkan farm. As a result, her and her family created their family dehkan farm named “Bobo.”

Case of Dehkan Farm “Boboi Ali” of the Vakhsh District

A Mr. Isoev applied to the LAC “Mahbuba” with a land-share allocation problem.

The head of the Somon DF would not let him create a dehkan farm with his own land share in Jamoat Rudaki. Advocates and tashabuskors from the LAC “Mahbuba” helped him prepare a claim to submit to the Regional Economical Court of Khatlon in the case, “Prevention of Obstacles of 3 hectares of land allocation”. On December 14, 2015, the court ruled in favor of Mr. Isoev. As a result, he was able to create a dehkan farm with his family called “Boboi Ali”.

Case of the “Bedak” Dehkan Farm in Yovon District

Four brothers (Abdul Zokirov, Muhammad Zokirov, Muhammadsarvar Zokirov, and Muslihiddin Zokirov) applied to LAC “Arbitrage” with a land share allocation problem from the “Bedak” dehkan farm in Yovon district. All four brothers were shareholders in the dehkan farm “Bedak” with 13.51 hectares of land each. The farm’s head would not let them create their own dehkan farm with their land shares. All four brothers had applied to the local government of the Yovao district and head of the “Bedak” DF, Umedjon Homilov, but were refused and informed that they had been excluded from the “Bedak” DF back in January 2010. They sought legal recourse through LAC “Arbitrage” in the summer of 2015. Lawyers from “Arbitrage” prepared their claim and submitted it to the Regional Economic Court of Khatlon and on October 26, 2015, the court ruled in their favor and granted the allocation of a total of 54.04 hectares of land for all four brothers. As a result, the four brothers were able to create four separate dehkan farms for each of their families with their new land shares.

ANNEX F. PROJECT PUBLICATIONS

No	TITLE	PROJECT YEAR 1 (2014)	PROJECT YEAR 2 (2015)	PROJECT YEAR 3 (2016)	TOTAL	DISTRIBUTED TO:
1	The Procedure for the State Registration of Immovable Property and Rights to It (for local authorities)	700			700	State Land Committee
2	The Procedure for the State Registration of Immovable Property and Rights to It (for farmers)	8,000			8,000	LACs, tashabuskors, farmers
3	Procedures for Restructuring and Creation of Dehkan Farms in Tajik Language	8,000	4,330	6,000	18,330	farmers
4	Procedures for Restructuring and Creation of Dehkan Farms in Uzbek Language		3,100		3,100	farmers
5	Women Rights to Land in Tajik Language	1,800	1,000	4,139	6,939	Beneficiaries
6	Women Rights to Land in Russian Language	200	200	1,979	2,379	Farmers through PO "Sabzbahor" and "Modar va Kudak"
7	Land Disputes Resolution Procedures in Economical Courts		600	400	1,000	LAC
8	Collection of Land Legislation of the Republic of Tajikistan.	712	450	600	1,762	State Land Committee, Regional SUERIP of Khatlon region, Hukumat
9	Brochure on the Competence of State Authorities in Land Relations	2,000			2,000	Hukumat, LAC
10	Land Disputes Resolution Procedures in Economical Courts		300		300	LAC
11	Settlement of Land Disputes for Attorneys		160		160	LAC
12	Taxation of Dehkan Farms in Tajikistan in Tajik Language		6,500	6,578	13,078	Farmers
13	Taxation of Dehkan Farms in Tajikistan in Uzbek Language		3,100		3,100	Farmers
14	Registration book		30		30	SUERIP
15	Registration of Immovable Property for Farmers		30		30	SUERIP

No	TITLE	PROJECT YEAR 1 (2014)	PROJECT YEAR 2 (2015)	PROJECT YEAR 3 (2016)	TOTAL	DISTRIBUTED TO:
16	Procedures for the State Registration of Immovable Property and Rights to it		30		30	SUERIP
17	Inheritance of Land Use Rights		1,500	6,500	8,000	Farmers
18	Information on Land Division in Tajikistan			20	20	Partners
19	Establishing Public (Involuntary) Easement in Russian Language			200	200	NGO "Huquq va rushdi jomeai dehot"
20	Establishing Public (Involuntary) Easement in Tajik Language			5,889	5,889	NGO "Huquq va rushdi jomeai dehot"
21	The main goals of the new Law on Dehkan Farms in Tajik Language			7,000	7,000	NGO "Huquq va rushdi jomeai dehot"
22	The main goals of the new Law on Dehkan Farms in Russian Language			1,000	1,000	NGO "Huquq va rushdi jomeai dehot"
23	Rights and Responsibilities of Dehkan Farms in Tajik Language			7,000	7,000	Farmers
24	Rights and Responsibilities of Dehkan Farms in Russian Language			1,000	1,000	Farmers
25	Termination of land use rights in Tajik Language			4,500	4,500	Farmers
26	Termination of land use rights in Russian Language			500	500	Farmers
27	Comments to the Law on Dehkan Farms in Tajik Language			3,000	3,000	Parliament
28	Comments to the Law on Dehkan Farms in Russian Language			1,000	1,000	Parliament
29	Collection of the Regulations of the Plenum on Supreme Economic Court of the RT			200	200	
30	Registration of Immovable Property			6,250	6,250	
31	Textbook "Basis of Land Law" in Tajik language		300	1,500	1,800	Universities, Higher Education Institutes

No	TITLE	PROJECT YEAR 1 (2014)	PROJECT YEAR 2 (2015)	PROJECT YEAR 3 (2016)	TOTAL	DISTRIBUTED TO:
32	Textbook “Basis of Land Law” in Russian language		180	200	380	Universities, Higher Education Institutes
33	Actual Land Reform issues for High school students in Tajik Language	400	700	23,000	24,100	Schools
34	Actual Land Reform issues for High school students in Russian Language	100	300		400	Schools
TOTAL:		21,912	22,210	95,955	140,077	

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