



Food and Agriculture  
Organization of the United  
Nations

## Office of Evaluation

---

**Community level legal education and support to help rural women secure and exercise land and resource rights, and address HIV-AIDS related tenure insecurity –GCP /MOZ/o86/NOR**

**Mid Term Evaluation**

## Food and Agriculture Organization of the United Nations

### Office of Evaluation (OED)

This report is available in electronic format at: <http://www.fao.org/evaluation>

*Permission to make copy, download or print copies of part or all of this work for private study and limited classroom use is hereby granted, free of charge, provided that an accurate citation and suitable acknowledgement of FAO as the source and copyright owner is given. Where copyright holders other than FAO are indicated, please refer to the original copyright holder for terms and conditions of reuse. All requests for systematic copying and electronic distribution, including to list servers, translation rights and commercial reuse should be addressed to [copyright@fao.org](mailto:copyright@fao.org).*

For further information, please contact:

Director, OED  
Viale delle Terme di Caracalla 1, 00153  
Rome, Italy  
Email: [evaluation@fao.org](mailto:evaluation@fao.org)

---

*The designations employed and the presentation of material in this information product do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal or development status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. The mention of specific companies or products of manufacturers, whether or not these have been patented, does not imply that these have been endorsed or recommended by FAO in preference to others of a similar nature that are not mentioned.*

## **Acknowledgements**

The MTE team acknowledges the kind assistance received from the Centre for Juridical and Judicial Training and the various government officials and non-governmental organisations that set aside time to explain their role in the Project and comment on its performance. The preparation for the evaluation by Marianna Bicchieri and the logistic support provided by the Project were much appreciated; so also were the advice and assistance received from the FAO Representative Julio de Castro and from Nina Strøm at the Embassy of the Kingdom of Norway. The MTE team also greatly benefited from the help of Corinne Capela (the mission's interpreter) and Daniela Huamán Rodríguez (research assistant). Finally, we also gratefully acknowledge the helpful feedback received from FAO on an earlier version of this report.

## Abbreviations

AMUDEIA	<i>Associação das Mulheres Desfavorecidas da Indústria Açucareira</i>
ART	Anti Retroviral Treatment
AWP	Annual Work Plan
CFJJ	Juridical & Judicial Training Centre ( <i>Centro de Formação Jurídica e Judiciário</i> )
CSO	Civil Society Organisation
CTV	Centro Terra Viva
DINEGECA	National Directorate of Geography and Cadastre ( <i>Direcção Nacional de Geografia e Cadastro</i> )
DNPDR	National Directorate for the Promotion of Rural Development ( <i>Direcção Nacional de Promoção do Desenvolvimento Rural</i> )
DNTF	National Directorate of Land & Forestry ( <i>Direcção Nacional de Terra e Florestas</i> )
DUAT	Land Use and Benefit Right ( <i>Direito de Uso e Aproveitamento da Terra</i> )
ESW	Gender, Equity and Rural Employment Division
FAO	Food and Agricultural Organisation
FAOR	Food and Agricultural Organisation Representative in Mozambique
FPMIS	Field Programme Management Information System
GBV	Gender-based violence
GCP/086	GCP/MOZ/086/NOR Government Cooperation Project/Mozambique/086/Norway
GCP/096	GCP/MOZ/096/Government Cooperation Project/Mozambique/096/Netherlands
HACT	Harmonised Approach to Cash Transfers to implementing partners
HTSPE/VA	The consortium responsible for the implementation of the MCA contract
HIV-AIDS	Human immunodeficiency virus infection - Acquired immunodeficiency syndrome
IMLC	Inter-ministerial Land Commission
iTC	Community Land Initiative ( <i>Iniciativa para Terras Comunitarias</i> )
ISAP	Mozambique's Higher Institute of Public Administration
KAP	Knowledge Action Practice
LCF	Land Consultative Forum ( <i>Fórum de Consulta sobre Terras</i> )
LEGN	Development Law Service
LF	Logical Framework
LOA	Letter of Agreement
LOLE	Law on Local Organs of the State (law No. 8/2003)
LOT	Territorial Planning Law (law No. 19/2007)
LTU	Lead Technical Unit
M&E	Monitoring and Evaluation
MCA	Millennium Challenge Account
MCC	Millennium Challenge Corporation
MDG	Millennium Development Goal
MFA	Norwegian Ministry of Foreign Affairs
MoJ	Ministry of Justice
MTE	Mid Term Evaluation
NRL	Land and Water Division FAO Rome
NGO	Non Governmental Organisation
NOK	Norwegian Crown/Krone
ODA	Official Development Assistance
OECD/DAC	Organisation for European Cooperation and Development/Development Assistance Committee
OED	Office for Evaluation, FAO, Rome
ORAM	Association for Rural Mutual Assistance ( <i>Associação de Ajuda Mútua Rural</i> )
PLTC	Provincial Director of Tourism
PS	Permanent Secretary

RBM	Results Based Management
SADC	Southern African Development Community
SPGC	Provincial Geographic and Cadastral Services ( <i>Servico Provincial de Geografia e Cadastre</i> )
STA	FAO Senior Technical Advisor
TA	FAO Technical Advisor
TCP	Technical Cooperation Programme
TORs	Terms of Reference
UEM	Eduardo Mondlane University, Mozambique
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Guidelines
UN-WOMEN	United Nations Entity for Gender Equality and the Empowerment of Women
WLSA	Women and Law in Southern Africa

## Contents

Evaluation process and methodology.....	6
Background to the Project .....	6
Key findings and conclusions .....	7
Relevance.....	7
Effectiveness .....	8
Efficiency.....	8
Impact .....	9
Sustainability.....	9
Recommendations.....	10
To all parties .....	10
To the Representation of the Kingdom of Norway and FAOR .....	10
To the Ministry of Justice .....	11
To FAO Rome.....	12
To FAOR and the Project .....	12
1 Introduction.....	13
1.1 Background.....	13
1.2 Purpose and timing of the mid-term evaluation .....	13
1.3 Methodology of the mid-term evaluation.....	14
2 Context of the Project.....	16
2.1 Emerging awareness of the neglect of women’s land rights .....	16
2.2 Customary norms and contextual processes.....	17
2.3 Mozambique’s land and natural resource laws and women’s rights .....	18
2.4 FAO’s past and present involvement in Mozambique’s land sector .....	20
2.5 Land policy developments in Mozambique since 2010.....	22
3 Concept and relevance of the Project .....	24
3.1 Design .....	24
3.2 Relevance .....	26
4 Implementation .....	28
4.1 Budget and Expenditure .....	28
4.2 Project Management .....	29
4.3 Technical Backstopping .....	31
4.4 Government’s participation.....	31
5 Results and contribution to stated objectives.....	32
5.1 Outputs and outcomes.....	32
5.2 Capacity development.....	33
5.3 Sustainability .....	34

5.4	Impact.....	36
6	Conclusions and Recommendations.....	36
6.1	Context.....	36
6.2	The Project.....	37
6.3	The role of FAO.....	39
	Recommendations.....	41
	To all parties.....	41
	To the Representation of the Kingdom of Norway and FAOR.....	41
	To the Ministry of Justice.....	41
	To FAO Rome.....	42
	To FAOR and the Project.....	43
	Annex I: List of institutions and stakeholders consulted during the evaluation process ...	44
	i. People interviewed.....	44
	ii. Key meetings attended.....	45
	iii. Debriefing meeting of MTE team at FAOR.....	46
	iv. Power Point Presentation at MTE Debriefing Meeting 4 June 2012.....	47
	v. Notes prepared by the MTE team of feedback at the debriefing meeting.....	51
	Annex II: List of documents evaluated.....	54
	Annex III: List of Project outputs.....	56
	i. Logical Framework.....	56
	ii. Training activities supported by the Project.....	60
	iii. Materials distributed at paralegal training courses.....	63
	iv. Manuals and textbooks supported by the Project.....	63
	v. Advocacy and awareness-raising materials supported by the Project.....	64
	vi. Summary outputs and activities and evidence of achievement.....	65
	vii. Summary of recommendations in relation to outputs and activities.....	70
	Annex IV: Brief profile of evaluation team members.....	75
	Annex V: Evaluation Terms of Reference.....	76

## **Executive Summary**

### ***Evaluation process and methodology***

- S1.** The purpose of the evaluation is ‘to assess the project’s progress towards its declared objectives and to consider the relevance of its activities in support of more gender-equitable tenure, rights and access to land and natural resources’. The Terms of Reference (TORs) for the study are in Annex V of this report.
- S2.** The study was carried out by a 3-person team from 19 May to 5 June 2012 in Mozambique, some eleven months before the scheduled end of the 3-year Project. The methodology adopted by the Mid-Term Evaluation (MTE) involved: (i) evaluation of reports and documents, (ii) semi-structured interviews with key informants, stakeholders and training-course participants and e-mail communication with those knowledgeable about the project, (iii) direct observation of the gender training and field visits. Detailed records of 37 interviews and 4 key meetings were archived for reference purposes.
- S3.** Central to the MTE was the team’s observation of a paralegal training course at Inhambane some 400 km from the Capital. Further fieldwork took place during a visit to Beira and Mafambisse in Sofala Province.

### ***Background to the Project***

- S4.** The Project, GCP/MOZ/086/NOR, (abbreviated as GCP/086) is the most recent of a series of FAO initiatives implemented in partnership with the Juridical and Judicial Training Centre (CFJJ), under the Ministry of Justice. The project has aligned with this evolving programme to provide greater emphasis on gender and women’s rights over land, primarily through training paralegals nominated by community-based organisations and NGOs.
- S5.** GCP/086 builds on two preceding projects, GCP/MOZ/081/NET (GCP/081), and GCP/MOZ/096/NET (GCP/096), funded by the Netherlands, which developed and consolidated the initial paralegal and district officer seminar programmes that are the core activities supported by GCP/086. GCP/086 worked alongside GCP/096 for two years until that project closed in June 2012. Both of the Netherlands projects aimed to take legal education to the district level with courses for rural people and district officials (women as well as men, but mostly men) in matters relating to land and natural resource laws. By the time the GCP/096 project finished training operations at the end of March 2012, some 90 districts had been covered since 2007. GCP/086 and GCP/096 were planned in the first half of 2009 and were intended to operate together, but the start of GCP/086 was delayed until May 2010.
- S6.** As the title of the Project makes clear, its focus is on ‘community level education and support to help rural women secure and exercise land and resource rights and address HIV-AIDS related tenure security’. The decision to focus on women and land probably originates in the recommendation of the MTE of GCP/081 in 2007, which noted the increasing vulnerability of women to discrimination and landlessness. The MTE of GCP/081 was critical of the inadequacy of the project’s treatment of gender issues. The presence of female trainees in the CFJJ courses was found to be low. Insufficient consideration was being paid ‘to the occurrences of gender discrimination embedded in



every day practices within communities and to the differential impact of development on men, women and children resulting from unequal control over land and property’.

- S7.** Under the Constitution of Mozambique and the Land Law of 1997, women are entitled to have equal rights to hold, to access and to derive benefits from land, independent of any male relatives, and the statutory law is clear that this principle overrides any contrary customary rules. Unfortunately, land administration in Mozambique is grievously underfunded. The administration and enforcement of legislation protecting women’s land rights is very weak, especially among the poor in rural and peri-urban areas. Hence the importance of the Project in empowering women with knowledge of the law. At the same time, FAO recognises that the training provided to citizens and officials about the Land Law 1997 and related legislation will be of little benefit unless Government is willing to allocate significantly more resources to land administration and governance. This issue is currently the subject of a project identification mission under a short extension to GCP/096.
- S8.** At the planning stage, it was decided that GCP/086 should aim to reinforce and deepen the treatment of women’s rights within the wider CFJJ training programme being implemented with Netherlands support, and should also provide direct support to paralegals from women’s NGOs and communities who were working to defend the rights of women over land and natural resources.
- S9.** Thus, in addition to training directly related to GCP/086 and GCP/096, the Project has also conducted training in matters relating to gender and women’s land rights for the core activities of the CFJJ (i.e. the training of judges and public prosecutors) and for the police. The Project has also assisted other development partners in the land sector, for example the capacity building and training programme of the MCC’s Land Component in the four Northern provinces.

### ***Key findings and conclusions***

#### **Relevance**

- S10.** The MTE finds that the Project is clearly in line with the needs and priorities of the various stakeholders: viz.
- with beneficiaries’ requirements by providing for tenure and livelihood security, free from gender discrimination;
  - with the Constitution which guarantees gender equality and the material and spiritual well-being and the quality of life for citizens;
  - with global priorities: MDG 1 Eradicate extreme poverty and hunger; MDG 3 Promote gender equality and empower women; MDG 6 Combat HIV/AIDS (the affected and the infected);
  - with CFJJ’s policies which are concerned with access to justice for all citizens;
  - with the donor’s priorities: namely, the Norwegian Government’s ‘Action Plan for Women’s Rights and Gender Equality in Development Cooperation’, and
  - with relevance to FAO’s Strategic Framework.

## **Effectiveness**

**S11.** The evaluation finds that:

- The training by the Project of district officials and paralegals to work with communities in matters relating to strengthening women's land rights is of a very high standard and has the potential for far-reaching, positive long-term effects.
- The scope and content of the training provided by FAO/CFJJ and its adherence to the principles of non-formal adult education are most appropriate.
- The development of training publications and sensitisation materials is well advanced.
- The active joint-involvement of paralegals from communities and of district government officials in the training is of key importance in building constructive relations between officialdom and civil society.

**S12.** Further, the number of paralegal courses which have been organised well exceeds the target set in the Logical Framework (LF). Other targets have fallen behind as a result of problems, which are discussed briefly below.

## **Efficiency**

**S13.** The Project has been handicapped by institutional dysfunctions within FAO, particularly the long-delayed recruitment of the international TA. For much of 2010 and 2011, the administrative integration of the FAO projects at CFJJ did not go smoothly. The MTE of GCP/096 (June 2011) criticised the support provided by FAOR. These difficulties were largely overcome as a result of additional day-to-day administrative support provided by FAOR to GCP/086 and by the operational separation of the two projects within FAOR's administration.

**S14.** The Project was unable to obtain CFJJ's consent to the recruitment of the planned two national staff. Under Activity 1, the LF envisaged that: (i) a specialist Jurist and (ii) a researcher would be contracted to work with the Project, but the CFJJ persuaded FAO that it had existing staff to fill these posts. At the beginning of 2012, the person who was understudying the international TA to take over the gender training had to leave for Angola and was not replaced. The CFJJ researcher, who was assigned to the Project, has not been available on a full-time basis and research results are still awaited. As a result, the international TA currently conducts all gender training and some other activities which were expected to be developed by the national officers.

**S15.** Technical challenges relating to the design of the Project have been encountered. The MTE judges the design of the Project to be over ambitious, given the personnel resources available, and fails to take account of the logistic problems involved in working with communities as well as conducting the training and the related research. For example, the LF anticipates the Project will train 12 paralegals per year from rural communities and provide them with technical support after their training.

**S16.** Aside from the logistic problems, one year into the Project and having participated in its preparation, CFJJ concluded that providing technical support at community level was not appropriate for a state teaching institution under the Ministry of Justice, whose core function is training judges and prosecutors; technical support of communities should be the work of NGOs – namely public interest law centres. The issue of

following up the training courses with technical support is still in the process of being resolved by the Project with the help of some of the larger NGOs working in the land sector; although, the scarcity of NGOs' financial resources is likely to remain an issue.

**S17.** Generally, relations between the FAO Project and the CFJJ trainers – mostly qualified lawyers and judges – are very good and are expected to continue to flourish provided tensions over the allocation of extra-budgetary resources emanating from donor-funded projects at the Centre are resolved in a transparent and equitable manner so as to incentivise good work and reward merit.

### **Impact**

**S18.** 'Impact' refers to 'the positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended'.<sup>1</sup> An ex-post evaluation should seek to determine the extent to which planned Outputs attributable to the Project are in place or expected to be in place in the longer term. This Mid-Term Evaluation (MTE) was conducted at a point 11 months before the scheduled end date of the three-year project. At this stage, firm conclusions about the long-term impacts are not obtainable.

**S19.** Currently, an 'Impact Study' is being conducted by external consultants of GCP/096 and GCP/086. When assessing the results of the study as they pertain to GCP/086, it will be important to remember that the Project began in May 2010 and did not get into its stride until one year later. It cannot yet expect to 'impact' upon the long-term process of changing society's attitude to gender roles in rural Mozambique.

### **Sustainability**

**S20.** There are several reasons to be concerned about the continuity of the CFJJ training initiatives in matters relating to land and natural resource laws.

- In the absence of a qualified national replacement for the international TA to take on the role of CFJJ Legal Training Officer/Gender Specialist, there must be doubt about the future of CFJJ's land and gender training.
- In 2013, the coming year, there is concern for the survival of CFJJ itself, not only because of the scheduled termination of support provided by Norway/FAO, but also due to the ending of Danish support for the core CFJJ programme for training judges and public prosecutors. Thus the funding issue does not relate only to the land and environmental training, which is an important but relatively small part of the CFJJ's programme, but to wider strategic questions that underpin the whole public funding framework of the CFJJ as an institution.
- The issue of the provision of further assistance for paralegals after their initial training by the CFJJ has been a concern from the outset of GCP/096. A clear strategy for following up the training of paralegals by CFJJ with a system of accreditation and institutional support has yet to be implemented.

---

<sup>1</sup> Glossary of Key Terms in Evaluation and Results Based Management, OECD Reprint 2010  
<http://www.oecd.org/dataoecd/29/21/2754804.pdf>

**S21.** The recommendations which follow aim to address many of the issues raised in the above summary. Until these are resolved, it would be premature to speculate about what might follow in terms of FAO support to the CFJJ's land and gender training programme. The Project has barely had a chance started to get to grips with the problem of increasing vulnerability of women to discrimination and landlessness. However, it has laid a good foundation to move forward. A three month's no-cost extension is vital if it is to consolidate preparations for a subsequent project and/or prepare the way for CFJJ taking over full responsibility for land and gender training.

## ***Recommendations***

### **To all parties**

**R1. Revision of the project logical framework (LF):** The LF includes activities that are now considered to fall outside the competence and mandate of CFJJ, being a state legal training institute under the Ministry of Justice. The project activities affected are numbered 2.3, 2.4, 4.2 and 5 in the logical framework and involve post-training follow-up and technical support for paralegals and communities which is now expected to be done by NGOs.

*It is recommended that the logical framework appended to the Project Document be revised to take account of the concerns of CFJJ and in consultation with the MFA of the Kingdom of Norway. (Paragraphs 48-52, 49-50, 70, 82, 85, 98 refer)*

**R2. Post-training follow-up of paralegals:** It has been generally agreed in discussions between the Project and leading NGOs in the land sector that it would be appropriate for them to fulfil the role of providing post-training follow-up and technical support for paralegals and communities, provided they gain access to the resources to implement the proposal on the scale required.

*The MTE strongly recommends that the Project continues to work with NGOs to develop a system to provide follow-up support to paralegals in their community work, and ensure it is set in place by the end of the Project. (Paragraphs 111-113 refer).*

**R3. No-cost extension of the Project:** Due to administrative and operational delays in project year one, the Project did not get up to speed until project year two. The current balance of project funds indicates that a three-month extension would be possible within the original budget.

*It is recommended that the Project be granted an extension to the end of August 2013 to provide extra time to complete the project scope and objectives without additional funding by the donor. (Paragraph 63 refers)*

### **To the Representation of the Kingdom of Norway and FAOR**

**R4.** In the course of the evaluation, the team became aware that the Project had acquired a 'bad name' in the Embassy.

*It is recommended that a high-level meeting is arranged for FAOR to discuss with the Embassy the relevant findings of the evaluation and to clear up any misunderstandings. It is further recommended that the representatives discuss and agree whether or not there is to be a final joint evaluation as per the Agreement of 31 July 2009. (Paragraphs 53, 59, 60, 62, 107 refer).*

## **To the Ministry of Justice**

- R5. CFJJ's future:** In a meeting with the Ministry of Justice, the evaluation team received assurances of the Minister's continuing interest in the CFJJ and her commitment to tackling issues relating to the Centre's sustainability and its future place in the Government budget.

*It is recommended that because of the approaching end of donor core funding for the CFJJ in 2013, the Minister of Justice gives urgent consideration to the views of stakeholders and the previously discussed institutional options for the Centre, for example as a 'subordinate institution' or an 'autonomous institution' under the Ministry of Justice (i.e. subordinado or tutelado). (Paragraphs 79-80 refer)*

- R6. Accreditation and future status of paralegals:** In a meeting at the Ministry of Justice, members of CFJJ and the evaluation team were told that the Ministry was keen to 'add value' to the paralegal training by ensuring the role of paralegals was formally recognised. The Ministry was considering how it could help with the issues relating to the formalisation of the status of paralegals and their place in the justice system.

*It is recommended that the Minister applies her mind to the accreditation and institutional support of the CFJJ's paralegal trainees for work at the community level and the necessary regulatory framework. (Paragraphs 79-80 refer)*

- R7. CFJJ Research Department & M&E:** FAO has contracted a consultancy firm to conduct an independent impact study of GCP/086 and GCP/096. This study aims in part to also compensate for earlier failures by CFJJ to put in place an adequate monitoring programme with initial baseline surveys carried out. Ways have to be found of overcoming the CFJJ's reluctance to get involved in M&E. Some assistance may have to be brought in for the purpose, but only on condition that training of the Centre's staff in the operation and management of the system is part of the contract.

*It is recommended that a start is made with the development and management of a central data bank with details of former trainees and trainers, their contact details and profile; and that a database is set up for recording course and training activity data in uniform and accessible formats. Protocols for routine access to the data base, its maintenance and external back-up should be agreed. Individual project M&E systems could be linked to the data base as required. (Paragraphs 56, 75, 114-116 refer)*

- R8. CFJJ Research Department's commitment to gender:** An outstanding question, unresolved by the evaluation, is whether the mainstreaming of gender issues into its research and analysis has been taken seriously by the Research Department. Preliminary research reports were submitted in November 2011, but at the time of the evaluation in May-June 2012, these reports had still not been finalised.

*It is recommended that the Director of CFJJ investigates the issue with a view to determining the status of the work requested and funded by the Project. In consultation with the international TA, decisions have to be reached on how the research required by the Project is to be handled in future. (Paragraph 71 refers)*

## To FAO Rome

**R9. Logical Frameworks (LF) (see Annex 3.i) and Results Based Management (RBM)** Over the last decade, donors have attached increasing importance to LFs as a basis for tracking project implementation, but many development partners continue to find them obscure, especially when their meaning is lost in translation. The Project has made changes to some activities undertaken by the Project, but it is not clear that the changes made have been formally agreed between the parties to the Agreement. It would be helpful (as in the case of EC Projects) if there was a specific place in the Project Progress Report for the TA routinely to comment on the current relevance of the LF as perceived by the implementing partner and the funder and whether the LF should be revised to take into account the realities of project implementation.

**It is recommended that FAO apply its mind to this topic and recommend the official procedure to be adopted.**

## To FAOR and the Project

**R10. Contracting of National TAs:** Under Activity 1, the LF envisages that: (i) a specialist Jurist and (ii) a researcher would be contracted to work with the Project. At the beginning of 2012, the first person, who was the understudy to take over the gender teaching, left for Angola, so that the international TA still has no qualified replacement. The second person, namely the researcher, has been available to the project only part time and her research is still awaited.

***It is recommended that, for the remainder of the Project, the two posts envisaged in the LF under Activity 1 are filled by suitably qualified national personnel under the control of the Project to enable it to meet its commitments.*** (Paragraphs 68-69, 71, 74 refer)

**R11.** The table in Annex III.vii, based on the original Logical Framework, contains recommendations which require consideration.

***It is proposed that the international TA considers the recommendations in the right hand column in the Table Annex III.vii and takes the necessary action.***

# 1 Introduction

## 1.1 Background

1. This final report has been prepared following helpful comments on an earlier draft received from the principal FAO stakeholders. No feedback was received from the CFJJ or the MFA before the submission of this final report on 27 July 2012.
2. Annex V contains the Terms of Reference (TORs) for the MTE, including an addendum setting out the donor's specific requirements.

## 1.2 Purpose and timing of the mid-term evaluation

3. The purpose of the evaluation is 'to assess the progress of the Project towards the declared objectives, and the relevance of its activities in support of more gender-equitable and sustainable access to land and natural resources in Mozambique' (TORs, Annex V, page 78).
4. The field investigations for the Mid-Term Evaluation (MTE) of the Project GCP/MOZ/086/NOR (GCP/086), entitled 'Community-level education and support to help rural women secure and exercise land and resource rights and address HIV-AIDS related tenure insecurity' (hereafter referred to as 'the Project'), took place in Mozambique during the period 19 May – 5 June 2012. The members of the MTE Team were: Martin Adams and Elizabeth Daley (international consultants) and Gildo Espada (national consultant) (see Annex IV). The programme of work of the MTE is summarised in Table 1.

**1 Table 1: Actual timetable of the Mid-Term Evaluation**

Date 2012	Activity
21-22 May	- Introductory meetings with FAOR and project partners
23-25 May	- Field visit to observe paralegal training course at Inhambane - Interviews of trainers, trainees, course organisers and local officials
28 May -1 June	- Meetings and interviews: Ministry of Justice, FAOR and Embassy of the Kingdom of Norway; CFJJ and project partners, government officials, NGOs and donors in the land sector - Field visit to past paralegal course trainees in Beira and rural Sofala - Interviews and e-mail communication with others knowledgeable about the Project
4-5 June	- Discuss interim findings with stakeholders and obtain feedback - Official de-briefing meeting
30 June	- Circulation of draft report to FAO, Embassy of the Kingdom of Norway and project partners for comment
20 July	- FAO and partners submit comments to the MTE team

5. The Project was formally operational with the signing of the Agreement between FAOR and the Norwegian Ministry of Foreign Affairs (MFA) on 31 July 2009, but activities only started ten months later, with the arrival of the international TA in May 2010. The Project is due to close on 31 May 2013, to complete 36 months of technical implementation. The MFA require all available project funds to be transferred to FAO before the end of financial year 2012. The initial total budget for the Project was estimated to be US\$ 2.163 million, which was unchanged by budget revision “B” in May 2012.
6. The MTE commenced 11½ months before the end of the Project. The MTE was postponed while the Norwegian Ministry of Foreign Affairs (MFA) proceeded with an evaluation of its gender portfolio in Mozambique in November 2011. The Project Document and the Agreement include plans for an independent MTE and a final *ex post* evaluation; whether the latter will now be necessary has yet to be formally agreed.

### ***1.3 Methodology of the mid-term evaluation***

7. This report aims to adhere to the UNEG Norms & Standards<sup>2</sup>, the UNEG checklist<sup>3</sup> and the evaluation criteria of *relevance, effectiveness, efficiency, impact and sustainability* which are defined according to OECD/DAC.<sup>4</sup> The arrangement of the report follows the outline ‘Table of Contents’ that was annexed to the TORs for the assignment.
8. The approach taken by the MTE team in carrying out the evaluation was consultative and transparent, working with both internal and external stakeholders throughout the evaluation process. Triangulation was used to test the evidence collected and to validate the MTE’s conclusions and recommendations.
9. The TORs requested the MTE team to consider a variety of evaluation tools. In the event, the team decided upon the following: (i) evaluation of reports and documents, (ii) semi-structured interviews with key informants, stakeholders and training course participants and e-mail communication with those knowledgeable about the project, supported by check lists and interview protocols; and (iii) direct observation during field visits.
10. Central to the MTE was the team’s observation of a paralegal training course at Inhambane. For three days, the team observed: training sessions on the Mining Law, on aspects of the Constitution and the Land Law relating to gender equality, and on the laws covering inheritance and protection from gender-based violence (GBV); a theatrical

---

<sup>2</sup> *Standards for Evaluation in the UN System*, UNEG 2005

<http://www.uneval.org/normsandstandards>

<sup>3</sup> *UNEG Quality Checklist for Evaluation Reports* UNEG/G(2010)/2

<http://www.unevaluation.org/QC/evaluationreports>

<sup>4</sup> *Glossary of Key Terms in Evaluation and Results Based Management*, OECD Reprint 2010

<http://www.oecd.org/dataoecd/29/21/2754804.pdf>



production by local actors on the community consultation process for land acquisition by outside investors; and a video on the work of paralegals. Testimony was heard from past trainees working as paralegals in the field. A question and answer session with local justice sector officials was also observed.

11. The scope and content of documentation made available to trainees by the CFJJ/FAO trainers were reviewed by the evaluation team (see Annex III.iii). Between training sessions, the team had the opportunity to interview paralegal trainees from local government and civil society and interview CFJJ and FAO trainers, as well as staff involved in organising the courses.
12. Further fieldwork took place during a visit to Beira and Mafambisse in Sofala Province, where interviews were conducted with former paralegal trainees now undertaking paralegal work within civil society.
13. The field visits were supported by a series of semi-structured interviews with a wide range of other relevant stakeholders – including from bilateral and multilateral development partners, other land sector projects, NGOs working on gender and on land, national and local government officials, and FAO staff working directly on the Project (see Annex I.i). Two meetings were attended as observers – one in conjunction with the impact assessment planned for projects GCP/086 and GCP/096, the other at the National Directorate of Land and Forests (DNTEF) convened by the MCC representative for discussion on key developments in the land sector (see Annex I.ii).
14. During interviews and depending on the interviewee, questions covered the five key evaluation criteria as well as the longer list of issues set out in the TORs for the evaluation to address. However, not all interviews covered all criteria and issues.
15. With regard to documentary evidence, reports on the Project, such as annual reports and minutes of official meetings, were evaluated (see Annex II). Background material and academic literature on land and gender in Mozambique was also consulted during the field investigations, as well as relevant documentary evidence from other projects in the land sector. Data on, for example, numbers of courses held, numbers of participants and trainers, and numbers of awareness-raising materials produced, were also obtained from the project staff (Annex III.ii).
16. No significant methodological problems were encountered. The greatest constraint was the shortage of time, in so far as a longer period would have enabled more extended field visits to more places. Nonetheless, within the overall time allocated, the team believes that it was able to gather an adequate quantity and quality of evidence. Some 37 in-depth interviews were conducted, two key meetings were attended by the team as observers, and three days were spent observing a paralegal training course. Following each and every event, detailed notes were prepared and promptly entered into the MTE archive for reference by team members when compiling the MTE report.

## 2 Context of the Project

### 2.1 *Emerging awareness of the neglect of women's land rights*

17. Land administration in much of post-colonial Africa has a history of tenure dualism, an element of legal pluralism. In the colonial era, tenure dualism tended to reinforce settler interests, simplify and strengthen the roles of male-dominated traditional authorities and the use of customary tenure arrangements that allocated land rights according to social and gender relations. Since independence, different countries have pursued a range of policies, though the relegation of customary law to second-class status was usually maintained. Initially, many newly independent governments believed that measures to nationalise land would sweep away the inequities of tenure dualism and create unified systems of land rights that would bring prosperity to peasants and the urban masses alike.<sup>5</sup> The outcome was often rather different. Indigenous and settler elites continued to enjoy strong individual property rights both in towns and in the countryside. The rural poor, and some of their urban counterparts, continued to adhere to customary norms and tenure arrangements, far beyond the reach of the new states' policies and institutions.
  
18. Article Four of the Constitution of the Republic of Mozambique recognises legal pluralism and the Land Law 1997 accepts customarily acquired rights as legally equivalent to the 'land use and benefit right' (DUAT) awarded by the State. The Land Law sought to create a single legal system that made statute and imported common law paramount and which recognised that men and women had equal rights to immovable property, land and other natural resources. The recognition of customary law was subject to over-arching constitutional and legal provisions. Although customary law is hardly acknowledged in national legislation, it often continues to dominate real life, especially in rural areas and among the poor and underprivileged. However, there are no appropriate state oversight mechanisms to protect citizens against intra-community injustices, no village-level supports to help women enforce their land rights, and no penalties for intra-community discriminatory practices. Such lack of state oversight, combined with rural communities' lack of ready access to state justice fora, has meant that largely women's land rights have not been adequately protected and enforced.<sup>6</sup>
  
19. In Mozambique, land administration continues to be grievously underfunded and understaffed by qualified professionals, probably more so than in any other SADC country. As a consequence, it has not extended the benefits of secure tenure to people living under either statutory or customary tenure regimes.<sup>7</sup> As fertile land has become scarcer, and the HIV-AIDS pandemic has spread through rural areas, widows and their children have proved particularly vulnerable to loss of land and property rights. In the very limited places in which registration and titling programmes have been undertaken in the growing peri-urban areas, they have not automatically unlocked tenure security. While individual women who obtain land titles may feel their tenure to be more secure, it is not clear that statutory registration of title will serve to strengthen their status and role as users of the land in the absence of a robust system of land administration including

---

<sup>5</sup> Legal dualism and land policy in eastern and southern Africa, by Martin Adams and Stephen Turner, *Land Rights for African Development: From Knowledge to Action*, 2005, UNDP Drylands Development Centre, Nairobi. For policy brief see [www.capri.cgiar.org/pdf/brief\\_land-03.pdf](http://www.capri.cgiar.org/pdf/brief_land-03.pdf)

<sup>6</sup> *Mozambique Land and Natural Resources Policy Assessment*, by André Jaime Calengo, J. O. Monteiro and C. Tanner Centre for Juridical and Judicial Training, Maputo, 2007

<sup>7</sup> *Institutional Review of Land Administration & Design and Work Plans for Capacity Building*, HTSPE/VA, DNTF, Millennium Challenge Account (MCA), Mozambique

ready access to dispute resolution. It is not so much the law itself, but the weak administration of the law and the lack of knowledge among citizens that are to blame, especially with regard to the recognition of the equal rights of men and women.

20. Women's tenure insecurity in Mozambique prevails in what has been described as a 'low-information democracy' peopled by 'uncritical citizens' whose average literacy rates, levels of formal education and access to media rank lower than in many other low-income countries. Civil society organizations (CSOs) generally lack the capacity to serve as watchdogs on behalf of the public interest. However, the situation appears to be improving as talented and well-educated young professionals swell their ranks and CSOs link up with the global human rights movement and obtain financial support from international benefactors.<sup>8</sup>
21. The case for more emphasis on gender equity<sup>9</sup> in the CFJJ training was first made in the evaluation of GCP/MOZ/081/NET in 2007, which noted the increasing vulnerability of women to discrimination and landlessness. It was critical of the inadequacy of the project's treatment of gender issues. The presence of female trainees in the CFJJ courses was found to be low and insufficient consideration was being paid "to the occurrences of gender discrimination embedded in every day practices within communities and to the differential impact of development on men, women and children resulting from unequal control over land and property". A principal recommendation of the MTE in May 2007 was for FAO to 'recruit a full time gender specialist to support the mainstreaming of gender issues and analysis in all training and research activities by the CFJJ/Project'.<sup>10</sup>

## **2.2 Customary norms and contextual processes**

22. The neglect of women's land rights is an increasing concern because of the combination of customary norms and contemporary contextual pressures which tend to adversely affect women. Mozambique comprises numerous ethnic groups and varying sets of customary tenure arrangements. Broadly, these fall into two categories: matrilineal systems in the north and central parts of the country and patrilineal systems in the south of the country. Under matrilineal systems land rights are allocated through the maternal line; under patrilineal systems they are allocated through the paternal line.<sup>11</sup> However, in both cases the traditional authority for allocating land rights and making decisions about land tenure lie predominantly with men.<sup>12</sup>
23. Customary tenure arrangements allocate land rights according to social and gender relations. In the absence of land scarcity and commercial pressures on land, customary systems can work relatively efficiently in ensuring access to land for all. Land ownership, as understood in the formal, legal sense of comprehensive individual rights to

---

<sup>8</sup> *The Changing Dynamics of Foreign Aid and Democracy in Mozambique* by Carrie Manning and Monica Malbrough, February 2012 Working Paper No. 2012/18, UNU-WIDER

<sup>9</sup> Gender *equity* means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities.

<sup>10</sup> Mid-term Tripartite Evaluation, Final Report, Decentralized Legal Support and Capacity Building to Promote Sustainable Development and Good Governance at Local Level (GCP/MOZ/081/NET), FAO 2007.

<sup>11</sup> *The Big Picture: Land and Gender Issues in Matrilineal Mozambique*, by Ruben Villanueva, May 2011

<sup>12</sup> *Cultivating Women's Rights for Access to Land: Country Analysis and Recommendations for Afghanistan, Bangladesh, Burkina Faso, Ethiopia, Ghana, Guatemala, Malawi, Mozambique, Uganda and Viet Nam*, ActionAid International, October 2005

land, does not exist in most customary tenure systems. Instead, land belongs to the group – to the community / social and political group – and rights to use land are allocated to families to enable food production to meet the family’s economic needs. Often, in patrilineal systems, men are allocated land on marriage from their families which their wives will use for food production. In matrilineal systems, the couple are allocated land from the wife’s family, often by the maternal uncles. In neither broad category of customary system do men ‘own’ the land as individuals. However, it is generally accepted that men’s rights are stronger and more secure and women’s are more directly dependent on their relationship with their husband and male relatives.

24. In the context of land scarcity and commercial pressures on land, customary norms tend to break down, with adverse effects for women - because of the imbalance of power between men and women with respect to decision-making over land. For example, on widowhood, women would in the past have been able to stay on their land so as to keep producing food for their children either as guardians of the land for their young children or through more direct incorporation into their deceased husband’s family through ‘levirate marriage’ to a brother-in law or father-in-law. Equally, where widowhood was more usual due to old age and thus when children might be grown up, women’s rights to use the land they had used during their marriage would be secured through the protection offered by their adult male children who would inherit the family land.
25. Problems arise because of the contemporary context. Rising land values, due to land scarcity and the pressures of investors seeking to acquire land in rural areas, encourage male decision-makers to dispossess vulnerable women (such as widows). The problem is made worse by the HIV-AIDS pandemic, which has increased the rate of early widowhood, leaving affected women more vulnerable because they are more likely to be raising young children and may also be living with HIV-AIDS themselves. Further, there has been a disturbing trend (not just in Mozambique) of women being accused of witchcraft on the premature death of their husbands and being chased from their land. In the context of a high prevalence of HIV-AIDS in Mozambique, this is a major concern.<sup>13</sup>
26. Anecdotal evidence is that in such a context, land titles – ‘pieces of paper’ – give vulnerable rural women little real protection. Instead, what is needed is a deeper and more fundamental change in the social attitudes and values relating to gender equity to combat the adverse tendencies of customary norms.
27. This underscores the importance of giving significant attention to the mainstreaming of gender issues and analysis in all training and research activities undertaken by CFJJ and to the need to include rural men as well as women as target groups for activities that seek to change local normative behaviour and strengthen the rights of women in general.

### ***2.3 Mozambique’s land and natural resource laws and women’s rights***

28. According to Article 11, paragraph (c) of Mozambique’s Constitution, a fundamental objective of the State is ‘the creation of material and spiritual well-being and quality of life for citizens’. Thus the Land Use and Benefit Right or DUAT is a constitutional right and local communities are entitled to legal status arising from their customary land rights. Male and female citizens must benefit equally from this access, for example

---

<sup>13</sup> *Children and women’s rights to property and inheritance in Mozambique: Elements for an effective intervention strategy*, 2009, Save the Children and FAO

through rights over land, forest products, wildlife, water, and other resources that are essential to their well-being and quality of life.

29. The Land Law 1997 recognises the acquired land rights of urban dwellers and rural communities. It specifically requires that rural communities participate in natural resource management and in the resolution of resource-related conflicts. The Environmental Law 1997 includes important provisions for community participation and the defence of newly created, ‘diffuse’ environmental rights that are enjoyed by communities and other social groups as well as by individuals.
30. Under the Land Law 1997, Mozambique elevated all existing customary land claims and other claims acquired by occupation into formal, secure tenure. Registration of these existing land claims is not necessary – land holders have enforceable, secure land rights even without paper documentation of any kind. In particular, under the Land Law, ‘local communities who occupy land according to customary practices’ automatically ‘acquire the right of land use and benefit’ – the DUAT.<sup>14</sup>
31. Rights of land use and benefit are secure, inheritable, and can be transferred to third parties, either internally within the community or to investors through a formal consultation process. Investors may apply to the government for 50-year leasehold rights, after consultation and approval by the community within which the land requested is located. An investor seeking land is required to ensure that the investment will contribute to the well being of affected citizens, women as well as men.
32. Importantly, the land right is legally the same, regardless of whether it is acquired under customary terms, good faith occupancy, or government concession. One important difference, however, is that rights acquired by government concession must be registered, with the result that the national cadastre has been heavily weighted in favour of these mainly private sector concessions and has paid scant attention to the majority of rights acquired by occupation.
33. Women have equal rights to hold, to access and to derive benefits from land independent of any male relatives, and the statutory law is clear that this principle overrides any contrary customary rules. Second, in regard to individual titles, individual men and women who are members of a local community may request individual titles. The statutory law states that the right of land use and benefit may be transferred by inheritance, without distinction by gender. However, as stated above, under Mozambique’s law, there are no easily accessible state oversight mechanisms to protect citizens against intra-community injustices and as a result women’s land rights have largely not been adequately protected and enforced.
34. The reformed Family Law 2004 establishes gender equality in the family and states that marriage should not be seen exclusively as a union whereby women serve to produce children, but rather as an equitable union between equal partners. Husbands are no longer automatically considered the head of the family and parental authority thus replaces paternal authority. The Law guarantees gender equality in property ownership: married women have the right to register property jointly with their husbands. Moreover, it

---

<sup>14</sup> Christopher Tanner, *Law Making in an African Context: the 1997 Mozambican Land Law*. FAO, Rome, Legal Papers Online No. 26, 2002

stipulates the obligation to register customary or religious marriages with civil authorities and recognizes *de facto* marriages, or common-law marriages.<sup>15</sup>

35. The Family Law also protects informal unions between men and women. Men who live with women for years will frequently avoid formalizing these relationships because they cannot pay an adequate dowry to protect their property. After one year of life together both men and women have the right to 50% of all property built since they started the relationship. This is a different right than “herança” (inheritance) and is called “meação” (the right to the half of what was built together by the couple). Neither spouse has any right over what the other had before the relationship.<sup>16</sup>

**Box 1: Legislation impacting on natural resources and women’s land rights<sup>17</sup>**

Sectoral Laws	Framework Laws
<ul style="list-style-type: none"> <li>– Land Law, Law 19/97, dated 1<sup>st</sup> October;</li> <li>– Forest and Wildlife Law (LFFB), Law no. 10/99, dated 12<sup>th</sup> July;</li> <li>– Water Law, Law no. 16/91, dated 3<sup>rd</sup> August;</li> <li>– Fishery Law, Law no. 3/90, dated 26<sup>th</sup> September;</li> <li>– Mining Law, Law no. 14/2002, dated 26<sup>th</sup> June;</li> <li>– Petroleum Law, Law no. 3/2001, dated 21<sup>st</sup> February;</li> </ul>	<ul style="list-style-type: none"> <li>– The Constitution of the Republic</li> <li>– Environmental Law, Law no. 20/97 dated 1<sup>st</sup> October;</li> <li>– Territorial Planning Law (LOT), Law no. 19/2007 dated 18<sup>th</sup> July;</li> <li>– Tourism Law, Law no. 4/2004 dated 17<sup>th</sup> June;</li> <li>– Investment Law, Law no. 3/93 dated 24<sup>th</sup> June;</li> <li>– Law of Local Bodies of the State (LOLE), Law no. 8/2003, dated 19th May;</li> <li>– Local Government Law (LAL), Law no. 2/97, dated 18<sup>th</sup> February;</li> <li>– Family Law, Law no. 10/2004 dated 25<sup>th</sup> August.</li> <li>– Law Relating to Domestic Violence against Women, Law no 29/2009 of September 29</li> </ul>

**2.4 FAO’s past and present involvement in Mozambique’s land sector**

36. FAO has been advising on the country’s National Land Policy and related natural resource laws and their implementation since 1995 (see Figure 1).<sup>18</sup> Consistent with FAO’s global goals of food security, poverty alleviation and environmental sustainability,

<sup>15</sup> <http://www.fao.org/gender/landrights/report/en/>

<sup>16</sup> Source: Marianna Bicchieri, in commenting on the text of the MTE draft report

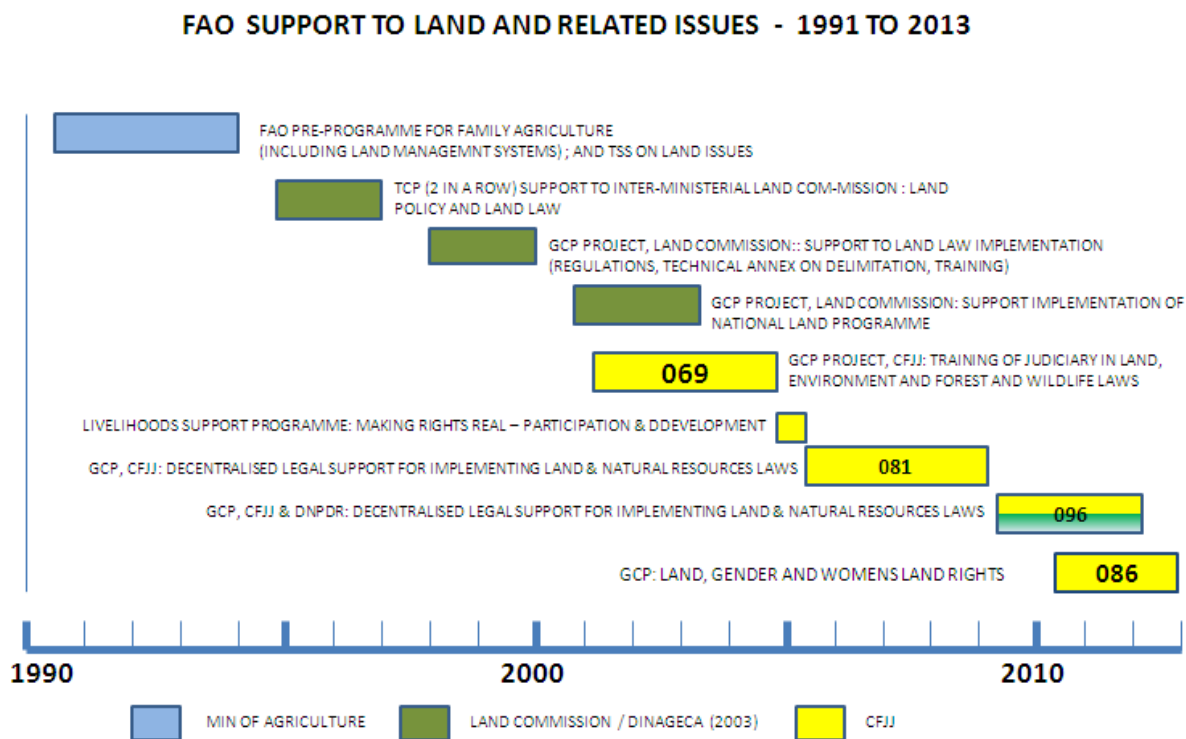
<sup>17</sup> Based on: *Land Policy, Legal and Regulatory Assessment*, HTSPE/VA, DNTE, Millennium Challenge Account (MCA), Mozambique, 2010

<sup>18</sup> GCP/MOZ/059/NET: Assistance to Mozambique in Developing and Implementing a National Land Programme; TCP/MOZ/2355: Support to the Ad-Hoc Commission on Land; TCP/MOZ/5612: Support to the Consolidation of the Land Commission; TCP/MOZ/2903: Support to the Development of a Territorial Planning Policy and New Legislation; GCP/MOZ/069/NET: Support to the Judiciary in the Implementation of New Legislation on Land, Environment Forestry and Wildlife; GCP/MOZ/081/NET: Decentralized Legal Support for Implementing Land and Natural Resource Laws; GCP/MOZ/096/NET Promoting the Use of Land and Natural Resources Laws for Equitable Development.

the Project is the most recent to target tenure insecurity among Mozambique’s rural poor. These goals and tenure security continue to have a high priority in FAO’s Country Programming Framework. In the 2012 global evaluation of FAO’s support to ‘tenure, rights and access to land and other natural resources’, the factors contributing to FAO’s successes in the country’s land sector are highlighted as follows:<sup>19</sup>

- Government’s interest in regulating land and natural resource use;
- Identification of national champions: the Ministry of Justice, the CFJJ, and DNPDR;
- Long-term engagement of FAO and concerned donors;
- Adoption of an inclusive and participatory approach;
- Integrating government and civil society officers in the training activities;
- Development of a training methodology.<sup>20</sup>

**Figure 1:**



<sup>19</sup> [http://www.fao.org/fileadmin/user\\_upload/bodies/Progr\\_Comm/PC\\_110-documents/MC957E\\_PC110-4\\_EvaluationTRA.pdf](http://www.fao.org/fileadmin/user_upload/bodies/Progr_Comm/PC_110-documents/MC957E_PC110-4_EvaluationTRA.pdf)

<sup>20</sup> Page 223, *ibid*

37. For a decade in Mozambique, FAO has supported the training and capacity development of rural communities, civil society organisations (CSOs), officials of national and decentralised agencies, including in the economic sectors, the judiciary and the police, as well as in the development and implementation of the legislation relating to tenure, rights and access to land and other natural resources.
38. The Project, GCP/086, builds on a preceding project, GCP/096, ‘Promoting the Use of Land and Natural Resources Laws for Equitable Development’, the three-month extension of which ended on the last day of June 2012. Rather than run separate paralegal and district officer training and capacity building, it was decided, from the outset, that GCP/086 should aim to reinforce and deepen the treatment of women’s rights in the wider CFJJ programme and to provide direct support to paralegals from women’s NGOs and communities who were working to defend the rights of women over land and natural resources. In addition to training directly-related to the Project and GCP/096, training assistance in matters relating to gender and women’s land rights has also been provided to the core activities of the Centre (i.e. the training of judges and public prosecutors) and in training the police and complementing the assistance of other development partners in the land sector (e.g. MCA/MCC, UN-Women).
39. The mid-term evaluation<sup>21</sup> of GCP/096, published in July 2011, concluded that the synergies between the two CFJJ projects (GCP/096 and GCP/086) required that that evaluation of GCP/096 should take into account how the overall FAO-supported programme of activities were performing, rather than adopt a more narrow focus just on the GCP/096 Project. Likewise, one year later, in June 2012, the mid-term evaluation of GCP/086 cannot be easily separated from an assessment of GCP/096.

## ***2.5 Land policy developments in Mozambique since 2010***

40. In recent years, government land policy has favoured the development of large-scale agriculture and the allocation of substantial areas of land for commercial agriculture, including biofuels and forestry. As land pressure grows, what constitutes ‘community consultation’ and ‘free, prior and informed consent’ to the acquisition of community land by investors has become increasingly contentious. Very large land concessions are reported to have been granted to foreign investors without the consent of the affected local communities<sup>22</sup>, although the extent to which these concessions have actually been developed is in doubt.
41. There is concern not only about large-scale land alienation by foreigners, but also by the local elite, especially in coastal areas with potential for tourism development. Large-scale land acquisition has failed to promote rural development and poverty reduction, leading to rethinking and growing debate within Mozambique. A new agriculture policy approved in May 2011 put the emphasis on small-scale commercial farming and domestic investment. A process of community land registration to secure communities’ land rights is under way for 10 million ha<sup>23</sup>.

---

<sup>21</sup> Promoting the Use of Land and Natural Resources Laws for Equitable Development, (GCP/MOZ/096/NET) [http://typo3.fao.org/fileadmin/user\\_upload/oed/docs/GCPMOZ096NET\\_2011\\_ER%20.pdf](http://typo3.fao.org/fileadmin/user_upload/oed/docs/GCPMOZ096NET_2011_ER%20.pdf)

<sup>22</sup> *Land Grab or Development Opportunity? Agricultural Investment and International Land Deals in Africa*, by Lorenzo Cotula, S. Vermeulen, R. Leonard and J. Keeley pp 61-70 London and Rome: IIED, FAO and IFAD Cotula 2009; <http://www.fao.org/docrep/011/ak241e/ak241e00.htm>

<sup>23</sup> *Understanding Land Investment Deals in Africa, Country Report Mozambique* by Joseph Hanlon, The Oakland Institute, 2011



42. On 20 October 2010, the Prime Minister announced that a Land Consultative Forum (LCF) would review government's land policy. In setting up the Forum, the Council of Ministers stated that the food crisis and the search for land for non-traditional uses such as biofuels, forests, and nature reserves were putting more pressure on land and natural resources. The Council of Ministers gave the LCF a list of urgent issues to debate, including those relating to community land, women's land rights<sup>24</sup>, conflicting interpretations of the law, and the adequacy of investment plans. The Forum first met in March 2011, headed by the Minister of Agriculture and involving some 200 participants. Since then, there have been three sessions; a fourth is scheduled for October 2012. The secretariat for the process is located in the National Directorate of Lands and Forests (DNTF) under the Ministry of Agriculture and FAO has agreed to assist in the current land policy development process, as it did two decades ago.
43. A three months' extension was granted to GCP/096 to the end of June 2012, among other things, to explore ways in which FAO might provide technical assistance to the DNTF in support of its work with the LCF. For these and other land-related purposes, FAO has fielded a three-person mission. The report of the GCP/096 extension was expected at the end of June 2012. The extension mission will be of great importance if it can identify ways in which Mozambique's national land administration can be helped to move out of the doldrums in which it has been becalmed for a decade or more. At the root of the problem is the scarcity of financial and human resources currently made available to carry out its mandate, which is to oversee land administration in a country that is roughly the size of Norway and Sweden combined - over 800,000 square km.
44. Since 2009, the Land Component of the Millennium Challenge Account (MCA) in Mozambique has been facilitating a programme of improvements in land administration and land rights registration systems through an integrated programme of institutional capacity building, policy and legal reviews.<sup>25</sup> The MCA Land Component, which has had at its disposal resources far in excess of those available to the DNTF, is due to come to an end in mid-2013. It is understood that the GCP/096 extension team is working with DNTF to explore ways, with the MCA, the Community Land Initiative (iTC) donors and the World Bank to move land administration forward following the withdrawal of MCA support.
45. As noted in the TORs for the MTE of GCP/086, the proposals currently being drafted for a new FAO cooperation agreement involving the DNTF at the national level are unlikely directly to affect the CFJJ training activities, conducted under the authority of the MoJ, which in the case of the Project have involved the training of officials attached to the Provincial Geographic and Cadastral Services (SPGCs) and related district staff, rather than those located in the Capital, within the DNTF.

---

[http://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI\\_country\\_report\\_mozambique\\_0.pdf](http://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_country_report_mozambique_0.pdf)

<sup>24</sup> As it has turned out, the question of gender and women's rights is not in fact amongst the priorities of the LCF agenda.

<sup>25</sup> HTSPE Ltd, a UK company, has been contracted, with support from a national partner, to provide technical support to these activities in the four northern provinces of Zambezia, Nampula, Cabo Delgado and Niassa.

### 3 Concept and relevance of the Project

#### 3.1 Design

46. In consultation with the FAOR in Mozambique and NRL and ESW in Rome, the Project Document was finalised by LEGN in May-July 2009, along with the documentation for GCP/096. This followed an extended period of preparation and consultation in Mozambique involving the key stakeholders and Norway's MFA. The LF (see Annex III.i) for the Project aims to identify the strategic elements (inputs, outputs, outcomes and impact) and their relationships, indicators and assumptions (or risks) and to explain how the development objective is to be achieved, including causal relationships. It is therefore central to the management of the project and this evaluation as it provides the basis for 'results-based management' (RBM).
47. As previously stated, the MTE of GCP/081 had recommended that a full-time gender specialist be recruited 'to support mainstreaming of gender issues and analysis in all training and research activities of the CFJJ/Project'<sup>26</sup>. The expectation was that the new international TA would join the ongoing project, which still had a year to run.<sup>27</sup> The question why it was subsequently decided to launch two projects rather than a single intervention was not pursued by the MTE. Perhaps a separate project was unavoidable, due to issues of 'joint programming' and the need to access more resources than would have been possible for a single project.
48. The Project Document (page 7) refers to three principal project 'components' that may be summarised as follows:
- Providing gender training and paying special attention to women's rights to land and other natural resources in training for NGOs, associations and local government and in gender training for all CFJJ projects and programmes, not only under GCP/096, but also CFJJ's core training programme for judges and public prosecutors.
  - Developing and using gender-advocacy and information material at national, provincial and local level to promote women's land and natural resource rights.
  - Provision of 'technical support' to paralegal and government trainees when they return from training to their posts in the provinces and districts.
49. The third item above is by far the most challenging—because trainees come from NGOs and communities widely scattered over much of the country.
50. Thus, in addition to ensuring:
- that public sector staff at district and senior level understood women's land rights issues and were better able to support local women within a wider rural development context (Output 3),
  - that partner organizations were better able to deal with women's land rights issues (Output 6),
  - that judges and public prosecutors were also better able to deal with women's land rights issues (Output 7),

---

<sup>26</sup> See recommendation 181 iii of MTE of GCP/MOZ/081/NET.

<sup>27</sup> In a meeting in April 2007, to prepare the Management Response to the MTE of GCP/081, recommendation 181 (iii) to appoint a gender specialist was accepted and reference was made to ongoing discussions with Norway about the recruitment of the said gender specialist for actions to be taken in January 2008.

- that there was greater awareness of project issues within CFJJ and the measures needed to address them (Output 8),
  - a significant additional activity was added, namely that some communities were to be included in training and follow-up (Outputs 2, 4 and 5), which involved working with the paralegals who had attended the training courses, advising and assisting them with their subsequent work and providing technical support. The LF anticipates the Project would train 12 paralegals per year from rural communities throughout the country and provide them with technical support after their training.<sup>28</sup>
51. Questions must be asked about the project design that was finally agreed and the feasibility of this last community-level ‘technical-support’ element for paralegals. Setting apart the scope and scale of such an undertaking, how could a state institution attached to the Ministry of Justice undertake such a task? This question was raised at the debriefing of the MTE of GCP/096 in June 2011, when it was concluded that CFJJ must decide if it wanted to be a public interest law centre or a state institution for training the judiciary. There is a discernible conflict between its role as a training institution and its ability subsequently to provide open-ended follow-up and technical support to paralegals and others as they encounter cases for which they need help.
52. Community-level fieldwork and follow-up of trainees would be acceptable if the purpose was simply to conduct research and gather information to improve the training course and improve its relevance. This is a fine line to tread, but the distinction is not clearly made in the Project Document. Indeed, under the heading of ‘Component Two’ (page 7) there is the clear intention that the Project would engage in the provision of technical support to project trained field staff and partner organisations, when they return to their posts and begin to put into practice what they have learned in the CFJJ programme. This would suggest that CFJJ takes on the role of a public interest law centre such as the ‘Legal Resources Centre’ in South Africa or the ‘Legal Assistance Centre’ in Namibia, which must be considered out of the question for an organisation representing the State.
53. **Institutional and management:** Although a self-standing initiative with a separate LF, it was clearly envisaged that the Project would be integrated with an ongoing project within the implementing institution, the CFJJ. This was logical as the two projects had complementary objectives and overlapping target groups and were both supported by FAO technical assistance. Progress reports of both projects mention activities that were co-financed or financed by the other project, to try to keep clarity on this issue. However, while the integration of the two projects may have been logical for FAO and CFJJ, it has caused uncertainty within Norway’s MFA as to what exactly it was funding. There is also the risk (unintended or intended) of ‘double invoicing’ – one which is not

---

<sup>28</sup> In response to the draft report, comments to the MTE on the background to what might in retrospect be considered design flaws in GCP/086 were as follows: *A first project document, which included a substantial component of community level support to rural women, and implemented by an NGO partner, was rejected by FAO Rome at the very last minute, on the grounds that it would undermine the more collectively managed, community-rights based approach supported by FAO in all of its previous work in Mozambique. A new version of the project had this component removed, with the expectation that it would be separately funded on a bilateral basis directly by the Embassy and the NGO partner. The direct operational link between the capacity building work of the CFJJ programme and the community support activities was thus critically removed and subsequently proved difficult to reconstruct using more informal methods that assumed levels of collaboration that were not in fact always readily accessible.*

uncommon in development assistance where there are donors funding the same agency and when financial reporting may not be adequately integrated.<sup>29</sup>

54. **M&E and RBM:** For each of the assumptions in the LF, there is a corresponding risk. For example, there are risks that adequate field surveys of problems facing paralegals will not be carried out, that competent staff will not be in place and/or are not sufficiently motivated to conduct the research, and that activities and impact will not be tracked. In the practice, these risks were not averted by the Project.
55. Both GCP/096 and GCP/086 have encountered problems as a result of CFJJ's failure to put in place satisfactory M&E systems. However, as has been recognised for almost a decade, donors insisting that aid recipients strictly adhere to formal M&E can impede capacity development because a major effort is necessary to establish and operate the systems needed. The process can divert resources from the primary mission of an organisation. International research has shown that accountability is an important driver in RBM approaches and that 'endogenous' measures to achieve accountability are more effective in encouraging better performance and ownership than imposed 'exogenous' ones. In other words, a change in attitudes towards M&E has to come from donors and development agencies as well as from recipients. RBM approaches cannot be imposed from outside.<sup>30</sup>
56. It is apparent that formal RBM approaches to programme design and performance monitoring have a role to play in capacity development projects under well-defined conditions. However, some of the higher-level indicators, such as are included in the LF for the Project, tend to assume rapid results. In reality, changing discriminatory attitudes in customary societies is a long-term process.<sup>31</sup>
57. **Time-frame for implementation:** Although the 3-year time span of the project is from the date of arrival of the international TA, the late posting of the TA by some 9-10 months has had implications for the realization of the project's objectives. Both GCP/086 and GCP/096 were planned to run together. In the event, they have overlapped for only two of the planned three years, during which time the international TAs involved have benefited from mutual support. It is important that, with the departure of the CTA of GCP/096 at the end of June 2012, the Land & Gender Project does not lose the momentum which it has gained in the last two years.

### **3.2 Relevance**

58. This is defined as 'the extent to which the objectives of a development intervention are consistent with beneficiaries' requirements, country needs, global priorities and partners' and donors' policies'.<sup>32</sup>
59. In the debriefing meeting of the MTE, the team stated that the Project was clearly in line with the needs and priorities of the various stakeholders (See Box 2). With regard to the

---

<sup>29</sup> The MTE is not equipped to conduct an audit of the project accounts. If FAOR and/or MFA judge this to be necessary they will know how to proceed.

<sup>30</sup> See research by David Watson for the European Centre for Development Policy Management (ECDPM) <http://www.ecdpm.org>

<sup>31</sup> As pointed out by a participant in the debriefing meeting in June, getting rid of gender discrimination can be a long-term process in modern societies too, even in FAO.

<sup>32</sup> <http://www.oecd.org/dataoecd/29/21/2754804.pdf>

donor's policies, it was pointed out by the donor's representative that Norway's support to the Project is in the context of the Norwegian Government's 'Action Plan for Women's Rights and Gender Equality in Development Cooperation'<sup>33</sup>, particularly in the matter of 'formalisation' of property rights. See quotation from page 18 of the Action Plan below:

*It is important to ensure that formalisation of property rights takes the gender perspective into account in order to prevent greater economic marginalisation, for example through the privatisation of collective and user rights that women have traditionally benefited from. Women's productivity is limited by poor access to resources in the form of tools, new technology, credit, education and training, and markets. The failure to acknowledge the part played by women and their potential as economic actors is a barrier to economic development.*

**Box 2: Relevance of the project in terms of requirements, needs and priorities**

- beneficiaries' requirements: tenure and livelihood security free from gender discrimination
- country needs: "material and spiritual well-being and quality of life for citizens" (Constitution)
- global priorities:
  - MDG 1 Eradicate extreme poverty and hunger
  - MDG 3 Promote gender equality and empower women
  - MDG 6 Combat HIV/AIDS (the affected and the infected)
- partners' policies (CFJJ): concerned with access to justice for all citizens
- donors priorities: the Norwegian Government's 'Action Plan for Women's Rights and Gender Equality in Development Cooperation'

60. The MTE notes that, notwithstanding Norway's concern for women's land rights, in line with the Paris Declaration on Aid Effectiveness and the harmonisation and alignment of ODA and in the context of Norway's Mozambique country programme, the MFA is keen to focus on specific sectors, principally the energy and fisheries sectors. It is not clear that its involvement in the land sector will continue to be compatible with this policy. The Norwegian Embassy has not developed close links with the other donors in the iTC group and the transaction costs involved with staying with land may be considered to be too high.

---

<sup>33</sup>The 2007–2009 policy of the Ministry of Foreign Affairs <http://www.oecd.org/dataoecd/38/57/38830980.pdf> postdates the earlier 'Commission on the Legal Empowerment of the Poor' which was also strongly supported by Norway, but latterly taken over by UNDP. It will be noted that the emphasis in the quotation from the current MFA policy is on gender equality in matters relating to the formalisation ('privatisation') of collective rights. The scope of the Mozambique Project and the land and gender training is much broader, namely empowering women to challenge inequitable customary norms in relation to land and other natural resources.

## 4 Implementation

### 4.1 Budget and Expenditure

61. Under Article II of the Agreement, the Kingdom of Norway undertook to contribute NOK 14.6 million for the implementation of the Project. At current exchange rates, this amounts to US\$ 2.42 million.<sup>34</sup>
62. The initial total budget for the Project was estimated to be US\$ 2.163 million. It is reported by Norway's MFA that, on the signing of the Agreement in July 2009, some US\$ 800,000 was transferred to the project account, which remained largely unused for a year.
63. Up to the end of May 2012 (i.e. two years after the arrival of the TA) the Project had used US\$ 1,300,648, (about 66% of the total project budget) leaving a balance of US\$ 862,167<sup>35</sup>. The budget was unchanged by budget revision "B" in May 2012. The budget estimates at the end of May 2012 indicate that the Project will be completed within the initial budget ceiling, even with an anticipated increase in training costs in the following 11 months; costs which can no longer be shared with GCP/096 following the termination of its training operations at the end of March 2012.
64. **Cost of outputs:** The MTE team were told that the marginal costs of training courses for government officials and paralegals are higher than they need be. Most of the training takes place in residential courses located in provincial centres far from Maputo. Trainees are normally drawn from the provinces in which they are trained, but CFJJ trainers have to fly in, mostly from Maputo. Based on a CFJJ quotation for a 14-day training course funded by MCA at Lichinga, the Capital of Niassa Province, in April 2011 for some 25 trainees, the total cost per trainee was US\$1,787.00. This included: the cost of air travel<sup>36</sup>, fees, per diems, etcetera of seven trainers and one administrator was US\$871.00 per trainee; the cost for food and lodgings was US\$674.00 per trainee (or \$48.00 per trainee per day); and other costs (transport for field work, materials, hire of lecture hall, etc.) were US\$242.00 per trainee. Based on the FAO/CFJJ Letter of Agreement, dated 13 April 2012, for two planned paralegal courses conducted by CFJJ, the cost per trainee of a 14-day training courses, funded entirely by GCP/086, amounted to US\$1,701 per trainee. This included: the costs (inclusive of air travel, fees, per diem, etc) of seven trainers and one administrator at US\$486.00 per trainee; the costs of food and lodgings of US\$866.00 per trainee per course (or \$61.85 per person per day; and other costs, namely transport from districts and for field work, course materials, theatre players, etc.) at US\$349.00 per trainee.
65. Perhaps costs could be reduced by reducing the number of trainers and increasing the number of trainees per course. The Project has tried to reduce some of the training course costs, e.g. by providing trainees with an allowance of about US\$30.00 per night and

---

<sup>34</sup> This represents the value of NOK 14.6 million on 12/06/12. Exchange rates will have varied over the life of the project and so will the total value of the Norwegian grant to the Project.

<sup>35</sup> Project Status Report end of May 2012 (source: FAOR)

<sup>36</sup> Airfares on the state-owned airline which has a monopoly are particularly high, partly because of the very great distances involved.

leaving them to find their own accommodation, instead of accommodating trainees in hotels.

66. A first impression may be that the charge-out rate for CFJJ trainers on training courses is high at circa US\$170 per day. Note however that the CFJJ trainers are all qualified lawyers. The MTE team, who witnessed a paralegal course in Inhambane, recognise the CFJJ trainers to be highly motivated and well-versed in the principles of non-formal adult education – focussing on the learner’s needs, using the learner’s experience as a resource, a relaxed and impromptu atmosphere and participatory techniques. Information on the proportion of the charge-out rate that is actually disbursed to the trainers is not available. It is reported that for the training course in Lichinga, funded by MCA, some of the trainers refused to take part on the grounds that they were not being adequately compensated. Instead of 7-8 trainers just 4 CFJJ trainers participated, in addition to the Project’s international TA.

## **4.2 Project Management**

67. **Start-up problems:** As noted, the actual start of the Project, in May 2010, was nine to ten months after the signing of the Agreement, largely due to delays in recruiting a TA.<sup>37</sup> There then followed a second delay in the Project’s ability to proceed with operations, first and foremost in respect of Output 1, because of concerns on the part of CFJJ about the recruitment of the two national TAs specified in the Project Document. This envisaged a three-person team running the Project, comprising an international Project Coordinator, a national Gender and Women Rights Researcher and a national Legal Training Officer/Gender Specialist. It was intended by FAO that the national staff should be recruited by the Project for its duration. CFJJ insisted that sufficient internal capacity already existed in the Centre and two of its staff should be seconded to the Project. However, neither was a lawyer and only one had any relevant experience of natural resource laws and the training of paralegals.<sup>38</sup>
68. **Knock-on effects:** The implications of this major change at the beginning of the Project have been significant and have continued to have knock-on effects. First, instead of reporting to the CTA of the FAO programme (Project Coordinator of GCP/096), the two national staff members remained formally within CFJJ reporting structures and were also expected to continue performing their usual jobs within CFJJ as well as contributing to Project activities. This meant that the international TA had to take on work beyond the scope of her own TOR. The national Legal Training Officer/Gender Specialist was intended to be responsible for the conduct of gender training in the CFJJ courses supported, but instead this role had to be fully taken on by the international TA, due to lack of qualifications and experience of the national staff member.
69. Once the CFJJ staff members were seconded to the Project, and within the constraints caused by the reporting arrangements and other pressures on their time, the international TA developed work plans and took strategic decisions about how to proceed with the different project activities in consultation with CFJJ partners and the FAO programme CTA. At the time these seemed appropriate, but further problems arose in two specific

---

<sup>37</sup> It is reported that the delays arose not because of the unavailability of the candidate but inefficiency on the part of FAO’s Human Resources Management Division. The successful applicant was interviewed in November 2009 and informally informed of her appointment, but not formally engaged until April the following year. .

<sup>38</sup> Project Progress Report 2010, p.3.

areas. First, they arose in relation to the project's activities involving working with communities and conducting follow-up support of paralegals (under Outputs 2, 4 and 5). Second, in relation to the project's research and advocacy activities (under Outputs 7 and 8).

70. **Work with communities:** This activity was initially agreed with CFJJ and included in the Project Annual Work Plan for 2011, but little progress was made with implementation. It was not until nearly the end of 2011 that it was decided by CFJJ that the community and follow-up work as envisaged in the project design could not be carried out by the Centre. At this point, the international TA began working on developing a new strategy, namely to pursue these activities through NGO service providers. The Project signed a letter of agreement by which AMUDEIA will provide follow-up support to 11 paralegals in their work with some 60 communities. In mid-July 2012, the Project reported that it was in the final stages of reaching a similar agreement with CTV, which would work with some 40 paralegals, for whom a refresher workshop would be organized with CFJJ support. A similar strategy is being discussed with ORAM in Sofala Province.<sup>39</sup>
71. **Research and advocacy activities:** These have also been subject to delays due to the location of the two seconded staff members within the CFJJ Research Department at a time when it has been subject to internal tensions and changes of management. Moreover, the position of the two seconded team members within the Research Department, with their department-related workloads, has severely limited the time they have been able to spend carrying out research work for the Project. It has been impossible for the Project to monitor the project-related research activities or to verify that fieldwork for the research has actually been carried out in line with agreed plans. While two potentially valuable pieces of research were organised and funded under a LoA, there have been considerable delays in the analysis and writing-up of the work. Although preliminary reports were submitted in November 2011, these reports had still not been finalised at the time of the MTE in early June 2012. The CFJJ Research Department was unable to provide copies of the latest versions of the reports to the MTE team on the grounds that they were not yet finalised.
72. **Project operations management:** Two aspects have been problematic. First, due to lack of capacity within CFJJ, concerns have been raised about the speed and accuracy of financial reporting on Letters of Agreement (LOA) by CFJJ, which has on occasions delayed the replenishment of funds and the work programme. Secondly, the initial institutional set-up of the Project, as administratively and operationally part of the ongoing FAO programme at CFJJ, therefore sharing FAOR administrative and support staff with GCP/096, placed administrative burdens on the international TA and reduced the time available for her technical work. These difficulties were eventually recognised by FAOR and in early 2012 a full-time Administrative Assistant was recruited to work with the Project, which was henceforth operationally separated from GCP/096. Since then, all aspects of day-to-day management are reported to have greatly improved.
73. **Plans for the coming months:** A project work plan for 2012 was agreed with the Centre's Director in February 2012. It takes into account the wider project and

---

<sup>39</sup> The MTE has not had sight of these agreements between the Project and the NGOs or received any information about the financial resources needed for implementing them.



programme management and operating environment, as it has evolved, and sets out a clear strategy for effective use of the remaining project resources. For example, the Project has taken over the direct funding of paralegal training courses and district seminars previously funded by GCP/096. The Project is also devoting resources to three research projects, of which two are likely to be outsourced or directly organised by the international TA, due to time pressures and availability constraints of the CFJJ Research Department. There are also plans for the international TA to develop existing CFJJ research and new research into normative products such as briefing notes and case studies for distribution to practicing paralegals and for incorporation into the training programmes.

74. **Exit strategy:** The international TA had been preparing one of the national staff members to take on a direct role within CFJJ as a gender trainer, but unfortunately this person left CFJJ in early 2012 to move to Angola. In May 2012, the international TA was still personally responsible for serving as a facilitator and trainer on the gender modules of all CFJJ courses and there was no obvious person remaining within CFJJ who could be prepared to take on this role. If CFJJ is to continue with land and gender training, urgent consideration must be given to how this can be addressed before the Project ends in May 2013.
75. **M&E and impact study:** An independent Impact Study, not envisaged in the LF, has been commissioned by FAOR on behalf of the two projects (GCP/086 and GCP/096) to determine *impact*, namely ‘the positive and negative, primary and secondary *long-term effects*’ produced by the two projects. This study aims in part to compensate for earlier failures to put in place an adequate monitoring programme with initial baseline surveys carried out.

### **4.3 Technical Backstopping**

76. Appropriately, the Lead Technical Unit (LTU) for the Project in FAO Rome is the Development Law Service (LEGN), with the Gender, Equity and Rural Employment Division (ESW) and the Land and Water Division (NRL) in support.
77. Apart from a brief e-mail enquiry in Mozambique to the back stoppers in FAO Rome, the topic was not pursued in any detail by the MTE. In the course of the evaluation, no substantive issue was raised by any party about the ‘extent, timeliness and quality of technical backstopping of the Project received from involved units in FAO’. The backstopping team in Rome participated by video link in the MTE debriefing meeting in FAOR on 4 June 2012 and commented usefully on the presentation (see Annex I.v.). Due account has been taken of their comments.
78. A testing time for the backstopping team will be in following up some of the more delicate issues raised by the MTE that require attention in support of the Project’s international TA in the closing months of her assignment.

### **4.4 Government’s participation**

79. Section 2.4 of this report lists some of the important factors behind FAO’s long-term successful involvement in support of the land sector in Mozambique. These include the Government’s interest in regulating land and natural resource use and the commitment of the Ministry of Justice and the CFJJ to ensuring that all citizens have access to information on the relevant laws and regulations; not least those laws relating to

women's land rights. In this respect the training of government officials and civil society's paralegals in gender matters is recognised by the Ministry to be absolutely crucial.

80. In the unavoidable absence of the Minister, the Permanent Secretary graciously invited the MTE team and the CFJJ/FAO Project to discuss the MTE's interim findings. She assured the meeting of the Minister's continuing interest and commitment to the Project and promised to take up issues relating to the sustainability of work initiated by the Project: viz. (i) the CFJJ's future financial viability within the government budget, and (ii) strengthening the status of paralegals by some kind of formal recognition by the justice system – (a) including the rights, responsibilities and relationships of paralegals in regulations attached to an existing statute and (b) discussing their incorporation within an officially recognised professional association.

## **5 Results and contribution to stated objectives<sup>40</sup>**

### **5.1 Outputs and outcomes**

81. A list of project outputs and activities in respect of training, publications and advocacy materials is provided in Annex III.vi *Summary of Project outputs and activities vis-à-vis the Logical Framework*, and in Annex III.vii *Summary of Recommendations vis-à-vis the Logical Framework Outputs and Activities*
82. As explained in Chapters 3 and 4, the CFJJ/FAO project management was unable to adhere strictly to the design as originally set out in the LF. Little if any direct work was possible by the Project with communities and the publication of important research by CFJJ researchers is either delayed or has not been carried out. However, the MTE concludes that over the last two years gender issues and analyses have been mainstreamed into the programme of CFJJ, the primary institution responsible for in-service training of the country's justice system – from judges to 'barefoot' paralegals.
83. Important capacity building targets relating to the training of paralegals and officials have been more than met. For example, under Activity 2.2, by May 2012, 11 paralegal courses had been conducted and three more are planned to take place before the Project closes. This is almost 50% more than initially planned. There was a target of 225 paralegals to be trained by the Project (20-25 per course); 256 paralegals had already been trained by May 2012.
84. Other project outputs and activities include the review of subject matter and materials and development of two complementary gender training modules for the Centre's paralegal training course and the district seminars, under Activity 2.1<sup>41</sup>, which employ an appropriate non-formal adult education approach and are judged by the MTE to be of great practical relevance for the training of paralegals and district officials in matters relating to women's legal rights to land and other natural resources. The Project has also met or exceeded targets for the preparation and production of paralegal training manuals and other normative products including advocacy materials under Activity 7.1, 7.2, 7.3, 7.4 and 8.4.

---

<sup>40</sup> The term 'results' includes outputs, outcomes and impact.

<sup>41</sup> Project Progress Reports 2010 and 2011.

85. The MTE is not in a position to assess the extent to which the overall Outcome has been achieved, as it is generally expressed in the LF.<sup>42</sup> Generally, the Project has not been able to help specific communities, but has been working with NGOs that are themselves working at field level (Activity 6.1). The Project has also cooperated with other partners such as UN-Women.
86. The MTE has collected strong evidence that the Project has obtained positive results in boosting the participation of women in the CFJJ courses, as well as raising the awareness of other actors of the necessity of strengthening women's land rights in accordance with the law (see Annex 3 – sections ii, iii, iv, v, and vi). These other actors include provincial and district officials and senior managers in the public service, mostly men. The joint participation of paralegals and officials in the training courses is proving to be an important means of building rapport among government officials and civil society organisations.

## **5.2 Capacity development**

87. The MTE concludes that the Project is working in a manner which is contributing to the desired Outcome through the capacity development of a wide range of government and civil society members. The MTE team further concludes that, with the resources made available by Norway, the CFJJ/FAO Project has made every reasonable effort to train and empower women's organisations and their members in matters relating to women's land rights.
88. **Women's organisations:** For example, following the Beira paralegal training course in October 2010, a number of women participants from the AMUDEIA association decided to hold community meetings about women's land rights. From this emerged a demand from some vulnerable individual women in some areas to pursue individual titling – to obtain DUATs to protect their land rights. The AMUDEIA association organised itself to support these women, and obtained pilot funding in the amount of \$8,000 from the national NGO and umbrella organisation Forum Mulher to pursue this, and some successes have been achieved. Most of this work took place in the semi-rural area of Manhiça, but three individual cases were also supported by an AMUDEIA member in Mafambisse, in rural Sofala Province, who has been working alone as a paralegal since the Beira course.
89. It is understood that such modest initiatives are not sufficient to secure land rights for vulnerable women without substantial changes in gender relations and overall improvements in the country's land governance in Mozambique. Nonetheless, the initiatives described sprang from the motivation by the Project of the paralegal training course participants to go back to their communities and share their new knowledge about gender equality and land rights. It is thus a positive sign of the potential for more substantial impact, given systematic follow-up and modest support for practicing paralegals.

---

<sup>42</sup> 'Rural women with secure land and resource rights, both in the community context (greater role in land management, customary rules adapted and reformed) and as individual rights holders, able to use their rights for their own/ family socio-economic advancement'

90. **UN-Women:** A second positive sign of the potential for longer term achievement of the Project Outcome through capacity development arises with respect to the collaborative work that the Project has undertaken with UN-Women from late 2011.<sup>43</sup> This was not something specifically envisaged in the LF, but consistent with Output 6. It arose from UN-Women's request to the Project to support training on gender and land rights for members of some of Mozambique's 45 registered associations of women living with HIV-AIDS.<sup>44</sup> The collaboration has resulted in a joint training seminar (in March 2012) and the development of a Charter for HIV+ Women, which was due to be presented to Parliament in May-June 2012. The MTE team were able to speak with two of the women who had been involved in the UN-Women training seminar. They had secured places as participants on the Inhambane paralegal training course in order to further develop their knowledge and skills to continue their work through their associations. The women were well motivated, inspired and inspiring and provide an example of the benefit of the course to the many former training course participants that were interviewed by the MTE team.
91. A final point on the potential of capacity development for achieving the Outcome is that the high demand for, and appreciation of, the Project's activities, services and normative materials. All former trainees appreciated the manuals and the extensive collection of documents and resources they received during the training courses. NGOs and associations, as well as individual paralegals, who had seen some of the advocacy materials such as banners (posters) and calendars, requested more of these for distribution in the communities where they are working and holding meetings.
92. The immediate impact of the training on gender and women's land rights on the trainees was very evident from their appreciation of and enthusiasm for the course and the materials, as already mentioned in the report. Whilst the broader Outcome cannot be quantified, the MTE finds that it is a pointer to the potential of this type of activity to have an impact on the strengthening of women's land rights, not only in Mozambique but in the region as a whole. The issue of how sustainable the impact might be is discussed below.

### **5.3 Sustainability**

93. **CFJJ's training courses:** There are several reasons to be concerned about the continuity of the CFJJ training initiatives in matters relating to land and natural resource laws.
94. In the absence of a qualified national replacement for the international TA to take on the role of CFJJ Legal Training Officer/Gender Specialist, there is doubt about the future of CFJJ's land and gender training. The international TA had been preparing one of the national staff members within the Centre as a gender trainer, but unfortunately this person had to leave in early 2012. Without a replacement female jurist in CFJJ, then a well-informed and competent male trainer may be able to take over the task. Another possibility may be for CFJJ to contract a qualified woman jurist from outside CFJJ for the purpose. Both options should be explored as a matter of urgency and a suitable

---

<sup>43</sup> FAO is actively involved in the UN Reform – Delivering as One – as Mozambique is one of the eight pilot countries where the UN reform process was initiated. The project addresses and implements outputs foreseen under the good governance and HIV-AIDS pillars, complementing the work of other UN Agencies providing technical support to these areas (Project Document, Page 10)

<sup>44</sup> It is noted that the project title and Project Document makes references to HIV-AIDS, but it is not mentioned in the LF.

candidate should be in place for the remaining paralegal training courses to be conducted under GCP/086 while the international TA is still available to provide advice and assistance before the Project closes at the end of May 2013.

95. Regarding the question in the TORs (page 3)<sup>45</sup>, it is understood that with the continuing help provided by the FAO Administrative Assistant at the CFJJ, and with the balance of project funds remaining, the Project should be able to stage the remainder of the paralegal training courses successfully, as it did unaided by GCP/096 in Inhambane in May 2012.
96. In the coming year, there is concern for the survival of CFJJ itself, because of the scheduled termination of support provided by FAO and, more importantly, by Denmark for the core activity of the Centre, namely the training of judges and public prosecutors. Thus the funding issue does not relate only to the land and environmental training, which is an important but relatively small part of the CFJJ's programme but to wider strategic questions that underpin the whole public funding framework of the CFJJ as an institution.
97. Without more information on the CFJJ's overall teaching programme and potential sources of income and expenditure, it is not possible for the MTE to reach conclusions about the institution's viability. According to the Permanent Secretary of the Ministry of Justice, a study is being undertaken by the Ministry to determine the funding necessary to continue CFJJ training, not only the judges and public prosecutors, but also the training of paralegals and officials in matters relating to natural resources, land and gender. The study must be finalised for next year's budget negotiations. However, the MTE concludes that despite the wishes of the Ministry of Justice and the CFJJ to continue the courses, it is unrealistic to expect this to be feasible beyond mid 2013 without new sources of external funding.<sup>46</sup>
98. **Support for the paralegals:** the issue of the provision of further assistance for paralegals after their initial training by the CFJJ has concerned the Centre from the outset of GCP/096 and has continued under GCP/086. As a state institution, CFJJ is not authorised to make available state financial resources to civil society actors without legal authority. Neither is it possible for an official employed by the CFJJ under the Ministry of Justice to assist a private person or a community with a legal case unless it is doing so in a manner prescribed by the law. It is for this reason that the CFJJ/FAO Project has been discussing the issue of follow-up support for paralegals with civil society organisations such as AMUDEIA, ORAM and CTV.<sup>47</sup>
99. The Ministry of Justice is aware of the problem and in a meeting with the PS it was explained that the Ministry was keen to 'add value' to the paralegal training by ensuring their role was officially recognised. In this connection paralegals needed to form an

---

45 "Thus from end-March (2012) all training activities will be fully supported by CFJJ, under agreements with clients such as the Millenium Challenge Corporation (MCC) and some other land-related projects such as the Community Land Initiative. GCP/MOZ/086/NOR is expected to assume a greater role in supporting the ongoing programme, and the MTE should consider this and the implications in terms of resources and impact on overall project objectives and performance". (TORs page 3)

<sup>46</sup> The MTE had hoped to discuss the question of possible future funding of CFJJ by the iCT donors but Célia Jordáo of the Netherlands Embassy was unfortunately not available to meet the mission when it was in Maputo.

<sup>47</sup> See comment by Alda Salomão at the MTE debriefing meeting on 4 June 2012

appropriate professional body with approved articles of association. The MTE was informed that the Ministry's Directorate for Studies and Legislation would study how they could help with the issues relating to the formalisation of the status of paralegals and their place in the justice system.

#### **5.4 Impact**

100. 'Impact' refers to the positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended.<sup>48</sup> An ex-post evaluation should seek to determine the extent to which planned Outputs attributable to the Project are in place or expected to be in place in the longer term. This Mid-Term Evaluation (MTE) has been conducted at a point 11 months before the scheduled end date of the three-year project. At this stage, firm conclusions about the long-term impacts are not obtainable.

## **6 Conclusions and Recommendations**

### **6.1 Context**

101. In the towns, on the tourist coast and in the more fertile areas where land has a high value the elite enjoy strong individual property rights. The rural poor and the majority of their urban counterparts continue to live under customary tenure arrangements in which land is allocated according to social and gender relations.
102. In the absence of land scarcity and demographic and commercial pressures on land, customary systems can work relatively efficiently in ensuring access to land for all. Where land is increasingly scarce, customary norms tend to break down, with adverse effects for women, because of the imbalance of power between men and women when decisions are made over land. Rising land values encourage and cause men to dispossess vulnerable women, especially widows. The problem is made worse by the HIV-AIDS epidemic, which has increased the rate of early widowhood, leaving affected women more vulnerable because they are more likely to be raising young children and may also be living with HIV-AIDS themselves.
103. The Land Law 1997 recognises the acquired land rights of urban dwellers and rural communities. It elevates all existing customary land claims and other claims acquired by occupation into formal, secure tenure. The Land Use and Benefit Right or DUAT is a constitutional right and local communities are entitled to legal status arising from their customary land rights. Male and female citizens must benefit equally from this access, for example through rights over land and other natural resources that are essential to their well-being and quality of life. Registration of these existing land claims is not necessary – land holders have enforceable, secure land rights even without paper documentation of any kind. In particular, under the Land Law, 'local communities who occupy land according to customary practices' automatically 'acquire the right of land use and benefit' – the DUAT.
104. Under the Constitution and the Land Law of 1997, women have equal rights to hold, to access and to derive benefits from land independent of any male relatives, and the

---

<sup>48</sup> Glossary of Key Terms in Evaluation and Results Based Management, OECD Reprint 2010  
<http://www.oecd.org/dataoecd/29/21/2754804.pdf>

statutory law is clear that this principle overrides any contrary customary rules. Secondly, in regard to individual titles, individual men and women who are members of a local community may request individual titles. The statutory law states that the right of land use and benefit may be transferred by inheritance, without distinction by gender.

105. There are no easily accessible state oversight mechanisms to protect citizens against intra-community injustices. Women's land rights have largely been unprotected and unenforced. Land administration in Mozambique is grievously underfunded. The administration and enforcement of legislation impacting on natural resources and women's land rights is very weak, especially among the poor in rural and peri-urban areas.

## **6.2 The Project**

106. In 2007, the MTE of GCP/081 was critical of the inadequacy of the project's treatment of gender issues and recommended that FAO recruit a full-time gender specialist to support the mainstreaming of gender issues and analysis in all training and research activities of the then ongoing CFJJ/FAO project, which still had a year to run. However, after a gap of two years, in the period April-July 2009, it was decided to design a separate FAO project which focused on land and gender. GCP/086 was designed in conjunction with GCP/096 as the two projects were intended to run concurrently and be integrated in a single CFJJ/FAO training programme.
107. Due to delays in the recruitment of the international TA for GCP/086, the Project did not commence until May 2010, ten months late and long after the initial disbursement of donor funds, a source of dissatisfaction in the Norwegian Embassy which was reportedly not kept informed. The delay was also a source of implementation difficulties for Project GCP/086 which is now out of sync with GCP/096.
108. Three years after the MTE of GCP/081 made its recommendations, the Gender and Land Project - GCP/086 - got underway. Its scope is relatively complex and consists of 35 activities divided into eight groups which can be summarised under three main components:
  - a) To provide land and gender training to paralegals under GCP/086 and GCP/096, to CSOs and other project partners; and to mainstream land and gender in relevant CFJJ's training programmes;
  - b) To develop land-related gender-advocacy information material at national, provincial and local level to promote women's land and natural resource rights;
  - c) To provide 'technical support' to paralegal and government trainees when they return from training to their posts in the provinces and districts.
109. The MTE finds that overall, despite the delays and uncertainties involved in launching the land and gender work, the Project has performed reasonably well in delivering components a) and b). Looking back at the recommendation of the GCP/081 evaluation, "to recruit a full time gender specialist to support mainstreaming of gender issues and analysis in all training and research activities by the CFJJ/Project", the initial design of Project GCP/086 was overambitious and as a result the international TA has been overloaded. Her task has been particularly daunting if one considers that the proposed two separately contracted national TAs did not materialise. If the original advice of the MTE of GCP/081 had been followed, the recruitment delays would

probably been avoided and additional administrative complexities reduced. Perhaps this is all water under the bridge, but possibly there are lessons to be learned somewhere.

110. For much of 2010 and 2011 the administrative integration of GCP/096 and GCP/086 did not go smoothly. These difficulties were largely overcome by separating the administrative and financial operations of the two projects under FAOR and by the assignment of a dedicated administrative assistant to GCP/086 at the beginning of 2012.
111. Under component c) above, it was intended that the Project would provide technical support to trainee paralegals working with communities on land and gender issues in districts remote from Maputo. In late 2011, a question of principle was raised by CFJJ staff: Should a State legal training institution, under the Ministry of Justice, involve itself in women's land rights advocacy and in providing follow-up technical support to paralegals in scattered rural communities remote from the Centre? Is this a role for CFJJ or is it the role of NGOs – i.e. public interest law centres? This apparent design fault appears to be rooted in last minute changes to the plans for the Project in July 2009.<sup>49</sup>
112. The MTE finds that drafters of the Logical Framework for GCP/086 in mid-2009 seem to have anticipated the sensitivity of 'technical support' of paralegals by CFJJ. Buried in the ASSUMPTIONS column aligned with Activities 4, occurs the phrase "CFJJ staff and consultant do not overstep mandate and directly intervene". Nonetheless, the MTE finds that CFJJ are probably correct that such work does not fall within their competence, but that of civil society. It is unfortunate that this issue was not raised before the Ministry of Justice signed the Project Document on 5 August 2009.
113. The possibility of the NGOs assuming responsibility for post-training follow-up of paralegals has been discussed between the Project and NGOs. An agreement has been reached between the Project and AMUDEIA. Discussions on a similar agreement with CTV are advanced. ORAM is also expected to be involved. How the work is to be funded has yet to be clarified.
114. **M&E and RBM:** The MTE believes that the decision not to engage in direct technical support of paralegals, following their participation in the training courses, should not absolve the Project from monitoring the work of paralegals under Activity 4.2 and 6.2 of the LF. In this regard, the MTE finds that the agreement not to contract a researcher, but to rely on part-time secondment of an existing CFJJ staff member has proved unfortunate.
115. GCP/096 and GCP/086 are jointly funding an independent 'Impact Study' by a commercial consultancy company.<sup>50</sup> When assessing the results of the study as they pertain to GCP/086, it will be important to remember that the GCP/086 began in May 2010 and did not get into its stride until one year later. It cannot yet expect to 'impact' upon the long-term process of changing society's attitude to gender roles in rural Mozambique.

---

<sup>49</sup> See footnote 29.

<sup>50</sup> Assessment of the Impact of the Courses and Seminars and of the Support to the CFJJ and DNPDR in the scope of FAO's GCP/MOZ/096/NET and GCP/MOZ/086/NOR Projects; Methodology and instruments for the collection of primary data, Eurosis, May 2012.



116. After the ‘Impact Study’ has reported, ways will still have to be found for bringing about a change within CFJJ with regard to its reluctance to adhere to systematic M&E. A start should be made with the development and management of a data bank of former trainees and trainers, their contact details and profiles. Protocols for routine access to the data base, its maintenance, updating and external backup should also be agreed. Once up and running, the data bank could then provide the foundation for regular Tracer and KAP surveys of past trainees and trainers, partners and cooperating government agencies, as set suggested in the LF in the Project Document<sup>51</sup>. The MTE sets out in Annex III.vii of this report specific suggestions regarding the incorporation of tracking information into the M&E system, e.g. under Output 2.4 and 3.4.
117. One of the most sensitive outstanding issues to be resolved by the Project is the apparent non performance of the CFJJ’s Research Department. The MTE was unable to determine whether the mainstreaming of gender issues into research and analysis of CFJJ had been taken seriously. Preliminary reports were submitted in November 2011, but at the time of the MTE these reports had still not been finalised. Reports on the LoA for the period 07 November 2011 to 07 May 2012 were overdue at the time of the MTE and were therefore not available for the team to review.
118. If the long established partnership between FAO and the Ministry of Justice is to continue to be fruitful, it is essential that relations between FAO’s Technical Assistants and CFJJ personnel continue to flourish and be productive. Tensions over the allocation of extra-budgetary resources emanating from projects should be resolved in a transparent and equitable manner so as to incentivise good work and reward merit.

### **6.3 *The role of FAO***

119. There is a serious lack of awareness among citizens of Mozambique, even among officials, with regard to the law and its recognition of the equal rights of men and women. Hence the need and the opportunity for FAO to continue to work with the CFJJ to strengthen land governance through the training of government officials and civil society organisations in the use of the country’s laws to protect the land rights of all citizens, those of women and children as well as those of men.
120. FAO continues to be in a unique position to provide neutral advice to the Government of Mozambique on strengthening land governance as pressure on land grows in rural and urban areas, threatening the livelihoods of the poor, especially vulnerable women. The brief three-month extension of GCP/096 has the onerous task of identifying ways of helping Mozambique’s national land administration to move out of the doldrums in which it has been becalmed for a decade or more. At the root of the problem is the scarcity of financial and human resources currently made available to carry out its mandate. Training provided to local government officials and civil society organisations about the Land Law 1997 and related legislation will be of little benefit unless Government is willing and able to allocate significantly more resources to land administration and governance.
121. The TORs Annex II Report Outline for the MTE specifically request evaluators to assess FAO’s role as an implementing/ executing agency and the quality of the feedback loop between the Project and FAO’s normative products; that is, what the

---

<sup>51</sup> See row **Output 2** third column in the Logical Framework – ‘Baseline and follow up KAP survey’

Project was able to apply from FAO's normative products and what the Project might contribute in the way of normative outputs. The MTE finds that, apart from a few references in the training course to SOFA 2010-11<sup>52</sup>, very little information seems to have been garnered from the FAO normative products from other countries. However, the long and distinguished list of normative information already contributed by FAO personnel on previous projects in Mozambique is of immense value, not only to the Project itself, but also to other land-related projects and programmes in the country.<sup>53</sup> The Project is expected to continue in this long tradition.

---

<sup>52</sup> <http://www.fao.org/docrep/013/i2050e/i2050e.pdf> 'Women in Agriculture; Closing the gender Gap'

<sup>53</sup> Norfolk, Simon and C. Tanner (2007) 'Improving Tenure Security for the Rural Poor: Mozambique Country Case Study', *FAO Legal Empowerment of the Poor*, Nakuru 2007 <ftp://ftp.fao.org/SD/SDA/SDAR/sard/Mozambiquecase.pdf>; Tanner, Christopher (2002) *Law Making in an African Context: the 1997 Mozambican Land Law*. FAO, Rome, Legal Papers Online No. 26; Tanner, Christopher and Sergio Baleira (2006), 'Mozambique's legal framework for access to natural resources: The impact of new legal rights and community consultations on local livelihoods', *FAO Livelihoods Support Programme Working Paper* (28, FAO Rome 2006) <http://www.fao.org/es/esw/lsp/workingpapers.html>; Tanner, Christopher, Sergio Baleira, Simon Norfolk, Boaventura Cau and Janete Assulai (2006) 'Making Rights a Reality; Participation and Practice and Lessons Learned in Mozambique, LSP Working Paper 27, Livelihoods Support Programme, FAO 2006; Tanner, Christopher, P. De Wit, S. Norfolk (2009) Participatory land delimitation; an innovative development model based upon securing rights acquired through customary and other forms of occupation. Rome: FAO Land Tenure Working Paper 13.

## ***Recommendations***

### **To all parties**

- R1. Revision of the project logical framework (LF):** The LF includes activities that are now considered to fall outside the competence and mandate of CFJJ, being a state legal training institute under the Ministry of Justice. The project activities affected are numbered 2.3, 2.4, 4.2 and 5 in the logical framework and involve post-training follow-up and technical support for paralegals and communities which is now expected to be done by NGOs.

*It is recommended that the logical framework appended to the Project Document be revised to take account of the concerns of CFJJ and in consultation with the MFA of the Kingdom of Norway. (Paragraphs 48-52, 49-50, 70, 82, 85, 98 refer)*

- R2. Post-training follow-up of paralegals:** It has been generally agreed in discussions between the Project and leading NGOs in the land sector that it would be appropriate for them to fulfil the role of providing post-training follow-up and technical support for paralegals and communities, provided they gain access to the resources to implement the proposal on the scale required.

*The MTE strongly recommends that the Project continues to work with NGOs to develop a system to provide follow-up support to paralegals in their community work, and ensure it is set in place by the end of the Project. (Paragraphs 111-113 refer).*

- R3. No-cost extension of the Project:** Due to administrative and operational delays in project year one, the Project did not get up to speed until project year two. The current balance of project funds indicates that a three-month extension would be possible within the original budget.

*It is recommended that the Project be granted an extension to the end of August 2013 to provide extra time to complete the project scope and objectives without additional funding by the donor. (Paragraph 63 refers)*

### **To the Representation of the Kingdom of Norway and FAOR**

- R4.** In the course of the evaluation, the team became aware that the Project had acquired a 'bad name' in the Embassy.

*It is recommended that a high-level meeting is arranged for FAOR to discuss with the Embassy the relevant findings of the evaluation and to clear up any misunderstandings. It is further recommended that the representatives discuss and agree whether or not there is to be a final joint evaluation as per the Agreement of 31 July 2009. (Paragraphs 53, 59, 60, 62, 107 refer).*

### **To the Ministry of Justice**

- R5. CFJJ's future:** In a meeting with the Ministry of Justice, the evaluation team received assurances of the Minister's continuing interest in the CFJJ and her commitment to tackling issues relating to the Centre's sustainability and its future place in the Government budget.

*It is recommended that because of the approaching end of donor core funding for the CFJJ in 2013, the Minister of Justice gives urgent consideration to the views of stakeholders and the previously discussed institutional options for the*

*Centre, for example as a 'subordinate institution' or an 'autonomous institution' under the Ministry of Justice (i.e. subordinado or tutelado). (Paragraphs 79-80 refer)*

- R6. Accreditation and future status of paralegals:** In a meeting at the Ministry of Justice, members of CFJJ and the evaluation team were told that the Ministry was keen to 'add value' to the paralegal training by ensuring the role of paralegals was formally recognised. The Ministry was considering how it could help with the issues relating to the formalisation of the status of paralegals and their place in the justice system.

*It is recommended that the Minister applies her mind to the accreditation and institutional support of the CFJJ's paralegal trainees for work at the community level and the necessary regulatory framework. (Paragraphs 79-80 refer)*

- R7. CFJJ Research Department & M&E:** FAO has contracted a consultancy firm to conduct an independent impact study of GCP/086 and GCP/096. This study aims in part to also compensate for earlier failures by CFJJ to put in place an adequate monitoring programme with initial baseline surveys carried out. Ways have to be found of overcoming the CFJJ's reluctance to get involved in M&E. Some assistance may have to be brought in for the purpose, but only on condition that training of the Centre's staff in the operation and management of the system is part of the contract.

*It is recommended that a start is made with the development and management of a central data bank with details of former trainees and trainers, their contact details and profile; and that a database is set up for recording course and training activity data in uniform and accessible formats. Protocols for routine access to the data base, its maintenance and external back-up should be agreed. Individual project M&E systems could be linked to the data base as required. (Paragraphs 56, 75, 114-116 refer)*

- R8. CFJJ Research Department's commitment to gender:** An outstanding question, unresolved by the evaluation, is whether the mainstreaming of gender issues into its research and analysis has been taken seriously by the Research Department. Preliminary research reports were submitted in November 2011, but at the time of the evaluation in May-June 2012, these reports had still not been finalised.

*It is recommended that the Director of CFJJ investigates the issue with a view to determining the status of the work requested and funded by the Project. In consultation with the international TA, decisions have to be reached on how the research required by the Project is to be handled in future. (Paragraph 71 refers)*

#### **To FAO Rome**

- R9. Logical Frameworks (LF) (see Annex 3.i) and Results Based Management (RBM)** Over the last decade, donors have attached increasing importance to LFs as a basis for tracking project implementation, but many development partners continue to find them obscure, especially when their meaning is lost in translation. The Project has made changes to some activities undertaken by the Project, but it is not clear that the changes made have been formally agreed between the parties to the Agreement. It is not clear that the changes made have been formally agreed between the parties to the Agreement. It would be helpful (as in the case of EC Projects) if there was a specific place in the - Project Progress Report for the TA

routinely to comment on the current relevance of the LF as perceived by the implementing partner and the funder and whether the LF should be revised to take into account the realities of project implementation.

**It is recommended that FAO apply its mind to this topic and recommend the official procedure to be adopted.**

#### **To FAOR and the Project**

**R10. Contracting of National TAs:** Under Activity 1, the LF envisages that: (i) a specialist Jurist and (ii) a researcher would be contracted to work with the Project. At the beginning of 2012, the first person, who was the understudy to take over the gender teaching, left for Angola, so that the international TA still has no qualified replacement. The second person, namely the researcher, has been available to the project only part time and her research is still awaited.

*It is recommended that, for the remainder of the Project, the two posts envisaged in the LF under Activity 1 are filled by suitably qualified national personnel under the control of the Project to enable it to meet its commitments.* (Paragraphs 68-69, 71, 74 refer)

**R11.** The table in Annex III.vii, based on the original Logical Framework, contains recommendations which require consideration.

*It is proposed that the international TA considers the recommendations in the right hand column in the Table Annex III.vii and takes the necessary action.*

## ***Annex I: List of institutions and stakeholders consulted during the evaluation process***

### **i. People interviewed**

People interviewed in person or by telephone or email and for which detailed written records have been archived and listed below. The table shows that follow-up meetings were arranged with several of the persons listed.

<b>Date</b>	<b>Name</b>	<b>Position/Organisation</b>
21 May 2012	Julio de Castro	FAO Representative in Mozambique
21 May 2012	Felicidade Panguene	FAO MZ – Programme Officer for HIV/AIDS, Gender and Nutrition
21 May 2012	Marianna Bicchieri	FAO Technical Advisor, GCP/086
21 May 2012	Christopher Tanner	FAO Senior Technical Advisor, GCP/MOZ/096/NET
21 May 2012	Nina Strøm	First Secretary (Gender, Health and Education), Embassy of the Kingdom of Norway
21 May 2012	Achirafu Abubacar Abdula	CFJJ Director
21 May 2012	Carlos Serra	CFJJ Deputy Director
21 May 2012	Ribeiro Cuna	CFJJ Resident Trainer and GCP/086 Focal Point
21 May 2012	Olga Malunga	CFJJ Financial Officer
22 May 2012	Ribeiro Cuna	CFJJ Resident Trainer and GCP/086 Focal Point
22 May 2012	Julie Diallo	UNWomen - Programme Officer
23 May 2012	Marianna Bicchieri	FAO Technical Advisor, GCP/086
23 May 2012	Sebastião Miguel Boane	Former Participant in the 1 <sup>st</sup> Training Course for the Mozambican Police (PRM) – Inhambane Provincial Police Service, Head of Wildlife and Forestry Section, Forestry, Environment and Wildlife Department.
24 May 2012	António Marinho Gravata	PLTC Participant - Association Livaningo, Maputo
24 May 2012	Maria Angelina Sales da Conceição	PLTC Participant – Association Mulheres Mercados, Tofo
24 May 2012	Mussagy Momade	PLTC Participant - Direcção Provincial do Turismo (Inhambane Provincial Tourism Directorate)
24 May 2012	Angelina Teresa Sousa	FAO Administrative Assistant, GCP/086
24 May 2012	Felix Goia	CFJJ Internal Trainer
25 May 2012	Paciencia Inácia Tomás	PLTC Participant - Association UTOMI, Massinga
25 May 2012	Maria Samuel Boana Vaz	PLTC Participant - Association Huluxa Xitsungo, Morrumbene
28 May 2012	Maria Luiza Victorino	Former PLTC Participant - Mulher Lei e Desenvolvimento (MULEIDE)
28 May 2012	Felicidade Panguene	FAO MZ - Programme Officer for HIV/AIDS, Gender and Nutrition
28 May 2012	Nzira de Deus	Forum Mulher Programme Director
29 May 2012	Marianna Bicchieri	FAO Technical Advisor, GCP/086
29 May 2012	Carlos Serra	CFJJ Deputy Director
29 May 2012	Achirafu Abubacar Abdula	CFJJ Director
29 May 2012	Sergio Baleira	CFJJ Researcher and Trainer
29 May 2012	Altino Moises	CFJJ Researcher
29 May 2012	Margarida Flavia Chaisse	CFJJ Researcher and GCP/086 Staff
29 May 2012	João Carrilho	MCA Land Component Coordinator, DNTF
29 May 2012	Caterina Chidiamassamba	HTSPE MCA Technical Assistance to the Land Component Project – Gender Advisor
29 May 2012	Mike Barr	HTSPE MCA Technical Assistance to the Land Component

		Project – LIMS Expert
29 May 2012	Ian M. Rose	HTSPE MCA Technical Assistance to the Land Component Project Team Leader
29 May 2012	Margret Vidar	FAO Legal Officer, Development Law Service, and Backstopping Officer GCP/086
30 May 2012	André Cristiano Jose	CFJJ Head of Research Team
30 May 2012	Chris Tanner	FAO Senior Technical Advisor, GCP/MOZ/096/NET
30 May 2012	Marianna Bicchieri	FAO Technical Advisor, GCP/086
31 May 2012	Regina Dos Santos	Former PLTC Participant - Centro Terra Viva – Gender Official and Paralegal
31 May 2012	Dinis Mandevane	Former PLTC Participant – Centro Terra Viva - Education Official and Paralegal
31 May 2012	Alda Salomao	Centro Terra Viva - General Director
31 May 2012	Elizabeth Roque	Former PLTC Participant – ORAM, Beira, Delegate
31 May 2012	Beatriz Remane	Former PLTC Participant – ORAM, Beira, Gender Officer
31 May 2012	Carlos Rafael Chiteve	Former PLTC Participant – ORAM, Beira, Technician
31 May 2012	Lodete Ernlete	ORAM Beira – Programme Officer
31 May 2012	Maria Siteo	Former PLTC Participant – Amudeia, Mafambisse
31 May 2012	Halima Nequice	DNTF - Technician and Gender Focal Point
31 May 2012	Julio de Castro	FAO Representative in Mozambique
31 May 2012	Felicidade Panguene	FAO MZ – Programme Officer for HIV/AIDS, Gender and Nutrition
31 May 2012	Rachael Knight	Program Director, Community Land Protection Program, Namati: Innovations in Legal Empowerment, USA
1 June 2012	Nina Strøm	First Secretary (Gender, Health and Education), Embassy of the Kingdom of Norway
1 June 2012	Marianna Bicchieri	FAO Technical Advisor, GCP/086
1 June 2012	Sheila Santana Afonso	Permanent Secretary, Ministry of Justice

## ii. Key meetings attended

Meetings attended by MTE team members and for which records have been archived

<b>22 May 2012: Meeting at Eurosis Office, Maputo, for Presentation of Draft Impact Assessment Methodology Paper</b>	
Attended by:	Felix Granados - Eurosis Partner and Consultant
	Roland Brouwer - Eurosis/SCDS Consultant
	Wim Neeleman - Eurosis Consultant
	Amina Guilamba - DNPDR Technical Officer - GCP/MOZ/096/NET Focal Point and PRO-Parcerias Focal Point
	Chris Tanner - FAO Senior Technical Advisor, GCP/MOZ/096/NET
	Marianna Bicchieri - FAO Technical Advisor, GCP/086
	Sergio Baleira - CFJJ Researcher and Trainer
	Ribeiro Cuna - CFJJ Resident Trainer and GCP/086 Focal Point
<b>24 May 2012: CFJJ Paralegal Training Course, Inhambane</b>	
Sessions Observed :	Training Session on Mining Law – led by Felix Goia, CFJJ Internal Trainer
	Training Session on Concepts of Gender Equality – led by Marianna Bicchieri, FAO Technical Advisor, GCP/086
	Theatrical Presentation and Session on Community Consultation Process for Land Acquisitions by Investors – led by Felix Goia, CFJJ Internal Trainer
<b>25 May 2012: CFJJ Paralegal Training Course, Inhambane</b>	
Sessions Observed	Training Session on Gender Equality and the Law – led by Marianna Bicchieri, FAO Technical Advisor, GCP/086

:	Film Presentation and Discussion – led by Marianna Bicchieri, FAO Technical Advisor, GCP/086
	Testimony on Amudeia Members’ Experiences of Paralegal Work in the Communities – led by Teresa Mboa, Former PLTC Participant, Amudeia, Manhica, and Lizete Mucasse, Former PLTC Participant, Amudeia, Manhica
	Moderated Question and Answer Session with Members of the Inhambane Provincial Judicial Service – led by Felix Goa, CFJJ Internal Trainer
<b>29 May 2012: Meeting at DNTF, Maputo, for Discussion of Proposed Future Land Administration and Management Programme</b>	
Attended by:	Dr. Geert Rhebergen - FAO Consultant to GCP/MOZ/096/NET (Institutional Assessment and Programme Development, DNTF)
	Ir. E. M. C. (Liza) Groenendijk - FAO Consultant GCP/MOZ/096/NET (Institutional Assessment and Programme Development, DNTF)
	Steven Marma - Millennium Challenge Corporation, Resident Country Director
	João Carrilho - MCA Land Component Coordinator, DNTF
	Chris Tanner - FAO Senior Technical Advisor, GCP/MOZ/096/NET
	Salvador Jossias - DNTF - Head of Cadaster
	Ian M. Rose - HTSPE MCA Technical Assistance to the Land Component Project Team Leader
	Bruno Lopez - HTSPE MCA Technical Assistance to the Land Component Project - LIMS Expert

### iii. Debriefing meeting of MTE team at FAOR

Debriefing of the MTE team on 04.06.2012 at which points raised by participants were recorded and are reproduced below.

<b>Participants at MTE de-briefing meeting held at FAO Maputo, 4 June 2012</b>	
Nina Strøm	First Secretary (Gender, Health and Education), Embassy, Kingdom of Norway
Julio de Castro	FAO Representative in Mozambique
Felicidade Panguene	FAO MZ – Programme Officer
Margret Vidar	LTU, GCP/086, Development Law Service (LEGN), FAO Rome
Paulo Groppo	Backstopping Officer, GCP/086, Land and Water Division (NRL), FAO Rome
Ilaria Sisto	Backstopping Officer, GCP/086, Gender, Equity and Rural Employment Division (ESW), FAO Rome
Marianna Bicchieri	FAO Technical Advisor, GCP/086
Angelina Teresa Sousa	FAO Administrative Assistant, GCP/086
Anabel Ayala	FAO Intern, GCP/086
Chris Tanner	FAO Senior Technical Advisor, GCP/MOZ/096/NET
Carolina Cenerini	Land Water Division (NRL), FAO Rome
Raquel Bazar	FAO MZ – Operations Officer
Dinis Lissave	Director of Lands and Forests (DNTF)
Achirafa Abubacar Abdula	Director, Juridical & Judicial Training Centre (CFJJ) Ministry of Justice (MoJ)
Ribeiro Cuna	Resident Trainer and GCP/086 Focal Point, CFJJ of the MoJ
Sergio Baleira	Researcher and Trainer, CFJJ of the MoJ
Saturnino Samo	Researcher and Trainer, CFJJ of the MoJ
Alda Salomão	General Director, Centro Terra Viva
Regina Dos Santos	Gender Officer and Paralegal, Centro Terra Viva
Tânia Mariza Jossias	Legal Officer and Paralegal, Centro Terra Viva
Julie Diallo	UN-Women- Programme Officer
Elizabeth Daley	MTE International Consultant
Gildo Espada	MTE National Consultant
Martin Adams	MTE International Consultant
Corinne Capela	MTE Interpreter



#### iv. Power Point Presentation at MTE Debriefing Meeting 4 June 2012

Slide 1

Community-level education and support to help rural women secure and exercise land and resource rights and address HIV-related tenure insecurity

"The Land & Gender Project"

(GCP/MOZ/086/NOR)

Provisional findings of the Mid-Term Evaluation  
FAOR Mozambique  
4 June 2012

1

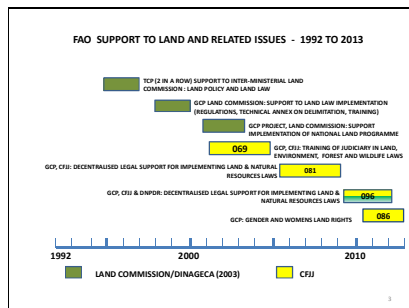
Slide 2

Timetable of the Mid-Term Evaluation

Date	Activity
21-22 May	Introductory meetings with FAO and project partners
23-25 May	Paralegal training course, Inhambane; team observation of training; interviews of trainers, trainees, other participants, officials and past paralegal trainees
28 May -1 June Meetings & Interviews	Ministry of Justice, FAO and Norwegian Embassy; Govt officials, NGOs and donors in the land sector; Visits to paralegals in Beira and rural Sofala; Interviews and e-mail communication with others knowledgeable about the Project.
4-5 June	Discuss interim findings with stakeholders and obtain feedback
18 June	Submit draft report: FAO, Norway and partners for comment
4 July	Submit final report

2

Slide 3



Slide 4

**United Nations Evaluation Guidelines (UNEG)  
DAC/OECD evaluation criteria**

Key Terms in Evaluation & Results Based Management (RBM)

- *Relevance*
- *Effectiveness*
- *Efficiency*
- *Impact*
- *Sustainability*

4

Slide 5

*Relevance*

- *beneficiaries' requirements* tenure and livelihood security free from gender discrimination
- *country needs* "material and spiritual well-being and quality of life for citizens" (Constitution)
- *global priorities*
  - MDG 1 Eradicate extreme poverty and hunger
  - MDG 3 Promote gender equality and empower women
  - MDG 6 Combat HIV/AIDS (the affected and the infected)
- *partners' priorities* CFJJ – Access to justice for all citizens

5

*Relevance*: The extent to which the objectives of a development intervention are consistent with

- beneficiaries' requirements,
- country needs,
- global priorities and
- partners' and
- donors' policies

Slide 6

*Relevance cont.*

*donor's priorities:*  
The government of *Norway* has played a key role in defining the need for *Legal Empowerment*, especially that of women



The final report 'Making the Law Work for Everyone' (UNDP 2008) is very supportive of women's tenure security and less taken up with individual titling than the founding documents

The Commission was launched in June 2005 and the **final report** of the Commission entitled 'Making the Law Work for Everyone' was published in 2008 by UNDP and is a mine of information on how discrimination against women, particularly in matters relating to tenure and access to land and natural resources, is a major cause of their poverty.

[http://web.undp.org/publications/Making\\_the\\_Law\\_Work\\_for\\_Everyone%20\(final%20rpt\).pdf](http://web.undp.org/publications/Making_the_Law_Work_for_Everyone%20(final%20rpt).pdf)

Slide 7

*Effectiveness*

- The MTE finds that the training of paralegals to work with communities in matters relating to strengthening women's land rights has the potential for far-reaching, positive long-term effects
- The scope and nature of the training offered – adherence to the principles of non-formal adult education - is appropriate
- Development of training publications and sensitisation materials is well advanced
- Active involvement of NGOs and government officials in the training is of key importance
- Issues: trainee selection criteria? the availability of qualified trainers on land and gender? supply of materials for distribution? research deliverables? problems with organising training course field visits

*Effectiveness:* The extent to which the development intervention's objectives were achieved, or are expected to be achieved, taking into account their relative importance.

Slide 8

*Efficiency*

Challenges:

- the process of planning and staging courses places great demands on time of TA's and support staff
- identifying and actually recruiting suitable course participants through third parties is difficult
- the normal dysfunctions of implementing partners
- the high unit costs of training (US\$ 1500-2000)
- decentralising training below provincial level
- other challenges ???

*Efficiency:* A measure of how economically resources/inputs (funds, expertise, time, etc.) are converted to results.

Slide 9

*Impact*

- It is not enough to measure outputs (e.g. the number of paralegals trained) because this reveals little about the outcomes and impact of the project.
- In the absence of a baseline study, or tracer study, little can be said for certainty about impact.
- Attempts are now being made to conduct a study of the impact of GCP/MOZ/086/NET and GCP/MOZ/096/NET, but on the information available to the MTE it is difficult to assess its appropriateness.
- The MTE advise that a second opinion should be got as to whether a repeatable tracer study would be better.

*Impact:* Positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended.

From what we have seen in the mission, we have no reason to doubt the validity of the theory of change underpinning the project. However...

Slide 10

*Sustainability*

Issues:

- Viability of CFJJ without continued donor core funding?
- Expanding gender-land, HIV-AIDS focus of training courses without continued donor support?
- Uncertainties attached to the continued unofficial/legal status and lack of a professional organisation of paralegals?
- Funding for the work of paralegals in the communities?
- Follow-up, after-care, supervision and refresher courses for paralegals?

*Sustainability:* The continuation of benefits from a development intervention after major development assistance has been completed. The probability of continued long-term benefits.

Slide 11

Looking Ahead: The next 'Gender and Land Project'?

Some issues:

- Options for scaling up and reducing unit costs?
- Feasibility of an alternative design with **additional service providers** as project partners (e.g. NGOs and academic institutions)?
- Higher level training of paralegals? Refresher courses? Training of trainers? All, or a combination, of these?
- Linking with other gender equality initiatives in Moz?
- STA based in the CFJJ or in a separate Management Unit supported by some provincially based TAs?
- What would be the functions of provincial TAs?
- Others???

11

Slide 12

Key Message

- Women's tenure security needs special attention. Women responsible for household food and income, and the care of children, often lack secure access to resources owing to discriminatory norms and practices.
- Securing women's resource rights is critical to the productivity of society as a whole, to household food security, and to women's social status, economic well being and empowerment.

Source: Sida (2007)

12

**v. Notes prepared by the MTE team of feedback at the debriefing meeting**

- **Paulo Groppo** (NRL, backstopping team member) thanked the team and appreciated the presentation. He said regarding a follow-up capacity-building project, that it is important to continue to work with the officials of other ministries working more broadly on rural development, including agriculture, not only Ministry of Justice (MoJ) officials and the paralegals.
- **Ilaria Sisto** (ESW, backstopping team member) appreciated the recommendations and felt the debriefing had captured all the important points. In the context of developing paralegals, she asked whether it would be possible to strengthen collaboration with academic institutions i.e. forming strategic partnerships for example with the Faculty of Law at UEM to support the paralegals.
  - She also felt it would be important to publicise more the paralegals so that the justice system would know about them and make more use of them. She supported the idea of developing a network of paralegals who could undertake peer-to-peer visits and so on.
  - Ilaria suggested that the MTE look at the experience of the FAO-UN-Women in Tajikistan, in which women in local ‘village committees’ had received legal advice and assistance from UNWomen.
  - She referred the MTE team to suggestions she had made in the project’s last back-to-office report from the last backstopping mission that she was part of.
  - Ilaria proposed to consider recognising the role of paralegals more by setting up a scholarship award through the Ministry of Education, similar to work being done on the project in Tajikistan.
- **Alda Salomao** (CTV) spoke of the importance of training paralegals and what CTV and other NGOs might do.
  - She mentioned CTV’s creation of a unit to offer legal advice on land-related issues and the problems of the present gap between the training of paralegals and the work they do in communities.
  - As paralegals have limited technical knowledge they often reach a limit where they need to resort to someone more versed in the law for help, and this is where CTV play a role as they have organised legal assistance through their legal advice unit to support the whole group trained by CFJJ.
- **Margret Vidar** (LTU FAO Rome) said all issues raised were very relevant and she had no arguments with the points made. The only query was concerning the proposed role of other service providers. She emphasised the importance of a future project continuing to work with the CFJJ as the authoritative force in the training of paralegals. This was because it was important for government to give messages about the law and gender equality, and CFJJ is an institution of government, whereas other service providers like NGOs might not be as authoritative and then the messages would be less well received.
- **Chris Tanner** said that with regard to a second opinion on the Impact Study, proposed by the MTE, the TOR submitted to the study consultants by

GCP/MOZ/096/NET and GCP/086, had called for the targeting of paralegals and the communities in which the paralegals were working. He said it would be interesting to have a second opinion if it fits into the Impact study time-scale, and noted that comments of the MTE at the meeting with Eurosis had already been helpful.

- He was encouraged by the report of the MTE's meeting with the PS of MoJ and asked whether the proposed MoJ study of options for inclusion of paralegals into the justice system would take account of the work on this matter already done by CFJJ. This is because he has encouraged CFJJ to take the lead in developing research and ideas for developing the role and status of paralegals already.
  - In response to the need to reduce the high unit costs of training paralegals, he reminded the MTE of the plan for CFJJ to advertise their paralegal courses and attract fee-paying NGO participants, who would be asked to cover all or part of the costs, along the lines which have already been developed for trainees funded by MCA/MCC, who were linked to DNTF. However another issue is the need to be careful of the total numbers of paralegals being trained. Chris felt the absorptive capacity in Mozambique might be limited and perhaps it would be better to restrict new trainees to 50-60 per year but focus on improving the quality of those being trained.
  - With regard to the need for FAO to maintain close links with CFJJ in a decentralised programme of support to paralegals, he reminded the MTE that there were 5 or 6 provincial officers funded by the project (GCP/MOZ/096/NET) from which the CFJJ is currently withdrawing funds and possibly abandoning an 'existing asset'.
  - Chris asked for clarification from the MTE regarding the relative priority that should be given by the Project to activities devoted on the one hand to the securing of DUATs and on the other hand to advancing attitudinal change.
- **CFJJ Director (Achirafu Abdula)** said he agreed with the comments raised by those in Rome and was appreciative of the reach of the MTE and would reflect on the conclusions reached and the challenges ahead. He was supportive of the idea of looking for support from academia and for CFJJ to partner academic institutions more.
  - **Nina Strøm** was grateful for the positive findings from the presentation. She noted that the Embassy had not been given time to be involved in the MTE but that they had raised issues of concern with the team, mainly relating to the paralegal enabling environment and the financial and cost-benefit issues of the Project. She was grateful for the open dialogue and the results based management (RBM) focus of the presentation. She raised four specific issues which she would like to be addressed in the report:
    - Concerning the focus on sustainability issues (which she felt was not in the TORs), Nina was concerned to know what should be strengthened in terms of the work plan and activities for 2012 and the rest of the Project, so as to make the actual GCP/086 project more effective.
    - Concerning the unit cost, Norway would like to know more about the cost-benefit of the Project and its financial management. Given the close links of the Project with GCP/MOZ/096/NET which is Dutch funded, Nina would like the report to be clear on the unit costs of the training and actual costs of the courses

- when the overall GCP/086 project funding and TA package is taken into account. This will help Norway to assess value for money of the Project.
- Concerning bottlenecks which might become implementation risks, what are the mitigation strategies for addressing these during the remaining time of the Project?.
  - Last, Nina referred the MTE team to the Norwegian policy on gender and would like to see this referred to in the report rather than the former work supporting the High-Level Commission on Legal Empowerment of the Poor.
- **Julie Diallo** made some comments about the work of the UN-Women training session held jointly with GCP/086. There are 45 associations of women living with HIV-AIDS in Mozambique and UN-Women had found in working with them that lack of land and adequate nutrition was an implicating factor in dropping ART treatment. Hence the link with the Project. Julie would like to see the draft report when it is ready.
  - **Marianna Bicchieri** gave her response to the presentation. She thanked the MTE team and said she appreciated the depth and intensity of the evaluation. She had comments only on four key issues:
    - Marianna feels it is important for CFJJ to lead the paralegal training activity and to maintain its training role, as opposed to using other service providers.
    - Concerning the Impact Study, she also has concerns about the study as it is being carried out and would like to find a solution so as to get a better result from it. For her, the problem, the rush, is due to the ending of the GCP/MOZ/096/NET study which is part funding the Impact Study. Marianna urged FAO to obtain and respond to a second opinion on this study.
    - Concerning support for paralegals, she acknowledged the work of CTV to support CFJJ. She sees this as the key issue linked to the whole long-term future of the paralegals and would like to see technical support and basic financial support put in place to support the paralegals to work in the communities.
    - Last, on gender attitudes and norms, Marianna stressed that the project is trying to change a reality that is deeply entrenched and real change will therefore take many years. The project can't change everything so it is really important to start with the paralegals and then support them to disseminate what they have learned. 3 years is not enough to see real change in communities, but nor might be 6 years or even 10 years. Marianna emphasised that the Project is working very hard to achieve a social change that takes a long time.
  - **Paolo Groppo** gave an example of lack of change in FAO HQ to illustrate the amount of time it takes to create social change on gender, and said he thinks the Project could have achieved more in two years in the field than FAO HQ has achieved in 20 years.
  - **Julio de Castro** closed the meeting by emphasising the need to look long term for social change, but saying that this Project has taken a lot of effort but is a really good cause and is one of FAO's star projects in Mozambique and deserves continuing support.

## *Annex II: List of documents evaluated*

<b>List of Documents Obtained from Project Staff and Evaluated during the MTE Mission</b>
Agreement between the Norwegian Ministry of Foreign Affairs and the Food and Agriculture Organization of the United Nations, dated 31 July 2009, and Annex 1 Project Summary – (agreement to the establishment of Project GCP/086)
FAO/Government Cooperation Programme – Project of the Government of Mozambique: Project Document for “Community level legal education and support to help rural women secure and exercise land and resource rights, and address HIV-AIDS related tenure insecurity”
GCP/086 Project Progress Report January – December 2010, prepared by Marianna Bicchieri, Technical Advisor, Gender and Natural Resource Rights, Project GCP/086 on 7 March 2011
GCP/086 Project Progress Report January – December 2011, prepared by Marianna Bicchieri, Technical Advisor, Gender and Natural Resource Rights, Project GCP/086 on 29 March 2012
GCP/086 Minutes of the Annual Meeting for the Gender and Land Project, 23 November 2010, prepared by Marianna Bicchieri, CTA Gender and Land Project GCP/086
GCP/086 Minutes of the Annual Meeting for the Gender and Land Project, 26 April 2011, prepared by Marianna Bicchieri, CTA Gender and Land Project GCP/086
Land and Gender Project GCP/086 Minutes of Meeting, 14 May 2012
LoA 085/2010, between FAO and CFJJ, dated 27 September 2010
GCP/086 CFJJ Financial Report on LoA 085/2010, dated 21 July 2011 (in Portuguese)
LoA 086/2010, between FAO and CFJJ, dated 27 September 2010
GCP/086 CFJJ Financial Report on LoA 086/2020, dated 21 July 2011 (in Portuguese)
LoA 61/2011, between FAO and CFJJ, dated 21 September 2011 (in Portuguese)
LoA 70/2011, between FAO and CFJJ, dated 7 November 2011 (in Portuguese)
LoA XX/2012, between FAO and CFJJ, dated 29 February 2012
LoA XX/2012, between FAO and CFJJ, dated 13 April 2012
Land and Gender Project GCP/086 Work Plan 2012, approved by CFJJ Director on 20 February 2012, and accompanying Excel budget spreadsheet
GCP/086 Budget Revision B
GCP/086 Budget Status Report, printed on 30 May 2012
Género e Igualdade Entre Homens e Mulheres, Projecto Género e Direitos Terra, GCP/MOZ/086/NOR, Marianna Bicchieri, Advogada Assessora Técnica, FAO/CFJJ (Power Point)
Igualdade de Género e Direitos Terra Recursos Naturais, GCP/MOZ/086/NOR, Marianna Bicchieri, Advogada Assessora Técnica, FAO/CFJJ (Power Point)
Preliminary Research Report on “A INFLUÊNCIA DAS RELAÇÕES DE GÉNERO SOBRE OS DIREITOS DE PROPRIEDADE E HERANÇA – A SITUAÇÃO DA MULHER NO JUDICIÁRIO E NO SISTEMA COSTUMEIRO”, prepared by Irene Almeida da Vera Cruz, Margarida Flávia Cháisse and Assane Amade Muapala (CFJJ), dated 28 November 2011 (in Portuguese)
Preliminary Research Report on the study on Tribunals, prepared by Altino Moise (CFJJ), dated November 2011 (in Portuguese)
List of Participants at the Paralegal Training Course in Inhambane, 21 May to 1 June 2012, prepared by Angelina Maria Souza (in Portuguese)
Budget for the MCA-funded Paralegal Training Course at Nampula, 11 to 22 April 2012
List of CFJJ Trainers, as at June 2012, prepared by Ribeiro Cuna (in Portuguese)
List of Materials Distributed to Participants at Paralegal Training Courses, as at June 2012, prepared by Angelina Maria Souza (in Portuguese)
List of GCP/086 Trainings, Publications and Materials, as at June 2012, prepared by Marianna Bicchieri
Manual Para Paralegais Na Área Dos Recursos Naturais, Ambiente, E Desenvolvimento, FAO 2010 – (paralegal training manual, in Portuguese)
Recursos Naturais, Ambiente e Desenvolvimento – Guião Pedagógico Para Formadores de Paralegais, FAO 2012 – (paralegal trainer’s manual, in Portuguese)



Projecto Género e Terra, 2012 Calendar (in Portuguese)
Background FAO – UN-Women Joint Work on HIV-AIDS Positive Women, note prepared by Marianna Bicchieri
AGENDA POLÍTICA DAS MULHERES VIVENDO COM HIV/SIDA – Final Draft, 15 May 2012 (in Portuguese)
Projecto de Avaliação do Impacto dos Cursos e Seminários e do Apoio ao CFJJ e DNPDR no âmbito dos Projectos GCP/MOZ/096/NET e GCP/086 da FAO - Relatório Inicial, prepared by Eurosis Consultants, dated 14 May 2012 (in Portuguese)
PROJECTO GCP/MOZ/096/NET “Promover o Uso das Leis sobre a Terra e os Recursos Naturais em Prol de Um Desenvolvimento Equitativo”, NOTE FOR THE FILE, Additional component (April – May 2012): institutional assessment and programme development, National Directorate for Land and Forests (DNTF), prepared by Chris Tanner, Project STA, dated 30 May 2012
Decentralized Legal Support and Capacity Building to Promote Sustainable Development and Good Governance at Local Level, (GCP/MOZ/081/NET), Mid-term Tripartite Evaluation, Final Report, Rome, May 2007
Management Response – Mid-Term Review of Project GCP/MOZ/081/NET, no date probably April-May 2007
Promoting the Use of Land and Natural Resources Laws for Equitable Development, (GCP/MOZ/096/NET) Mid Term Evaluation, July 2011
Methodology and instruments for the collection of primary data, Assessment of the Impact of the Courses and Seminars and of the Support to the CFJJ and DNPDR in the scope of FAO’s GCP/MOZ/096/NET and GCP/MOZ/086/NOR Projects, Eurosis, Maputo, May 30, 2012

### Annex III: List of Project outputs

#### i. Logical Framework

DESIGN SUMMARY	INDICATORS (TARGET)	DATA SOURCES	ASSUMPTIONS
<b>IMPACT:</b> Women with full security and use of their land and natural resources, and able to participate in new economic opportunities	<ol style="list-style-type: none"> <li>1. Communities and leaderships aware of the rights of women and adapting local norms and practices accordingly</li> <li>2. Women (and Associations) aware of how to use legal and judicial system</li> <li>3. Women engaging in new activities made possible by having more secure rights</li> </ol>	<p>Survey conducted by project in supported areas (project area and control group method)</p> <p>Partner reports</p> <p>TV, Radio, newspaper etc</p> <p>Final evaluation</p>	<p>Field conditions appropriate for survey to be carried out</p> <p>Cadastral service recording rights efficiently</p> <p>Partners able to collect appropriate information</p> <p>Media willing and able to look for this kind of information</p>
<b>OUTCOME:</b> Rural women with secure land and resource rights, both in the community context (greater role in land management, customary rules adapted and reformed) and as individual rights holders, able to use their rights for their own/ family socio-economic advancement.	<ol style="list-style-type: none"> <li>1. Number of community leaderships aware of the rights of women (target communities and control group)</li> <li>2. Women aware of their rights in supported communities; and in wider society</li> <li>3. Number of women aware of how to register their land rights</li> <li>4. Number of women aware of how to use legal system to defend their rights</li> </ol>	<p>Survey of communities in project supported areas compared with non-supported areas</p> <p>Survey of women in project supported areas compared with non-supported areas</p> <p>Case studies and M&amp;E assessments conducted by CFJJ</p>	<p>Women willing/able to attend community meetings on these issues</p> <p>Paralegals able to transmit quite complex legal messages to community leaders and women</p> <p>Women Associations support the process</p> <p>Full and timely cooperation from participating communities and partners</p>
<b>OUTPUTS</b>			
<b>Output 1:</b> Operational and institutional framework established	<p>Project-supported staff in place</p> <p>Project management functional</p> <p>Start up HACT agreement with CFJJ</p> <p>Equipment delivered</p>	<p>Project reports</p> <p>CFJJ and <i>Forum Mulher</i> reporting</p> <p>FAOR reporting</p>	<p>Availability of suitable professional staff</p> <p>Capacity to develop and implement HACT</p> <p>Effective ordering of equipment and clearance through Customs without difficulty</p> <p>Installations and offices ready and adequate</p>
<b>Activities 1</b> 1.1 Contract a specialist Jurist to work in CFJJ 1.2 Contract researcher to work in CFJJ 1.3 Contract driver 1.4 Develop and implement HACT for each	<p>1.1 In post by M2</p> <p>1.2 In post by M2</p>	<p>Quarterly report</p> <p>CFJJ and TA reporting</p>	<p>Suitable professional available in Mozambique</p> <p>HACT agreed without difficulty and implemented</p>

<p>year</p> <p>1.5 Purchase initial equipment</p> <p>1.6 Vehicles operational</p> <p>1.7 Project management structure established</p> <p>1.8 Establish working procedures and criteria to access funds</p>	<p>1.3 In post by M2</p> <p>1.4 HACTs implemented in line with plan (first disbursement by M2 each year)</p> <p>1.5 Ordered by M2; delivered by M3</p> <p>1.6 Ordered by M2; in service by M4</p> <p>1.7 Formed and first meeting held with stakeholders by M2</p> <p>1.8 Guideline manual completed by M3</p>	<p>FAOR reporting</p> <p>Report from first management meeting</p>	<p>Effective ordering of equipment and clearance through Customs without difficulty</p> <p>Installations and offices ready and adequate</p>
<p><b>Output 2:</b> Communities and leaderships aware of the legal rights of women and able to adapt customs accordingly</p>	<p>Number of communities taking part in project training and follow-up (4 per course)</p> <p>Attitudinal / awareness changes evident in leaders</p> <p>Number of communities intending to implement land rights measures as a result of project activities (80 percent of participating communities)</p>	<p>Training Reports</p> <p>Baseline and follow-up KAP survey</p> <p>CFJJ Reports</p> <p>Partner reports</p> <p>Final evaluation</p>	<p>Women able to attend meetings</p> <p>Full and timely cooperation from participating communities</p> <p>Adequate surveys can be carried out</p>
<p><b>Activities 2</b></p> <p>2.1 Develop and test training package based on acquired experience</p> <p>2.2 Carry out 9 Paralegal trainings for NGO and public sector field officers, with full women's rights module</p> <p>2.3 Involve target communities in training courses</p> <p>2.4 Community meetings conducted by paralegals when back at post</p> <p>2.5 Support theatre groups to produce relevant drama pieces</p> <p>2.6 Carry out impact assessments</p>	<p>2.1 Package developed, by M4</p> <p>2.2 Courses carried out with classroom and community fieldwork components: - 3 courses per year; - 20-25 paralegals in each course - 4-5 communities visited in each course</p> <p>2.3 Number of communities participate in each course (4-5 per course)</p> <p>2.4 No. of community meetings after paralegals return (5 post course meetings held on women's rights issues, per course, 40 – 45 meeting total)</p> <p>2.5 Theatre groups in each supported area with new drama illustrating women's rights issues (at least one per paralegal course, 9 or more)</p> <p>2.6 Assessments carried out and reported</p>	<p>CFJJ pedagogic material</p> <p>CFJJ paralegal training reports</p> <p>Paralegal reports</p> <p>Quarterly reports</p> <p>Theatre group performances</p> <p>Evaluation reports</p> <p>Field visit reports</p>	<p>Good staff in place and able to contribute</p> <p>Demand for courses from NGOs and public sector services</p> <p>Communities willing to take part in courses</p> <p>Paralegals able to communicate in local languages</p> <p>Women in communities willing to discuss rights issues</p> <p>Theatre groups existing in each course location and working with participating NGOs</p>
<p><b>Output 3.</b> Public sector staff at district and senior levels understanding women's rights issues and better able to support local women within wider rural development context</p>	<p>Change in awareness amongst target group officers</p>	<p>Semi-structured interviews with participating officers (CFJJ reports)</p> <ul style="list-style-type: none"> <li>- districts</li> <li>- senior officers (province and central level)</li> </ul>	<p>Good surveys carried out</p> <p>Senior staff able and willing to participate</p>

<p><b>Activities 3</b></p> <p>3.1 Establish agreements and work plan with partners sectors</p> <p>3.2 Identify target districts for each seminar</p> <p>3.3 Carry out District Officer seminars</p> <p>3.4 Carry out follow-up visits and impact assessments</p> <p>3.5 Carry out seminars with senior officers</p>	<p>3.1 Agreements and work plan in place (by M3)</p> <p>3.2 Districts selected (by M4)</p> <p>3.3 Number of seminars carried out (3 per year); and number of participants from each branch of State (25-30 per seminar, Administrators, Judges, Prosecutors, Police Chiefs, Economic Affairs)</p> <p>3.4 Visits carried out (one to each district in each seminar, six months after seminar)</p> <p>3.5 Number of seminars (target = 2) and seniors participating in seminars (15 per meeting)</p>	<p>CFJJ reports</p> <p>Progress reports (CFJJ and Women's Rights project)</p> <p>Seminar reports</p> <p>Visit reports</p>	<p>Able to integrate seminars into full programme of CFJJ</p> <p>CFJJ with sufficient staff and time resources to accommodate these activities</p> <p>Officers return to post to use the skills learned</p>
<p><b>Output 4:</b> Rural women more involved in community land and resource management</p>	<p>Number of women on community land management or equivalent committees (target = mean of 30%)</p>	<p>Project reports</p> <p>Partner reports</p> <p>Mid Term and Final Evaluation reports</p>	<p>Leaderships willing to allow greater female participation</p> <p>Women able to participate within context of cultural practices</p>
<p><b>Activities 4</b></p> <p>4.1 Community land management and representational structures included in CFJJ training programme</p> <p>4.2 Follow-up support to paralegals in their community work</p>	<p>4.1 New material developed and included in courses</p> <p>4.2 Number of follow-up visits carried out</p>	<p>Project reports</p> <p>NGO partner reports</p> <p>FAOR data and reports</p>	<p>Course structure can be modified and expanded within time and budget constraints</p> <p>CFJJ staff and consultant do not overstep mandate and directly intervene</p>
<p><b>Output 5:</b> Rural women more aware of legal and other measures which they can use to exercise and defend their collective and individual rights</p>	<p>% women in target and control communities aware of legal and other measures (target; number 50 percent higher in target communities)</p> <p>Number of women in target communities reported to be using these measures</p>	<p>Case study and M&amp;E work done by the CFJJ</p> <p>NGO and partner reports</p> <p>Mid Term and Final Evaluation reports</p>	<p>Women prepared to confront community level interests opposed to their rights</p> <p>Women prepared to go to court</p> <p>NGOs able to support communities with legal and other costs</p> <p>Public institutions able to handle cases</p>
<p><b>Activities 5</b></p> <p>Activities as per Output 2</p>			
<p><b>Output 6:</b> Partners organizations better able to deal with women's land and resource rights</p>	<p>NGOs and partners with greater understanding of issues and able to intervene more effectively</p>	<p>Survey of partners organizations end of Year 2 and 3</p>	<p>Enabling environment in place for effective NGO and other partners to implement and intervene</p>
<p><b>Activities 6</b></p>			

6.1NGOs and partners sending staff to CFJJ training 6.2 Follow-up visits by CFJJ staff and consultants to partner project areas	6.1 Number of NGOs and public sector agencies taking part 6.2 Number of follow-up visits with performance assessments	Project reports Case study and M&E work by CFJJ	
<b>Output 7:</b> CFJJ graduates (judges and prosecutors) better able to deal with gender and women's rights issues	Results of CFJJ graduates with reference to project issues	CFJJ student assessments and results	Training modules producing effective and usable material
<b>Activities 7</b> 7.1 Finalize training manuals 7.2 Prepare training manuals for publication: - graphic design - contracts with layout and printing firms - work with firms to produce final design 7.3 Publish manuals 7.4 Develop other material for use in CFJJ programme 7.5 Case studies collected during training and community work used in courses 7.6 CFJJ training capacity reinforced with gender / women's rights specialist	7.1 Manual draft complete, field tested (by M15) 7.2 Manual final design and layout complete, with contracts in place (by M18)  7.3 Manuals printed (1000 copies) (by M20) 7.4 Other material developed (during life of project) 7.5 Number of case studies collected  7.6 Performance of trainer(course results; student poll)	CFJJ and project reports Mid Term and Final Evaluation reports  CFJJ Training Department	All partners and stakeholders collaborate in drafting  Field testing proceeds without need for major redesign
<b>Output 8.</b> Greater awareness of project target issues and strategies / measures developed to address them	Number of cases studies tracked by CFJJ research team (at least 5 per province)  Number of cases entered into CFJJ database (target: 20 per year)  Number of follow-up visits carried out  Number of reports prepared and disseminated	Field officer visits and reports  Project reports  CFJJ database  Partner reports  Feedback from field	Partners adequately tracking impact
<b>Activities 8</b> 8.1 Final evaluation commissioned and published 8.2Integrate project cases into CFJJ Conflict database 8.3 Analyze field results and develop into lessons learned and other normative material 8.4 Develop Advocacy material 8.5 Design and implement advocacy campaign with partners	8.1 Reports and publications produced 8.2 Cases in database (ongoing throughout project) 8.3 Lessons learned reports (at least two per year) 8.4 Develop new advocacy material  8.5 Programme outline developed (by M6) - Campaign implemented (M9 to M36), with TV, radio, newspaper disseminating material - Seminars carried out (M14, M27)	CFJJ reports  Mid Term Evaluation report  Final evaluation report	Appropriate survey skills and capacity available  Public have access to the media selected for advocacy component  Local languages issues can be addressed  Media partners can be found to work with programme

## ii. Training activities supported by the Project

### A. CFJJ Paralegal Training Courses – Two week courses

	City/Province	Month/Year	No. of Men	No. of Women	Total People Trained
<b>01.</b>	<b>Beira, Sofala</b>	<b>October 2010</b>	<b>11</b>	<b>12</b>	<b>23</b>
Training financed and technically supported by GCP/086. Administrative/logistics support also provided by the project.					
<b>02.</b>	<b>Inhambane, Inhambane</b>	<b>November 2010</b>	<b>10</b>	<b>9</b>	<b>19</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials). Measures to ensure the participation of at least five participants from NGOs and CSOs working on the promotion of gender equality.					
<b>03.</b>	<b>Naamacha, Maputo</b>	<b>March 2011</b>	<b>06</b>	<b>20</b>	<b>26</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials). Measures to ensure the participation of at least five participants from NGOs and CSOs working on the promotion of gender equality.					
<b>04.</b>	<b>Lichinga, Niassa</b>	<b>April 2011</b>	<b>18</b>	<b>01</b>	<b>19</b>
Training financed by MCA. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).					
<b>05.</b>	<b>Pemba, Cabo Delgado</b>	<b>May 2011</b>	<b>12</b>	<b>12</b>	<b>24</b>
Training financed by MCA. Inputs GCP/086: Technical support to the Gender and Women's Rights component. Financial support for the participation of eight participants from NGOs and CSOs working on the promotion of gender equality.					
<b>06.</b>	<b>Nampula, Nampula</b>	<b>July 2011</b>	<b>19</b>	<b>06</b>	<b>25</b>
Training financed by MCA. Inputs GCP/086: Technical support to the Gender and Women's Rights component. Measures to ensure the participation of at least five participants from NGOs and CSOs working on the promotion of gender equality.					
<b>07.</b>	<b>Tete, Tete</b>	<b>August 2011</b>	<b>08</b>	<b>19</b>	<b>27</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials). Financial support for the participation of six participants from NGOs and CSOs working on the promotion of gender equality.					
<b>08.</b>	<b>Quelimane, Zambézia</b>	<b>September 2011</b>	<b>17</b>	<b>05</b>	<b>22</b>
Training financed by MCA. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials). Measures to ensure the participation of at least five participants from NGOs and CSOs working on the promotion of gender equality.					
<b>09.</b>	<b>Lichinga, Niassa</b>	<b>March 2012</b>	<b>14</b>	<b>09</b>	<b>23</b>
Training financed by MCA. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials). Administrative/logistics support also provided by the project. Measures to ensure the participation of at least five participants from NGOs and CSOs working on the promotion of gender equality.					
<b>10.</b>	<b>Chimoio, Manica</b>	<b>April 2012</b>	<b>11</b>	<b>14</b>	<b>25</b>
Training financed and technically supported by GCP/086. Administrative/logistics support also provided by the					

project.					
<b>11.</b>	<b>Inhambane, Inhambane</b>	<b>May 2012</b>	<b>08</b>	<b>15</b>	<b>23</b>
Training financed and technically supported by GCP/086. Administrative/logistics support also provided by the project.					
		<b>TOTAL TRAINEES</b>	MEN 134 (52%)	WOMEN 122 (48%)	TOTAL 256

*B. CFJJ District Seminars – One week courses*

	<b>Provinces Involved</b>	<b>Month/Year</b>	<b>No. of Men</b>	<b>No. of Women</b>	<b>Total People Trained</b>
<b>01.</b>	<b>Manica/Tete (training held in Maputo)</b>	<b>March 2011</b>	<b>24</b>	<b>6</b>	<b>30</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).					
<b>02.</b>	<b>Pemba/Niassa (training held in Lichinga)</b>	<b>April 2011</b>	<b>22</b>	<b>4</b>	<b>26</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).					
<b>03.</b>	<b>Maputo/Gaza (training held in Maputo)</b>	<b>May 2011</b>	<b>22</b>	<b>11</b>	<b>33</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).					
<b>04.</b>	<b>Nampula (training held in Nampula)</b>	<b>July 2011</b>	<b>27</b>	<b>07</b>	<b>34</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).					
<b>05.</b>	<b>Manica, Zambézia and Cabo Delgado (training held in Chimoio)</b>	<b>May 2012</b>	<b>14</b>	<b>2</b>	<b>16</b>
Training financed and technically supported by GCP/086. Administrative/logistics support also provided by the project.					
		<b>TOTAL TRAINEES</b>	MEN 109 (78%)	WOMEN 30 (22%)	TOTAL 139

*C. Police Seminar – One week course*

<b>Provinces Involved</b>	<b>Month/Year</b>	<b>No. of Men</b>	<b>No. of Women</b>	<b>Total People Trained</b>
<b>All Provinces of Mozambique (training held in Maputo)</b>	<b>April 2012</b>	<b>25</b>	<b>00</b>	<b>25</b>
Training financed by GCP/MOZ/096/NET. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course				

materials).

*D. Other Training Supported by the Project*

<b>Pedagogical methodologies for trainers</b>			
Month/Year	May 2011		
Partners	CFJJ		
Target	CFJJ staff involved in the courses (Paralegal Training Courses, District Seminars as well as the regular training programme of judges and prosecutors)		
Length	One day workshop		
No. of Men	12		
No. of Women	06		
Total People Trained	18		
Training financed and technically supported by GCP/086 and GCP/MOZ/096/NET. Administrative/logistics support also provided by the projects.			
<b>Promoting the implementation of environmental and natural resources law</b>			
Month/Year	September 2011		
Partners	CTV, ISAP		
Target	States Permanent Secretaries and National Directors		
Length	One week		
No. of Men	14		
No. of Women	01		
Total People Trained	15		
Training organized and financed by CTV. Inputs GCP/086: Technical support to the Gender and Women's Rights component (trainer and course materials).			
<b>Human rights, gender equality and women's rights</b>			
Month/Year	December 2011		
Partners	CTV, Cruzeiro do Sul, WLSA		
Target	Staff of Mozambican NGOs		
Length	Three days		
No. of Men	08		
No. of Women	15		
Total People Trained	23		
Training financed by CTV. Inputs GCP/086: Support in the organization of the training. Technical support to the Gender and Women's Rights component (trainer and course materials).			
<b>Legal Empowerment of HIV Positive Women</b>			
Month/Year	March 2012		
Partners	UN Women, CIDA Canada		
Target	Women from HIV Positive women's associations in Mozambique		
Length	One week		
Total People Trained (all Women)	31		
Organized and co-financed by GCP/086 and UN-Women.			
<b>TOTAL TRAINEES</b>	<b>MEN</b> 34 (39%)	<b>WOMEN</b> 53 (61%)	<b>TOTAL</b> 87



### iii. Materials distributed at paralegal training courses

List of Materials Distributed to Participants in the Paralegal Training Courses, as at June 2012
Constitution of the Republic of Mozambique
Law 29/2009 of September 29 – Relating to Domestic Violence against Women
Law 10/2004 of August 25 – Family Law
Universal Declaration of Human Rights UN 10/12/1984
Mozambican Penal Code (Legislation Applicable to Domestic Violence)
International Pact on Civil and Political Rights (ratified by Resolution 5/91 of December 12)
African Charter on Human and People’s Rights (ratified by Resolution 9/88 of 25 August)
Protocol on The Rights of Women in Africa (ratified by Resolution 28/2005 of 13 December)
Charter on SADC’s Fundamental Social Rights (ratified by Resolution 34/2004 of 9 July)
Convention on Elimination of all Kinds of Discrimination against Women (Ratified by Resolution 4/93 of 2 July)
Law 4/2004 of June 17 – Tourism Law
Law 19/97 of October 01 – Land Law
Decree 66/98 of July 15 – Land Law Regulations
Ministerial Diploma 158/2011 - Establishes Rules on Local Community Consultation
Decree 42/2010 – Establishes the Local Community Consultation Forum
Law 9/2001 – Establishes Rules of Access to Administrative Tribunals
Law 07/2009 – Approves Judges’ Statutes
Law 24/2007 – Approves the Law of the Judiciary Organization
Resolution 70/2009 – Approval Procedures for Investment Proposals Involving Land in excess of 10 000 hectares
Decree 50/2007 of October 16 – Relating to the Requirements for the Acquisition of DUATs (Direito de uso e aproveitamento da Terra – Right to Use Land)
Law 10/99 – Forests and Wild Fauna Law
Law 11/99 – Law on Alternative Means of Conflict Resolution (conciliation, mediation and arbitration)
Resolution 4/2003 – Approves the Tourism Policy and Implementation Strategy
Law 4/92 – Creates Community Tribunals
Decree Law 02/2006 of 3 May and Ministerial Diploma 155/2006 of 20 September – Establishes Rules and Procedures for the Constitution of Unions and Associations of Farmers
Ministerial Diploma 29 – A/2000 Technical Annex to the Land Law
Decree 60/2006 of September 26, Land Law Regulation
Decrees 05/2003, 06/2003, 07/2003 e 08/2003 – Creates Centres for sustainable development;
Law 11/2007, Tax rules for Mining Activities

### iv. Manuals and textbooks supported by the Project

- Support to the finalization of the Paralegal Manual 1<sup>st</sup> edition (activity financed and implemented by GCP/MOZ/096/NET with additional technical support from GCP/086) (1000 units);
- The Paralegal Trainer’s Manual was developed (cost shared with GCP096) (not yet printed);
- The Project has also supported the elaboration of the following textbooks and manuals that will be used in the training courses (activity financed and implemented by GCP/MOZ/096/NET with additional technical support from GCP/086):
  - o 4<sup>th</sup> Edition of the *Colectânea da Legislação sobre a Terra* (1000 units)
  - o 2<sup>nd</sup> Edition of the *Manual de Paralegais* (1000 units)
  - o 3<sup>rd</sup> Edition of the *Manual de Delimitação das Terras das Comunidades* (1000 units)
  - o 3 separate numbers of the academic journal of the CFJJ, *Sociedade e Justiça* (n° 2, 3 and 4) (3000 units)

**v. Advocacy and awareness-raising materials supported by the Project**

- Clothes with key messages in Portuguese and also national languages:
  - o T-shirts: 1000 units (700 Portuguese/ 300 Shangana)
  - o Polo-shirts: 500 units
  - o Hats: 1000 units
  - o "*Capulanas*": 3000 units
  
- Other materials:
  - o Calendars 2011: 1000 units
  - o Calendars 2012: 1000 units
  - o Video documentary: 100 units
  - o 9 banners with key messages to be used during the paralegal training and field exercises: 1000 units

vi. **Summary outputs and activities and evidence of achievement**

Outputs	Activities	Indicators and Targets	Summary of Project Achievements	Evidence for the Achievement
Output 1: Operational and institutional framework established	1.1 Contract a specialist jurist to work in CFJJ 1.2 Contract researcher to work in CFJJ	1.1 and 1.2 CFJJ insisted on seconding existing staff to fill both positions on a part time basis	Not applicable	Not applicable
Output 2: Communities and leaderships aware of the legal rights of women and able to adapt customs accordingly	Activity 2.1 Develop and test training package based on acquired experience	2.1 Package developed, by M4	<ul style="list-style-type: none"> <li>- Training package developed with full women's rights module in time for testing in first Project-supported Paralegal training in October 2010 (M5)</li> <li>- Continuing development and improvement of the women's rights modules for both Paralegal trainings and district seminars on a continuing basis throughout, using a participatory approach to break the material into gender quality concepts and then link to provisions in the Constitution and the laws, using two separate gender modules instead of one, to encourage reflection on how the system works and can be improved</li> </ul>	<ul style="list-style-type: none"> <li>- Interviews with project international TA</li> <li>- Interviews with former participants in October 2010 Paralegal training</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>

	Activity 2.2 Carry out 9 Paralegal trainings for NGO and public sector field officers, with full women's rights module	2.2 Courses carried out with classroom and community fieldwork components: - 3 courses per year; - 20-25 paralegals in each course; - 4-5 communities visited in each course.	11 Paralegal trainings carried out with Project support in first 2 years of the Project (October 2010 to May 2012) - 19 to 27 paralegals in each course - 4-5 communities visited in each course during fieldwork day - total of 256 paralegals trained, of whom 134 men and 122 women	- Data from and interviews with international TA - Interviews with former participants at the October 2010 Paralegal training - Interviews with participants at the Inhambane Paralegal training attended by the MTE team - Project Progress Reports 2010 and 2011
Output 3: Public sector staff at district and senior levels understanding women's rights issues and better able to support local women within wider rural development context	Activity 3.3 Carry out District Officer seminars	3.3 Number of seminars carried out (3 per year); and number of participants from each branch of State (25-30 per seminar, Administrators, Judges, Prosecutors, Police Chiefs, Economic Affairs)	- Support to 5 District Seminars (March 2011 to May 2012) - 16 to 34 district officers in each course - total of 139 district officers trained, of whom 109 men and 30 women	- Data from and interviews with international TA - Project Progress Report 2011
	Activity 3.5 Carry out seminars with senior officers	3.5 Number of seminars (target = 2) and seniors participating in seminars (15 per meeting)	- Support to CTV-organised Sept 2011 training course for States Permanent Secretaries and National Directors - 15 people trained, of whom 14 men and 1 woman - Support to CFJJ April 2012 Police training course, for senior police officers (provincial heads of dept) - 15 people trained, all men	- Data from and interviews with international TA - Interviews with CTV - Interview with former participant at the Police training - Project Progress Report 2011

Output 6: Partner organizations better able to deal with women's land and resource rights	Activity 6.1 NGOs and partners sending staff to CFJJ training	6.1 Number of NGOs and public sector agencies taking part	<ul style="list-style-type: none"> <li>- Support to CTV-organised December 2011 training course for staff of NGOs</li> <li>- 23 people trained; 8 men, 15 women</li> <li>- Support to March 2012 joint activity with UN-WOMEN for training course for women from HIV + associations</li> <li>- 31 women trained</li> <li>- NGOs and associations send staff and members to all project-supported paralegal training through links with Forum Mulher</li> <li>- Activists from Forum Mulher, MULEIDE, ORAM, CTV, MUGEDE, AMUDEIA, Rader, UNAC, LUPA, Kuwuka and Livalingo among others have participated in paralegal training</li> </ul>	<ul style="list-style-type: none"> <li>- Data from and interviews with international TA</li> <li>- Interviews with other project staff, with CTV, Forum Mulher and UN-WOMEN, and with other NGOs, associations and partners</li> <li>- Direct observation by the MTE team at the Inhambane Paralegal training</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>
Output 7: CFJJ graduates (judges and prosecutors) better able to deal with gender and women's rights issues	Activity 7.1 Finalize training manuals	7.1 Manual draft complete, field tested (by M15)	Technical support to the finalization of the Paralegal Manual 1 <sup>st</sup> edition (1000 units)	<ul style="list-style-type: none"> <li>- Data from and interviews with international TA</li> <li>- Interviews with Project TA and with GCP/096 STA</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>
	Activity 7.2 Prepare training manuals for publication: - graphic design - contracts with layout and printing firms - work with firms to produce final design	7.2 Manual final design and layout complete, with contracts in place (by M18)	Technical support to the finalization of the Paralegal Manual 1 <sup>st</sup> edition (1000 units)	<ul style="list-style-type: none"> <li>- Data from and interviews with international TA</li> <li>- Interviews with Project TA and with MOZ/096 STA</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>

	Activity 7.3 Publish manuals	7.3 Manuals printed (1000 copies) (by M20)	Technical support to the finalization of the Paralegal Manual 1 <sup>st</sup> edition (1000 units)	<ul style="list-style-type: none"> <li>- Data provided by Project TA</li> <li>- Interviews with Project TA and with GCP/096</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>
	Activity 7.4 Develop other material for use in CFJJ programme	7.4 Other material developed (during life of project)	<ul style="list-style-type: none"> <li>- The Paralegal Trainer's Manual was developed and cost shared with GCP/MOZ/096/NET (not yet printed);</li> <li>- Technical support provided to the elaboration of the following textbooks and manuals that will be used in CFJJ training courses: <ul style="list-style-type: none"> <li>o 4<sup>th</sup> Edition of the <i>Colectânea da Legislação sobre a Terra</i> (1000 units)</li> <li>o 2<sup>nd</sup> Edition of the <i>Manual de Paralegais</i> (1000 units)</li> <li>o 3<sup>rd</sup> Edition of the <i>Manual de Delimitação das Terras das Comunidades</i> (1000 units)</li> <li>o 3 separate numbers of the academic journal of the CFJJ, <i>Sociedade e Justiça</i> (n° 2, 3 and 4) (3000 units)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Data from and interviews with international TA</li> <li>- Project Progress Reports 2010 and 2011</li> </ul>
	Activity 7.6 CFJJ training capacity reinforced with gender / women's rights specialist	7.6 Performance of trainer (course results; student poll)	<ul style="list-style-type: none"> <li>- Outstanding reviews of performance of International TA as gender trainer with no exceptions an excellent, high-quality trainer</li> <li>- Capacity of CFJJ trainers on gender reinforced with Project support of May 2011 workshop on Pedagogical methodologies for trainers</li> </ul>	<ul style="list-style-type: none"> <li>- Interviews with former participants of the October 2010 Paralegal training</li> <li>- Interviews with participants of the Inhambane Paralegal training attended by the MTE team</li> <li>- Interview with former participant of the Police training</li> <li>- Interviews with CFJJ staff and Project staff (including GCP/096 STA)</li> <li>- Direct observation by MTE team during the Inhambane Paralegal training</li> <li>- Project Progress Report 2011</li> </ul>

Output 8. Greater awareness of project target issues and strategies / measures developed to address them	Activity 8.4 Develop advocacy material	8.4 Develop new advocacy material	<ul style="list-style-type: none"> <li>- Clothes developed with key messages in Portuguese and also national languages: T-shirts: 1000 units (700 Portuguese/ 300 Shangana); Polo-shirts: 500 units; Hats: 1000 units; “Capulanas”: 3000 units</li> <li>- Other advocacy materials developed: Calendars 2011: 1000 units; Calendars 2012: 1000 units; Video documentary: 100 units; 9 banners with key messages to be used during the Paralegal training and field exercises: 1000 units</li> </ul>	<ul style="list-style-type: none"> <li>- Data from and interviews with international TA</li> <li>- Interviews with other project staff</li> <li>- Screening of the video documentary during the Inhambane Paralegal training attended by the MTE team</li> <li>- Physical evidence of the advocacy materials by the MTE team</li> <li>- Project Progress Report 2011</li> </ul>
--	--	-----------------------------------	---	---

**vii. Summary of recommendations in relation to outputs and activities**

Outputs	Activities	Indicators and Targets	MTE Findings on Evidence of Progress to Date	MTE Recommendations
Output 2: Communities and leaderships aware of the legal rights of women and able to adapt customs accordingly	Activity 2.3 Involve target communities in training courses	2.1 Number of communities participate in each course (4-5 per course)	<ul style="list-style-type: none"> <li>- No evidence found of targeting of specific <i>communities</i>. However, some evidence found of selection of CFJJ course locations (districts) being linked to areas with specific land issues / conflicts / problems.</li> <li>- Project involvement in selection of participants on Paralegal courses linked more to contacts with NGOs and associations, in order to ensure good representation and participation by women – this seems more of a specific focus than targeting of individual communities.</li> <li>- Within paralegal courses, on the fieldwork day participants split into 4-5 groups and each visits a community within a 100km range of the course location. Participants nominate communities to be visited according to where they are already working and/or know about relevant land issues / conflicts / problems that may be found there.</li> </ul>	Recommend this approach to be continued for the remainder of the project.
	Activity 2.4 Community meetings conducted by paralegals when back at post	2.4 No. of community meetings after paralegals return (5 post course meetings held on women’s rights issues, per course, 40-45 meeting total)	<ul style="list-style-type: none"> <li>- Some evidence found of some paralegals conducting community meetings on women’s land rights issues when back at post</li> <li>- No data available to the MTE team on numbers of such meetings, and no evidence of any systematic follow-up with paralegals or tracking of the meetings they hold by either the Project or CFJJ</li> </ul>	The MTE recommends that the Project establish a system for tracking this information. Contact details of participants are obtained at the Paralegal course, so follow-up by phone or email should be done to ask each participant if (and how many) such meetings they have held within three months of the course, including the location, date and time of the community meetings.



	Activity 2.5 Support theatre groups to produce relevant drama pieces	2.5 Theatre groups in each supported area with new drama illustrating women's rights issues (at least one per paralegal course, 9 or more)	MTE team observed a theatre production at the Inhambane Paralegal training course but this focused on community-investor issues – it featured women but could not be considered to be a new drama illustrating women's rights issues. A standard script was used, adapted locally by the theatre group to local language and issues, but MTE found no evidence that a specific script for a drama piece on women's rights issues has been developed by the Project.	The MTE recommends that the Project develops a script for a drama piece that, among other aspects, includes women's land rights issues..
Output 3: Public sector staff at district and senior levels understanding women's rights issues and better able to support local women within wider rural development context	Activity 3.4 Carry out follow-up visits and impact assessment	3.4 Visits carried out (one to each district in each seminar, six months after seminar)	No evidence found of any follow-up visits being made by the Project to districts where seminars have been held, six months after the seminar.	The MTE recommends this be rectified and the International TA ensures that the Project makes a 1-2 day visit to the district to meet with officials and gather feedback on how useful the district seminar has been to their work since their participation, in terms of their ability to understand women's rights issues and support local women.  A short report of the follow-up visit should also be made for the files.

Output 4: Rural women more involved in community land and resource management	Activity 4.1 Community land management and representational structures included in CFJJ training programme	4.1 New material developed and included in courses	It is reported that the Project has found that engaging “chefes de postos administrativos”, who represent the legal structures at community level, and community elders, who are involved in community-based land management, in training courses has not proved practicable because of literacy and language problems. The topic of women’s customary rights to natural resources and their role in their management is expected to vary significantly from district to district, depending on ecology, kinship systems, population density as well as such matters as women’s loss of rights and memory in the course of the war. <sup>54</sup>	The MTE recommends that the topic be the subject of a literature search on women as environmental managers and the extent to which their involvement as managers of natural resources has been adequately reflected in legislation, policies and programmes in Mozambique. A strategy should then be developed to address Output 4 in the context of the paralegal training courses.
	Activity 4.2 Follow-up support to paralegals in their community work	4.2 Number of follow-up visits carried out	<ul style="list-style-type: none"> <li>- No evidence found for any systematic follow-up support to paralegals in their community work at all.</li> <li>- MTE gathered evidence from former paralegal course participants that no follow-up has been done, as well as numerous requests from them and from current trainees for follow-up to be set in place.</li> <li>- Some evidence of collaborative attempts by International TA to set up a follow-up service in conjunction with CTV, but it was not yet operational.</li> </ul>	The MTE strongly recommends that the Project works with NGOs to develop a system to provide follow-up support to paralegals in their community work, and ensure it is set in place by the end of the Project. If necessary, the Project should commission a study to determine what has to be done to put such a system into effect and then prepare a realistic costed plan of action to do so.
Output 6: Partner organizations better able to deal with women’s land and resource rights	Activity 6.2 Follow-up visits by CFJJ staff and consultants to partner project areas	6.2 Number of follow-up visits with performance assessments	<ul style="list-style-type: none"> <li>- Some evidence of ad hoc follow-up visits made by Project staff and consultants to partner project areas (e.g. Manhica), but this is limited and unsystematic.</li> <li>- No hard data available to MTE team on the number of such follow-up visits.</li> </ul>	MTE recommends this approach to be continued for the remainder of the project. Establishing systematic follow-up to partner project areas is a lower priority than establishing direct follow-up and support for the paralegals themselves.

<sup>54</sup> See ‘Men, Women, Memory and Rights to Natural Resources in Zambezia Province’ by Anne Pitcher and Scott Kloock-Jenson in *Strategic Women and Gainful Men*, edited by Rachel Waterhouse and Carin Vijfhuizen, UEM and Action Aid, Maputo, Mozambique, 2001

<p>Output 7: CFJJ graduates (judges and prosecutors) better able to deal with gender and women's rights issues</p>	<p>Activity 7.5 Case studies collected during training and community work used in courses</p>	<p>7.5 Number of case studies collected</p>	<p>- MTE finds that case studies are being assembled in the process of the training of paralegals and that the cases are recorded in the training report for each course. A report will be prepared by the international TA, in which the cases will be explained and legally accessed. In general terms, a comparison will be made between traditional and formal law and recommendations on why formal law should be applied. The idea is to use these cases and also other cases gathered during the researcher's field work and prepare a single</p>	<p>MTE recommends that. the Project prepares a document for training purposes as proposed.</p>
<p>Output 8: Greater awareness of project target issues and strategies / measures developed to address them</p>	<p>Activity 8.3 Analyze field results and develop into lessons learned and other normative material</p>	<p>8.3 Lessons learned reports (at least two per year)</p>	<p>No evidence of results of field research by CFJJ having been finalised or analysis completed. As a result, no possibility of developing the research results into lessons learned and other normative materials. No evidence of any lessons learned reports being produced by the Project so far.</p>	<ul style="list-style-type: none"> <li>- The MTE recommends this to be rectified as soon as possible.</li> <li>- The existing draft research reports from the Project-funded research done by CFJJ should be finalised for dissemination.</li> <li>- The MTE also recommends the International TA ensure sufficient time in the forward work plan to develop normative materials such as briefing notes from case studies and research findings which can be shared with practicing paralegals as part of the follow-up strategy being developed under recommendations above. We consider this more of a priority than focusing on production of lessons learned reports twice a year – unless they are specifically designed as twice-yearly reports to be distributed to all former trainees, with summary information on case studies, research findings etc (like a paralegal newsletter).</li> </ul>

	<p>Activity 8.5 Design and implement advocacy campaign with partners</p>	<p>8.4 Programme outline developed (by M6) Campaign implemented (M9 to M36), with TV, radio, newspaper disseminating material Seminars carried out (M14, M27)</p>	<p>No evidence found for either design or implementation of an advocacy campaign with partners. Advocacy have been developed and distributed, but MTE found evidence of demand for more materials on the part of NGOs and associations, for use in the communities.</p>	<ul style="list-style-type: none"> <li>- The MTE recommends that the project should distribute more of the advocacy materials already developed to practicing paralegals as part of a new follow-up strategy.</li> <li>- The MTE considers that a broader advocacy campaign using TV etc. would not be the most effective use of project resources at this stage, and that it would be better to provide materials to support the work of the former trainees.</li> </ul>
-				

#### ***Annex IV: Brief profile of evaluation team members***

<b>Martin Adams – Team Leader (International Consultant)</b>
<p>Martin Adams specialises in land policy analysis and in training and evaluation in the land sector. He has been coming to Mozambique regularly since 2003. Recently, he took part in an evaluation of Development Cooperation between Mozambique and Denmark (1992-2006) in 2007/8. He reviewed land administration institutions and capacity building needs for HTSPE/MCA in 2010 and in 2011 he led the evaluation of FAO's GCP/MOZ/096/NET project and a Strategic global evaluation of FAO's work on Tenure, Rights and Access to Land and other Natural Resources. He is a Principal Consultant of Mokoro Ltd.</p> <p><a href="mailto:madams@mokoro.co.uk">madams@mokoro.co.uk</a> <a href="http://www.mokoro.co.uk">www.mokoro.co.uk</a></p>
<b>Elizabeth Daley – Team Member (International Consultant)</b>
<p>Elizabeth Daley is a socio-economist specialising in land and gender. She has a doctorate in land tenure and social change in Tanzania and has published academically on women's land rights in Eastern Africa. Elizabeth's most recent assignments include work on the gender implications of commercial pressures on land and large land-based investments in agriculture, for the International Land Coalition, the Oakland Institute and FAO, and on gender and governance of land tenure for the FAO team working on the <i>Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security</i>. She is a Consultant of Mokoro Ltd.</p> <p><a href="mailto:edaley@mokoro.co.uk">edaley@mokoro.co.uk</a> <a href="http://www.mokoro.co.uk">www.mokoro.co.uk</a></p>
<b>Gildo Espada – Team Member (National Consultant)</b>
<p>Gildo Espada is an environment and natural resources lawyer with over 10 years' experience working on environmental law and sustainability issues. He has extensive research, analytical and evaluation skills, both academically and professionally in international law. Gildo is a Lecturer at the Instituto Superior de Ciências e Tecnologia de Moçambique currently writing his doctoral Thesis</p> <p><a href="mailto:gildoespada@gmail.com">gildoespada@gmail.com</a></p>

## ***Annex V: Evaluation Terms of Reference***

### **Terms of Reference for a Mid Term Evaluation of Project GCP/086**

***“Community level legal education and support to help rural women secure and exercise land and resource rights, and address HIV-AIDS related tenure insecurity”***

#### **1. Background of the initiative**

Access to land is fundamental for the food security and well being of all people. In many countries where women are the major work force on the land, the security of their rights over this key resource is also a fundamental condition of household food security and equitable economic development. Unfortunately in many such countries, including Mozambique, these rights are in fact not so secure.

Since 1995, three years after the signing of the peace agreement, FAO has been working with the government of Mozambique to formulate and implement the land policy, land law, the forestry law, and all related regulations and technical annexes. More recently FAO has also supported new legislation on territorial planning and the formulation of the 2007 Rural Development Strategy. All through this long cooperation with Mozambique, gender and women’s right over land have been a feature beginning with the principle of *“guaranteeing the right of access to and use of land by women”* in the 1995 National Policy developed with FAO technical assistance.

Over the years the initial focus on recognizing and securing local land rights through the recognition of customary land systems has included a growing concern with the question of women’s land rights in the customary context.

In 2001, with support from the Kingdom of the Netherlands, FAO started a program with the Juridical and Judicial Training Centre (CFJJ) of the Ministry of Justice, which had recently been established to train judges and prosecutors. At that time, FAO understood the need to work with judiciary as a key element of ensuring the correct and effective implementation of new and progressive land and natural resources legislation developed with FAO support. Research into the impact of this training showed that although it was effective, it was not sufficient to work only with the judiciary, but it was also important to provide training for local government officers, the police, and communities. The CFJJ/FAO/Netherlands partnership therefore evolved into a new programme aimed at a range of other actors, in local government and civil society, and at community level.

In response to the challenge of bringing legal education to local level and ensuring that the new laws were used to support local development, in 2006 the FAO/CFJJ programme adopted a twin-track strategy aimed at legally empowering local people and building capacity at local government level. This program included paralegal training courses designed to ensure that the ordinary rural citizens of Mozambique are not only more aware of their rights, but are able to successfully *use* these rights in pursuit of economic and social benefits, and learn how to *defend* these rights when necessary, by recourse to the justice system. The programme also developed what are now know as ‘District Officer Seminars’ which bring together local government officers, judges, prosecutors and police chiefs to discuss the use of

the new laws and how to promote a model of participatory rural development predicated upon a respect for rights and principles of equality, including gender.

In this way on one side public sector actors are better able to deal with community based issues including gender, land and women's rights while on the other local people learn about their rights and how to use them more effectively.

Gender and women's rights have always been included in the training modules for both levels (GCP/MOZ/081/NET and GCP/MOZ/096/NET). However, after 3 years of running paralegal courses and seminars, it was decided that it was necessary to more directly address the role of women in these processes. In response, the Gender and Land Program (GCP/086) was set up by CFJJ and FAO in 2010, with the financial support of the Kingdom of Norway. This work was mainstreamed both into the judges and lawyers training courses as well as into the paralegal training courses and district seminars for local government and justice sector officers including the police.

For additional information on the project and its expected impact, objectives and main activities, key events and main achievements to date, the initiative's institutional set-up and budget please see Annex I.

## **2. Purpose of the Mid-Term Evaluation**

As the project enters its final year, the evaluation will assess progress towards the declared objectives of the project, and the relevance of the project and its activities in the current context of equitable and sustainable development especially in support of a more gender-equitable access to land and natural resources in Mozambique.

The project is complementary to and reinforces the programme developed by the Netherlands project (GCP/MOZ/096/NET) which is due to end its operational activities at the end of March 2012. A short extension of three months for GCP096 is allowing some activities to extend into May, but its main purpose is to allow time for developing a new programme of work which will not involve the CFJJ directly. Thus from end-March all training activities will be fully supported by CFJJ, under agreements with clients such as the Millennium Challenge Corporation (MCC) and some other land-related projects such as the Community Land Initiative. GCP/086 is expected to assume a greater role in supporting the ongoing programme, and the MTE should consider this and the implications in terms of resources and impact on overall project objectives and performance.

Also, as this is likely to be final direct FAO project input to the CFJJ, the mid-term evaluation should look clearly at the question of sustainability of supported activities, within the context of the explicit CFJJ exit strategy being pursued by GCP096; and the longer term Strategic Plan of the CFJJ (which is seriously delayed and still not formally implemented) and future support needs of this important institution. The MTE should take into account in this context that new medium term support is being considered by other cooperation partners, with FAO still in the background through the new programme being developed by the GCP/MOZ/096/NET team and international consultants.

The evaluation should also look closely at the capacity building on partner organizations, and the extent to which they have taken on board the lesson learned and are making use of the staff who have taken part in project activities.

The CFJJ/FAO programme (encompassing GCP086 and GCP096) is also the culmination of ten years of FAO-Netherlands support through the CFJJ. It is important that this experience is not simply left behind, and that lessons learned and the capacity that has been built up are constructively used in some way. The Evaluation Team should consider what has in fact been learned and acquired, and how best this might be used – both by Mozambique and by FAO – in the future.

It is useful to note in this context that an Impact Study of the CFJJ training programme – Paralegal Training Courses and District Seminars, also including activities carried out with the DNPDR, is being carried out, jointly, by the ending Netherlands supported project and by GCP/086. The study is just starting (April 2012) and its results will not be available to the MTE, but the evaluation should consider this activity and its implications as it assesses the project.

### **3. Scope of the Mid-Term Evaluation**

While the Evaluation should take into account the original project objectives and activities, it should also take into account changes that have occurred since it was designed and the relevance of the project and its objectives to development priorities and needs in Mozambique today.

The evaluation will assess the project/programme as follows:

- a. Its relevance to national development priorities, programmes, needs of the population; FAO Country Programming Framework; Given the status of Mozambique as a One-UN pilot country and the importance of the UNDAF to FAO-MZ's strategic planning, the relevance of the project to UNDAF goals at country level; FAO Global Goals and Strategic Objectives/Core Functions; other aid programmes in the sector;
- b. Robustness and realism of the theory of change underpinning the project/programme, including logic of causal relationship between inputs, activities, expected outputs, outcomes and impacts against the specific and development objectives and validity of indicators, assumptions and risks;<sup>55</sup>
- c. Quality and realism of the project/programme design, including:
  - Duration;
  - Stakeholder and beneficiary identification.
  - Institutional set-up and management arrangements;
  - Approach and methodology;
- d. Financial resources management, including:
  - Adequacy of budget allocations to achieve outputs;
  - Coherence and soundness of Budget Revisions in matching implementation needs and project/programme objectives;
  - Rate of delivery and budget balance at the time of the evaluation.
- e. Management and implementation:

---

<sup>55</sup> The causal relationship could be expressed in a logical framework matrix



- Effectiveness of management, including quality and realism of work plans;
  - Efficiency and effectiveness of operations management;
  - Gaps and delays if any between planned and achieved outputs, the causes and consequences of delays and assessment of any remedial measures taken;
  - Efficiency in producing outputs;
  - Effectiveness of internal monitoring and evaluation processes;
  - Efficiency and effectiveness of coordination and steering bodies (if any);
  - Quality and quantity of administrative and technical support by FAO; and
  - Timeliness, quality and quantity of inputs and support by the Government and resource partner.
- f. Extent to which the expected outputs have been produced, their quality and timeliness.
- g. Extent to which the expected outcomes have been achieved.
- h. Use made by the initiative of FAO's normative products and actual and potential contribution of the initiative to the normative work of the Organization.
- i. The prospects for sustaining and up-scaling the initiative's results by the beneficiaries and the host institutions after the termination of the initiative. The assessment of sustainability will include, as appropriate:
- Institutional, technical, economic and social sustainability of proposed technologies, innovations and/or processes;
  - Perspectives for institutional uptake and mainstreaming of the newly acquired capacities, or diffusion beyond the beneficiaries or the project/programme;
  - Environmental sustainability: the initiative's contribution to sustainable natural resource management, in terms of maintenance and/or regeneration of the natural resource base.
- j. Overall performance of the project/programme: extent to which the initiative has attained, or is expected to attain, its intermediate/specific objectives and FAO Organizational Result/s (impact), and hence, contribute to the relevant Strategic Objectives and carry out its Core Functions; this will also include the identification of actual and potential positive and negative impacts produced by the initiative, directly or indirectly, intended or unintended.

Based on the above analysis, the evaluation will draw specific conclusions and formulate recommendations for any necessary further action by Government, FAO and/or other parties to ensure gender-equitable sustainable development, including any need for follow-up action. The evaluation will draw attention to specific good practices and lessons of interest to other similar activities. Any proposal for further assistance should include specification of major objectives and outputs and indicative inputs required.

#### **4. Evaluation methodology**

The evaluation will adhere to the UNEG Norms & Standards<sup>56</sup>.

---

<sup>56</sup> <http://www.uneval.org/normsandstandards>

The evaluation will adopt a consultative and transparent approach with internal and external stakeholders throughout the evaluation process. Triangulation of evidence and information gathered will underpin the validation of evidence collected and its analysis and will support conclusions and recommendations.

The evaluation will make use of the following tools: evaluation of existing reports, semi-structured interviews with key informants, stakeholders and participants, supported by check lists and/or interview protocols; direct observation during field visits; surveys and questionnaires; the Sustainable Livelihoods Framework<sup>57</sup>; the Strengths, Weaknesses, Opportunities and Threats (SWOT) framework for assessment of project/programme results<sup>58</sup>.

## **5. Consultation process**

The debriefing will include the Government, the resource partners, the FAO Representation and other relevant actors.

The evaluation team will maintain close liaison with: the FAO Office of Evaluation, the project/programme management, the LTU and Task Force members at headquarters and country level, and all key stakeholders. Although the mission is free to discuss with the authorities concerned anything relevant to its assignment, it is not authorized to make any commitment on behalf of the Government, the donor or FAO.

The team will present its preliminary findings, conclusions and recommendations to the key stakeholders, to obtain feedback from them.

The draft evaluation report will be circulated among key stakeholders for comment before finalisation; suggestions will be incorporated as deemed appropriate by the evaluation team.

## **6. The evaluation team**

The mission will include three team members with the following areas of expertise and skills:

- Evaluation of training and participatory development programmes;
- Legal literacy and the role and integration of customary norms and practices in the modern day policy and legal context
- Implementation of land and natural resources laws;
- Institutional context of rural development and land and resources administration in Mozambique.
- Community development issues
- Participatory training approaches;
- Gender issues in the rural development and natural resources context;
- Fluency in Portuguese is an indispensable requisite.

---

<sup>57</sup> The Sustainable Livelihoods Framework identifies five different capitals (human, social, natural, financial, and physical), each including different assets. It helps in improving understanding of livelihoods, in particular of the poor. For more information, among others:  
[http://www.livelihoods.org/info/guidance\\_sheets\\_pdfs/section2.pdf](http://www.livelihoods.org/info/guidance_sheets_pdfs/section2.pdf)

<sup>58</sup> SWOT is a widely used strategic planning tool, useful also in the assessment of development interventions, to canvass their strengths and weaknesses, as well as future perspectives. It is particularly used in focus groups, but it can be adapted to individual interviews as well.

*Team leader (international):* An independent senior consultant will lead the team. It is highly desirable that this consultant has significant knowledge, understanding and expertise in development law and in particular tenure law, as well as preferably issues related to community education and empowerment. Specific experience of the problems faced by rural women in accessing and using land and natural resources is important in the context of this project.

*Team Member (international):* degree level specialist with expertise in gender and rural development, training and participatory development programmes, and, if possible, land and natural resources legislation and policy in practical development situations. Technical background in gender studies or some other related social science discipline, including rural development and community level issues. At least 10 years of professional experience, including experience in project and programme evaluation.

*Team member (national):* degree level specialist with experience of the implementation of land and natural resources laws, including the institutional context of rural development and land and resources administration in Mozambique. Work experience related to gender issues in the rural development and natural resources context. The national team member must have practical experience of community development issues, and be familiar with participatory training approaches. Familiarity with the justice sector and legal procedures in Mozambique is also required. Technical background in law, rural development, or related discipline, with at least five years of experience.

Mission members will have had no previous direct involvement in the formulation, implementation or backstopping of the initiative. All will sign the Declaration of Interest form of the FAO Office of Evaluation.

The Evaluation Team is responsible for conducting the evaluation and applying the methodology. All team members, including the Team Leader, will participate in briefing and debriefing meetings, discussions, field visits, and will contribute to the evaluation with written inputs.

The Evaluation Team is fully responsible for its independent report which may not necessarily reflect the views of the Government or of FAO. An evaluation report is not subject to technical clearance by FAO although OED is responsible for ensuring conformity of the evaluation report with standards for project/programme evaluation in FAO.

## **7. The Evaluation Report**

The evaluation report will illustrate the evidence found that responds to the evaluation issues, questions and criteria listed in the ToR. It will include an executive summary. Supporting data and analysis should be annexed to the report when considered important to complement the main report.

The recommendations will be addressed to the different stakeholders and prioritized: they will be evidence-based, relevant, focused, clearly formulated and actionable.

The evaluation team will agree on the outline of the report early in the evaluation process, based on the template provided in Annex I of this ToR. The report will be prepared in English

and Portuguese, with numbered paragraphs. Translations in other languages of the Organization, if required, will be FAO's responsibility.

The team leader bears responsibility for submitting the final draft report to FAO within 10 days from the conclusion of the mission. Within 10 additional days, FAO will submit to the team its comments and suggestions that the team will include as appropriate in the final report within one week.

Annexes to the evaluation report will include, though not limited to, the following as relevant:

Terms of reference for the evaluation;

Profile of team members;

List of documents evaluated;

List of institutions and stakeholders interviewed by the evaluation team;

List of project outputs;

Evaluation tools;

## **8. Evaluation timetable and Itinerary of the Mission**

The Evaluation Team will assemble in Maputo, with initial travel arrangements planned so that the team can have briefing meetings at the FAO Representation on the morning of 14 May 2012, and will then meet with the CFJJ. The outline tentative itinerary will be as follows:

20 May:	Departure from Europe to Maputo
21-22 May:	Team assembles at FAO for initial briefing and to meet the TA and National Focal Point (morning) Team meets with the Host Institution Directorate for briefing and to discuss workplan (afternoon)
23-26 May:	Evaluation work including field visit to the Paralegal Training Course to be held in Inhambane
27-31 May:	Evaluation work including field visits to paralegals/communities, donor, partners and provincial level NGOs and if possible District judicial officers involved in the project
01-03 June:	Report writing
04 June:	Discussion of preliminary findings and recommendations
05 June:	Departure
13 June:	Circulation of draft report for comments
24 June:	FAO and Partners will submit to the team its comments and suggestions
29 June:	Delivery of final report

## **Norwegian MFA Addendum to the TORs 20 May 2012**

- 1.** The MTE should give weight to project outcomes in relation to project goals and a clear analysis of the underlying factors which have promoted or been an obstacle for achieving results.
- 2.** Cost effectiveness and financial risks should be clearly spelt out in the scope of the exercise in relation to effectiveness and efficiency. The quality of monitoring and how information feeds into project implementation should be given attention.
- 3.** The Embassy would like to receive more information on the field-based methodology (surveys and questionnaires) as to understand how results and shortfalls will be measured.
- 4.** Reaching the target population as well as people responsible for project implementation is in the view of MFA important at this stage of the project.
- 5.** The working structure and the collaboration between the CFJJ and FAO's office in Maputo should also be part of the Mid-Term Evaluation.