



# Technical Assistance Consultant's Report

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## Islamic Republic of Afghanistan: Capacity Building for Land Policy and Administration Reform (Community Based Approaches for Rural Land Administration and Management in Afghanistan)

Prepared by Department for International Development (DFID)

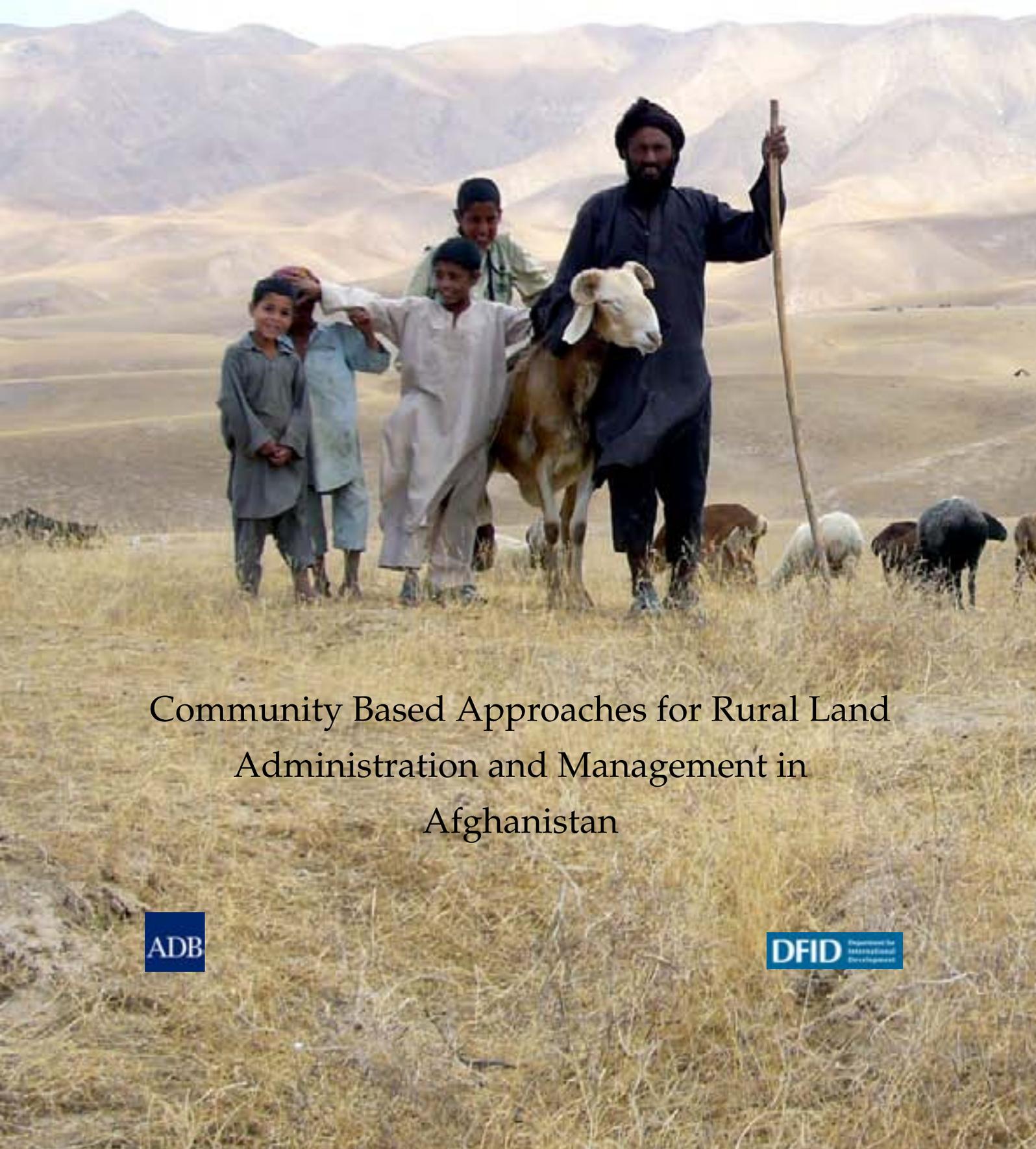
For Ministry of Agriculture, Irrigation and Livestock  
Islamic Republic of Pakistan

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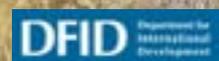
**Asian Development Bank**

# ISLAMIC REPUBLIC OF AFGHANISTAN

Ministry of Agriculture, Irrigation and Livestock



## Community Based Approaches for Rural Land Administration and Management in Afghanistan





# Table of Contents

<b>Executive Summary</b>	<b>1</b>
<b>1 Introduction</b>	<b>7</b>
<b>2 Background</b>	<b>9</b>
<b>3 A Methodology for Community Administration of Rural Land Records</b>	<b>13</b>
3.1 Selection of Pilot Villages . . . . .	15
3.2 The ADAMAP Approach . . . . .	17
3.3 ADAMAP and Community Validation of Private Land Parcels . . . . .	26
3.4 Digital Archiving . . . . .	28
3.5 Lessons Learned from ADAMAP Implementation in Four Villages . . . . .	30
<b>4 Implications for Programming Institutional Change and Capacity Building</b>	<b>34</b>
4.1 Requirements for Extension of the ADAMAP Approach . . . . .	35
4.2 Institutional Development and Capacity-Building . . . . .	36
4.3 The Need for Improved Coordination . . . . .	41
<b>5 Conclusions</b>	<b>42</b>
Annex 1: Community Agreement Form	44
Annex 2: Instructions for Filling a Community Pasture Land Agreement	48
Annex 3: Parcel Specification Form	51

## List of Figures

1	A bottom up approach to land management and administration . . . . .	14
2	Location of Pilot Villages . . . . .	16
3	Pasture Improvement Plan Format . . . . .	26
4	Village-based parcel register for private land as managed in the GIS . . . . .	30
5	How villagers see the ADAMAP methodology . . . . .	31



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## Acronyms

<b>ADB</b>	Asian Development Bank
<b>AGCHO</b>	Afghan Geodesy and Cartography Head Office
<b>ANDS</b>	Afghanistan National Development Strategy
<b>AREU</b>	Afghanistan Research and Evaluation Unit
<b>CDC</b>	Community Development Council
<b>CRA</b>	Cooperation and Reconstruction of Afghanistan
<b>DFID</b>	Department for International Development
<b>FAO</b>	Food and Agriculture Organisation
<b>GIS</b>	Geographical Information System
<b>LAMP</b>	Land Administration and Management Programme
<b>LTERA</b>	Land Titling and Economic Restructuring in Afghanistan
<b>MAIL</b>	Ministry of Agriculture, Irrigation and Livestock
<b>MoF</b>	Ministry of Finance
<b>MoJ</b>	Ministry of Justice
<b>NGO</b>	Non Government Organization
<b>NRD</b>	Natural Resources Directorate
<b>NSP</b>	National Solidarity Program

# **Executive Summary**

## **Introduction and Rationale**

Resolving rural land property and tenure problems is essential for tackling ongoing instability and the sluggish recovery from war, conflict and drought conditions in Afghanistan. Disputes over land are manifold and are bound to rise with increased refugee return and internally displaced persons moving back to their native places. These disputes are over private properties as well as pastures, though to differing degrees. Evidence suggests that pastures are the principal source of conflict in Afghanistan. Furthermore, availability and access to pasture as a resource are fundamental features of the Afghan socio-economy and as such represent the backbone of livelihoods for a majority of rural households. Pasture has deteriorated in recent decades and much of the formerly viable and productive rangelands have become virtually barren wastelands, leading to ever-increasing competition of a growing population for a dwindling supply of healthy pastures and growing insecurity of tenure. Against this complex and many-faceted background, the ADB, in partnership with DFID, funded a year-long pilot project to devise and test a community based methodology aimed at helping to start tackling the land problems of Afghanistan in a feasible manner.

## **Background**

Currently there exists no clear picture of land ownership in Afghanistan nor does clarity prevail about how access to pasture land is governed and, ultimately, who takes responsibility for managing and improving the fragile resource. In fact, many land issues faced by Afghanistan in general and the widespread deterioration of pastures in particular are essentially a problem of governance. Forest land and rangeland are legally defined as public land and the responsibility of State organizations to directly organize the productive management of pasture land has never been met in a comprehensive way. During war and conflicts, such State management as did exist broke down completely, inevitably leading to the overuse of pastures, felling of forests and rapid degradation of land and water resources. As a direct consequence of the lack of clear management systems and agreements, there is no incentive for herdsmen to conserve or invest in pasture resources. On the contrary, the incentive is to graze animals to the maximum extent in the short term, regardless of the impact

on the pasture. Addressing pasture degradation as a governance problem requires a major shift in the current policy of complete state control over pasture, towards a transfer of power and responsibilities from central government to communities and enabling people to formally manage and administer the land they hold and use under the support and guidance of governmental authorities. This is also mandated by the comprehensive land policy drafted by an inter-ministerial working group and approved by the Cabinet on September 3rd 2007. The ADB pilot studies testing a methodology for the gradual establishment of a community based rural land administration system represent the very first steps towards the implementation of some of the Land Policies' key elements. In the process, it also outlines the contours for a larger land administration and management program which is able to carry the approach to larger areas of the country.

### **The ADAMAP Methodology for Community Administration of Land Records**

ADAMAP builds on traditional Sharia-law arrangements by formalising customary arrangements which have eroded during the years of conflict and periods of disruption. The community rangeland-records administration responsibilities, as facilitated through the ADAMAP methodology, include initial recording of herding people (including pastoral nomads - Kuchi) who have traditional rights of access and usage, along with the rangeland parcels which they traditionally use; mapping of rangeland parcel boundaries on large scale satellite images; the preparation of appropriately witnessed agreements by the relevant stakeholders; the delineation of rangeland parcel boundaries on satellite images; and the storage of those agreements and images in village-administered storage cabinets. The objective is to secure these documents and maps and, at the same time, allow ready public access. Rangeland parcel boundaries are digitized and copied into a GIS for incorporation into appropriate spatial data bases and for cross-referencing at levels above the community, district, province, and national levels. With slight modifications, this process also proved feasible for a community based system for certifying private ownership of agricultural land. ADAMAP for rangelands has been practically tested with good experiences in four representative pilot villages, whereas community validation for private cropland has been implemented in one out of these four villages.

### **Institutional Change and Capacity Building**

ADAMAP ultimately results in a new system of land administration for Afghanistan whose advantages are summarized as follows:

- The new system builds directly on the traditional system, with which people are already familiar.
- The new system keeps parcel records in a systematic way at the community base, ensuring ready access to people in the place where it is most frequently needed, both for normal land transactions and in the resolution of land disputes.
- The new system using satellite images in the field can be implemented much more rapidly than one which relies on conventional survey and mapping.
- The new system provides families, clans and tribes with documentary confirmation of their rights to specific rangelands for certain purposes at defined times of the year. There are provisions for modifying the archived agreements when and if the stakeholders want to change those arrangements. This local consensus about rights to rangeland encourages the holders of those rights to improve the rangelands in the knowledge that their tenure in these lands is secure. There is potential for use of the agreements as evidence of land access, which lenders could use to justify loans to the herding families involved in land improvements.
- The new system provides herdsmen, for the very first time, with written documentation of their rights to rangelands to the extent that they will be encouraged to invest in their own improvements on that land. The advantages from the point of view of the individual herdsman are similar to those for cultivators of agricultural land (although the situation is somewhat different in the sense that most herdsmen have never had any such formal rights at all).
- Therefore, the new system, by providing adequate security of tenure over pasture, reverses the logical responses of herdsmen in the use of pasture. Previously, herdsmen were logically drawn to exploiting the pasture in the short term, at the conspicuous expense of its long-term sustainability. Under the new system, herdsmen have a direct interest in improving pasture in the interests of short-, medium- and long-term prosperity. The same advantages apply to forestry for exactly the same reasons.

Getting such a new and community based system to work needs a broad and long-term commitment to structural institutional change and capacity building. The

Afghan government must put community based management of natural resources at the centre of policy development and implementation while the donor community must start funding projects that aim to implement the Land Policy of Afghanistan on the ground. These commitments would embark upon two critical issues that arguably have not been sufficiently addressed to date:

1. Emphasis by the donor community to focus on long-term strategies accompanied by long-term commitments of funding that improve local governance structures and address the apparent backlogs in subnational statebuilding activities.
2. Obliging the government to improved service delivery in a new system of land administration. This would result in increased cooperation between the government and village communities and with gradual building of mutual trust also contribute to improving the overall security situation in Afghanistan.

### **Requirements for the Extension of ADAMAP**

Extending ADAMAP to encompass larger areas of the country would work towards the development of institutionalized working partnerships between national and local governments and rural communities to develop and put into practice rural land administration systems and land improvement measures which contribute to significant improvements in the rural economies of Afghanistan and conserve the pasture resource.

Thereby, two sets of actions need to be pursued:

**Firstly**, rural communities have to gain substantially strengthened capacities to take on their new roles. They have to become aware of the benefits which are attainable through much greater involvement; they have to decide they want to do those things and will work to achieve them; and they have to know how to do them - both how to carry out the technical and administrative tasks involved, and how to organize themselves so they can cooperate with local government authorities and representatives, working together towards the greater good of the people and resources in their areas.

**Secondly**, local and national government authorities have to adopt new roles. The function of government needs focusing on its mandate roles and service delivery responsibilities - which may be summarized as the creation of a good environment in

which the communities may take up and carry out their new planning and implementation roles to the full extent. In the context of rural land, key government roles become:

1. the creation of facilitating and guiding the rural land policy framework;
2. the creation of a legal and fiscal framework for land which encourages sustainable, equitable and productive land uses;
3. the efficient provision of a range of services which have to be done by government (judicial services, implementation of national standards, for example);
4. and most importantly, the local and national coordination of efforts to improve the land resources and productive uses to which they are put.

### **Conclusions**

The central conclusion to be derived from the pilot implementation of ADAMAP is that community administration of rangeland land agreements is feasible and contains many advantages. Importantly, the method proved to be an effective tool for asserting user rights to pastures and private cropland, thus encouraging investment into pasture resources and helping to address the problem of pasture degradation. At the same time, ADAMAP helps reduce conflict over land and strengthens the relationship between communities and the government, which is a precondition for improving the overall security situation in Afghanistan. Institutionally, the project provides elected village councils with an ongoing role, ensuring their position as the basic body of land administration in Afghanistan and thus nurturing their role as bona fide village institutions with real responsibilities. This provides an ideal opportunity for linkages to the NSP programme, which should be explored. The empowerment of community Shuras is also welcomed by most Government representatives on the provincial and district level, who clearly recognize the lack of capacity of the state to manage pasture in Afghanistan and principally welcome ADAMAP as a way forward. However, in order to transfer responsibilities for land administration and management to communities, partnerships with existing land institutions need to be forged beforehand. In addition, ADAMAP requires support through improved coordination between the different state land institutions. Another positive effect of gradually extending the approach to eventually encompass

the entire nation is the establishment of a comprehensive land information and management system for Afghanistan that provides clarity about land ownership and land use patterns. This will facilitate agricultural and, in time, counter-narcotic planning. The ADAMAP approach has been received very positively among all stakeholders. Significantly, representatives from all participating government offices (presently the Rangeland Department and AMLAK of the MAIL and AGCHO under the Presidency) and community members recommend its roll-out into more provinces, where security conditions allow. Also the involvement of NGOs has proved to be a workable option and partnerships between NGOs and governmental land agencies should be established more formally. They represent the most promising way to move forward in a concerted manner.

# 1 Introduction

»Land is one of the main problems Afghanistan has to face«: this statement of Prof. Abdul Qahar Samin, member of the Advisory Committee to the Ministry of Agriculture, Irrigation and Livestock (MAIL), points at a vital truth. Resolving rural land property and tenure problems is essential for tackling ongoing instability and the sluggish recovery from war, conflict and drought conditions in Afghanistan. Disputes over land are manifold and are bound to rise with increased refugee return and internally displaced persons moving back to their native places. These disputes are over private properties as well as pastures, though to differing degrees. Evidence suggests that pastures are the principal source of conflict in Afghanistan because they involve and affect more people than conflicts over farms or houses, often inflaming ethnic problems and cross-cutting with unresolved conflicting arable and pastoral land needs.<sup>1</sup> Furthermore, availability and access to pasture as a resource are fundamental features of the Afghan socio-economy and as such represent the backbone of livelihoods for a majority of rural households. Pasture has deteriorated in recent decades and much of the formerly viable and productive rangelands have become virtually barren wastelands, leading to ever increasing competition of a growing population for a dwindling supply of healthy pastures and growing insecurity of tenure. Tenure insecurity<sup>2</sup> over pasture has three major dimensions:

1. A longstanding history of conflict over rights to rangelands among groups of village residents and nomadic groups;
2. Differences of opinion about the preservation of rangeland between farming families with access to agricultural land and families without access to agricultural land but with a dependence on livestock;
3. Contradictions between governmental agencies (empowered by formal law establishing State ownership of pasture land) and local communities which, by custom and necessity, use the rangelands.

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1) See Liz Alden Wily: Looking for peace on the pastures, AREU, Kabul 2004, p. 84

2) Land tenure security can be defined as the confidence which landholders have that neither the state nor other people will interfere with the landholder's possession of or use right to the land for an extended period of time (see Bruce 1998). As such, tenure insecurity can be defined as the extent to which land users lack such confidence.

Conflict and tenure insecurity affect private rural farmlands. Inequity, polarization and dependency characterize land relations in many parts of Afghanistan. Also, the consequences of degraded rangeland are not limited to the pasture area. Soil erosion leads to disruption of water supplies, especially those for irrigation, and damage to croplands during flash floods. This picture is all too plain today in many rural parts of Afghanistan, and, unless something is done soon, it is certain that the situation will become increasingly, and in many places irreversibly, worse.

Against this complex and many-faceted background, the ADB, in partnership with DFID, funded a year-long pilot project to devise and test a community based methodology aimed at helping to start tackling the land problems of Afghanistan in a feasible manner. The methodology named ADAMAP (see Section 3.2 for details) builds on traditional Sharia law arrangements by formalising customary arrangements which have eroded during the years of conflict and periods



**Photo 1.1:** Harvesting bushes on deteriorated pasture land

of disruption. The community rangeland records administration responsibilities, as promoted by the ADAMAP methodology, include initial recording of herding people (including pastoral nomads - Kuchi) who have traditional rights of access and usage, along with the rangeland parcels which they traditionally use; mapping of rangeland parcel boundaries on large-scale satellite images; the preparation of appropriately witnessed agreements by the relevant stakeholders; the delineation of rangeland parcel boundaries on satellite images; and the storage of those agreements and images in village-administered storage cabinets. The objective is to secure these documents and maps and at the same time, to allow ready public access. Rangeland parcel boundaries are digitized and copied into a GIS for incorporation into appropriate spatial data bases and for cross-referencing at levels above the community, district, province, and national levels. This paper outlines the ADAMAP approach in detail and discusses the results of its practical implementation in representative village areas. It begins with a brief introduction to the policy and institutional background governing land relations in Afghanistan. It concludes by

detailing the consequences of the ADAMAP approach for institutional change and the functioning of land administration in the country, to be addressed in a larger follow-up program that builds on the lessons learned through the experiences of the pilot studies.

## 2 Background

Currently there exists no clear picture of land ownership in Afghanistan nor does clarity prevail about how access to pasture land is governed and, ultimately, who takes responsibility for managing and improving the fragile resource. In fact, many land issues faced by Afghanistan in general and the widespread deterioration of pastures in particular are essentially a problem of governance. Forest land and rangeland are legally defined as public land and the responsibility of State organizations to organize directly the productive management of pasture land has never been met in a comprehensive way. During war and conflicts, such State management as did exist broke down completely, inevitably leading to the overuse of pastures, felling of forests and rapid degradation of land and water resources.

As a direct consequence of the lack of clear management systems and agreements, there is no incentive for herdsmen to conserve or invest in pasture resources. In fact, the incentive is to graze animals to the maximum extent in the short term regardless of the impact on the pasture. The matter of land and the uses made of land remain today the cause of a distinctly uneasy relationship between government



**Photo 2.1:** Herdsmen in Karukh

and rural people. Messages from the Government are confusing. On the one hand, some government institutions persist in claiming the duty to manage and protect land on behalf of the people, in the process failing to acknowledge the fact that ac-

cess to almost all forest and pasture land is currently, and has for many years, been controlled by Shuras through traditional undocumented systems of use and access. The inability of government to manage land directly in practice has been plain to see for the communities - cropland encroaching on pasture, range condition deteriorating, forests and woodlands being felled and land disputes breaking out among peoples competing for an effectively neglected and declining land resources.



**Photo 2.2:** Conversion of pasture land and soil erosion

Addressing pasture degradation as a governance problem requires a major shift of the current policy of complete state control over pasture, towards a transfer of power and responsibilities from central government to communities, thus enabling people themselves to formally manage and administer the land they hold and use under support and guidance of the government authorities. In fact,

the last five years have partially witnessed just such a shift in the role of government, gradually moving from direct involvement in implementation to one which features supporting, facilitating and coordinating roles. Implicit in this is the expectation that local communities will assume greater measures of proactivity and commitment in organising and implementing improvement of rangelands, by themselves and for themselves. These changes in government role have been prominent in the MAIL through the adoption of the community approach as the official strategy for the forestry and range management sub-sectors in 2004. However, the adopted policy and strategy for forestry and range management states that *»the sub-sector partners shall devise and put into practice without delay a national programme for community forestry, range management and wildlife development«*, and it has to be recorded that this has not yet been happened in the manner and on the national scale that is implied in the words of the policy/strategy. Put differently: MAIL has yet to adopt and develop on any serious scale its new role in coordinating and facilitating the community approach.

Part of the problem, it seems, has been the lack of a cogent, commonly agreed land policy for Afghanistan that unambiguously states how the government wishes to resolve the land problems of its country. This has now changed, and through the efforts of an inter-ministerial working group formally operating under the Interim Afghanistan National Development Strategy (I-ANDS), a comprehensive land policy has been approved by the Afghan Cabinet on September 3rd 2007. As a statement of intent the policy document refers to the overarching and general set of governmental principles and precepts that serve as a framework through which projects need to be developed and implemented. These principles explicitly mention direct community involvement in resolving land tenure issues and also address the need for modernising the functioning of the land administration system of the country and its land institutions. Conclusions that can be derived from the Land Policy of Afghanistan include the following:

- Land shall be managed as a national resource through a land management system which integrates the formal and informal tenure systems.
- Access to land shall be clarified and secured as part of an integrated natural resource management which springs from local community based resource management.
- Land ownership may be documented through a process of property clarification and certification process conducted at the community level.
- Community based natural resource management strives to ensure environmental protection and use of public-owned pasture for all users.
- Land management and administration shall coordinate sustainable development and shall ensure competent management and maximization of sustainable economic benefits from the land resource, for the benefit of both the owner and the nation as a whole.
- Alternative dispute resolution processes (arbitration, mediation, conciliation) shall be promoted at district and community levels.
- All land administration functions shall be consolidated in a single government body to ensure efficiency and avoid duplication of responsibilities.

- A consolidated, simplified and local system of land registry shall be established which is transparent and provides less costly, efficient transfers of property and changes in ownership.
- The administration and management of land shall be conducted through a consolidated, cohesive, transparent and representative land administration body at national and local levels.
- An institutional framework will be created which streamlines certification and registration operations and provides access to the public. The institution shall include a body entrusted with the authority to determine land allocation in coordination with local communities.

It is clear that in order to govern land relations and manage land resources more effectively and to achieve increased security of tenure for both private and public lands, clarity is needed and a sound and unanimous documentation of access rights to pasture land and ownership of private rural land needs to be put into place urgently, and the Land Policy is explicit about that. It is necessary to establish simple and transparent processes for documenting and registering local land rights on a national level - whether held by individuals, kin-groups or wider communities, as is often the case with pastures. As mandated by the Land Policy and the Policy and Strategy of the MAIL, the emergence of community based land administration and management has to be accompanied by a process of gradual institutional reform to enable efficient government support and the redefinition and clarification of roles and responsibilities for both communities and the state. The task at hand is enormous and there are no easy solutions, but it is necessary now for the Afghan government and the aid community to begin devising practical projects for the implementation of the land policy. The ADB studies piloting a methodology for the gradual establishment of a community based rural land administration system represent the first steps towards the implementation of some of the Land Policies' key elements. This methodology also outlines contours for a larger land administration and management program which is able to carry the approach to larger areas of the country.

### 3 A Methodology for Community Administration of Rural Land Records

Only through building on the local knowledge of sedentary and nomadic communities can a legitimate and accountable system of securing user rights to range and forest land be established. Likewise, the huge task of building a land registration and survey system for Afghanistan will not work without the formal inclusion of local village communities in the process. Building these systems from bottom up, as illustrated in Figure 1 below with respect to rural land administration, will contribute to resolving the pressing land problems of the country and potentially help establish a more trustful and collaborative relationship between the government and its citizens. Importantly, the community focus of the approach will help ensure popular ownership and reach broadly shared and accepted consensus on rights to land and land use.



**Photo 3.1:** Access to pasture is critical for herdsmen

Local negotiation of agreements about land use and rights to land thereby forms the very basis for a gradual and steady process of bringing communities and government institutions closer together, to slowly build and sustainably establish working relationships through continuous practice and partnerships in

recording legitimate land use and ownership and resolving as well as avoiding conflicts. How can such a system work out in practice, especially in a country where relationships between communities and the state have been and still are disturbed and where government has come to be seen as an influence which attempts to control and constrain the activities of rural people? In a system characterized by centralized state control, bottom up approaches have to be piloted carefully in order to avoid confusion from the outset. In spite of policy statements and significant NGO activity in the area, community based management of natural resources represents a fairly new approach in Afghanistan, and government authorities are not likely to adopt it quickly.

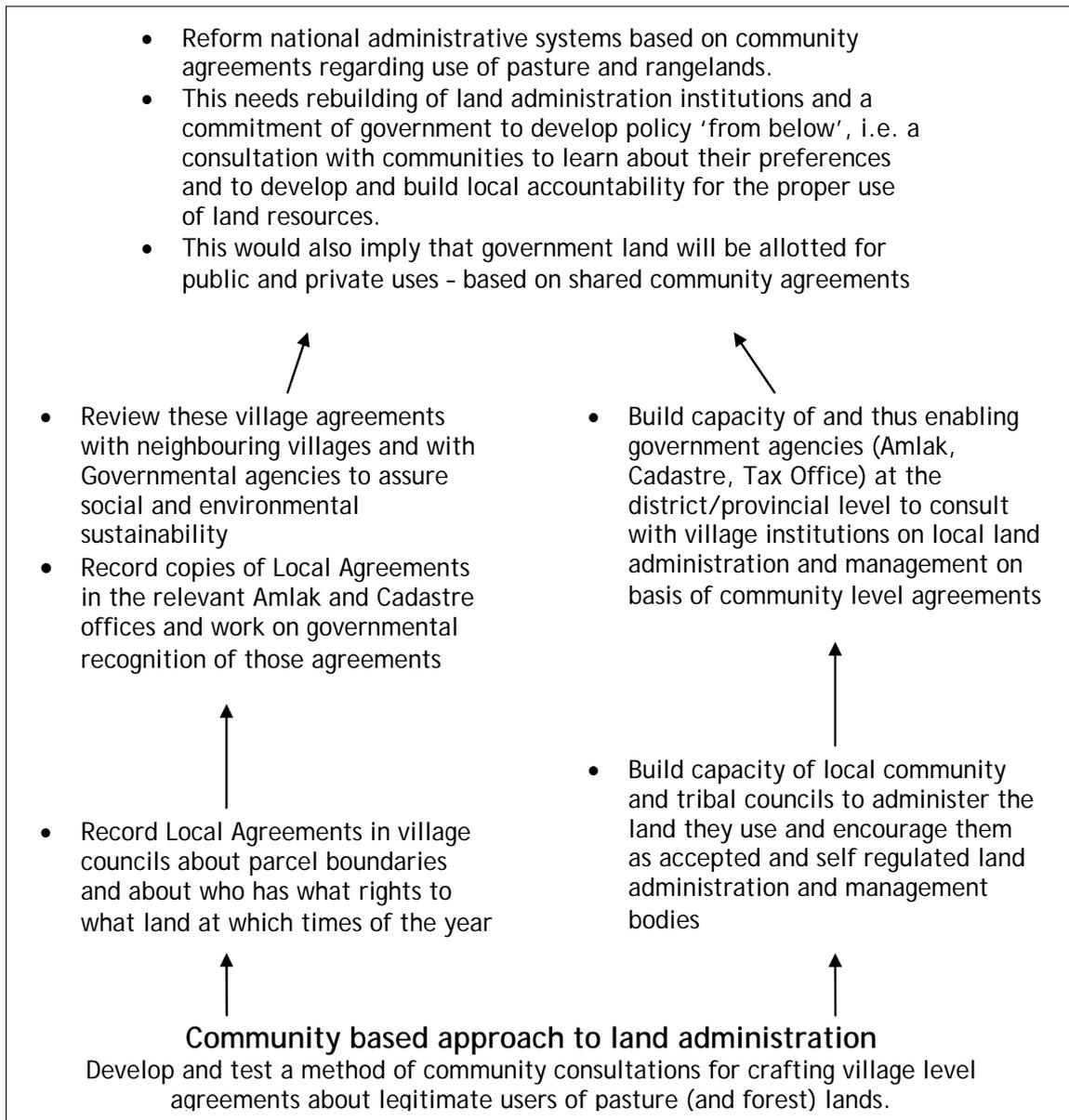


Figure 1: A bottom up approach to land management and administration (read from below)

This is why the pilots adopted a practical 'learning by doing' approach, which entailed gathering evidence and drawing lessons to inform a broader programme. As such, the project practically tested new ways of defining rights in land, registering those rights, resolving land conflicts and entrenching those new constructs and procedures in local agreements. These, it is hoped, will ultimately lead to the rebuilding of land administration institutions. At the practical level, a national NGO<sup>3</sup> with large prior experience in community consultation took the lead. Their staff

3) CRA - Cooperation for Reconstruction of Afghanistan

was trained extensively in the ADAMAP methodology and took the lead in practical implementation, thereby working in close cooperation with local government authorities. Involvement of an NGO was perceived to be crucial for the initial stages of the project in order to avoid a clash of different perspectives on land tenure issues between village communities and government actors and to ensure an unbiased view on the issues. However, staffs from all important governmental land institutions partook in field work under the guidance of the experienced NGO staff. This approach proved to be very valuable. It ensured wider dissemination of the ideas entrenched in the ADAMAP approach and increased the understanding of its procedures and the techniques of community consultation in government offices. Generally and with a view to eventually scaling up the project, Afghan NGOs with international support can operate as a link between community and government, building capacities at both levels for community-based pasture land management and administration.

### **3.1 Selection of Pilot Villages**

The facilitation of legitimate<sup>4</sup> rights to land in local agreements has been tested in four pilot villages located in the North and West of Afghanistan (see Figure 2):

- Village of Dara-e Kalan, Ishkamesh District, Takhar Province
- Village of Nau Abad, Chardara District, Kunduz Province
- Village of Qala-e Safar Khan, Zindajhan District, Herat Province
- Village of Beydak Saghari, Karukh District, Herat Province

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4) The project distinguishes between »legitimate« and »valid« holders of rights to land. People may hold rights to land based on valid documents produced according to legal rules whereby people acquire rights to land, or decrees of Sovereigns in the past. People also may hold rights to land based on the community views as to the legitimacy of these rights according to local customs and beliefs. Formal, valid rights may be supported by community customs, and customary rights may be supported by formal documents. The emphasis in consultations with communities is on reaching consensus among community stakeholders as to who they accept as the legitimate holders of rights to pasture lands, subsequently verified by regional consultations with governmental and non-governmental stakeholders in the lands concerned.



Figure 2: Location of Pilot Villages

The process of selecting these villages has been in partnership with different government institutions, namely the MAIL, Cadastral Survey Department, local Governorates, the National Solidarity Programme (NSP) and its implementing partners and local NGOs. Criteria applied for selection were, obviously, the existence of substantial rangeland in the area, and, importantly, the availability of a functioning and elected Community Development Council (CDC) in the village that agrees to assume responsibility for village land administration. These councils, or 'Shuras' as they are called traditionally, are elected village governing bodies that have been established under the NSP with the view to creating sustainable village institutions. NSP introduced important changes to community governance structures while providing substantial funding for local projects in reconstruction and development by encouraging community participation in the selection of those projects and a community contribution in implementing them.<sup>5</sup> One of the stated objectives of the NSP is to lay the foundations for strengthening community level governance in Afghanistan, and it is here that the linkages to the ADAMAP approach are most distinctive.

5) For details on the NSP see Inger Boesen, *From Subjects to Citizens: Local Participation in the National Solidarity Programme*, AREU Kabul, 2004, and more recently Hamish Nixon: *Subnational Statebuilding in Afghanistan 2005-2006*, Draft, AREU Kabul, December 2007.

Under the tested approach, community Shuras shall assume additional and permanent responsibility of land administration and management, thus strengthening their role as bona fide local governance institutions and contributing to their sustainability. As such, ADAMAP may turn out to be providing important support for the future success of the NSP in that it will significantly contribute to the consolidation of elected CDC's by providing them with such ongoing responsibility.<sup>6</sup> This comes at a time when the issue of CDC sustainability is perceived to be highly problematic in the donor community, as it is currently foreseen that NSP will withdraw from communities that have completed their development activities funded under the initial block grant. This will leave them in a situation where they no longer receive any external funding or facilitation assistance, and where the basis for their role as local governance entities will be seriously hampered. It is critical therefore to explore the scope for enhanced CDC roles and to come up with sustainable strategies and support to consolidate their existence and performance. In addition to starting to tackle land issues, ADAMAP attempts to do just that.

### **3.2 The ADAMAP Approach: Community Consultation for Reaching Agreements about Legitimate Users of Pasture and Forest Land**

The approach implemented in the four village sites is hands-on, straightforward and localized. It uses satellite imagery as a major tool and promotes broadly shared and accepted local agreements on rights to land and land use. ADAMAP thereby stands for a six step approach where each capital letter of the acronym describes a specific step of the devised method:

- *A*sk for community cooperation
- *D*elineate the boundaries of rangeland parcels
- *A*greements are prepared concerning the legitimate users of rangeland parcels
- *M*eet, discuss and approve the agreements and delineations
- *A*rchive the agreements and delineated images
- *P*lan for the improvement of the rangeland parcels

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6) A CDC by-law issued as Decree by the Afghan President Hamid Karzai in January 2007 specifies additional roles and responsibilities of community councils and their being the mandated entry point for all village level development activities. The by-law for the first time legally recognizes CDCs as local governance institutions, but does not mention issues pertaining to land and land management.

## Step 1: Ask for community cooperation

A two-person team composed of a cadastral surveyor and a community mobilization specialist goes to the target community - that is, a village where the residents have significant livestock holdings and use rangeland - and meets with the village council. In initial meetings with the community representation of the village, satellite images are exhibited. The rangeland agreements and the goals of the work are explained: to help implement community based management of rangeland by providing management tools to the villagers. These tools include:

- Satellite images of the rangeland areas used by village families, which the villagers will use to mark the boundaries of the different rangeland parcels used by villagers and nomads;
- Assistance to fill out the village agreements as to who are the legitimate users of those rangeland parcels;
- Cabinets and folders in which to store the agreements and delineated images;
- Assistance with the preparation of rangeland parcel improvement plans.

The varying types of land inside and around the village are identified, i.e. private rain-fed or irrigated parcels, communal and public pasture or forest areas, etc.



Photo 3.2: Village council meeting in Qala-e Safar Khan

If the community agrees with this proposal, then the next steps can be undertaken. The discussion of the proposal may take several visits, and may involve large numbers of people. In the pilot studies, people from neighbouring villages were involved whose pastures bordered those of the target community. Agreement and mutual respect is absolutely vital to proceed to the next step. Once agreement is reached,

the team should visit the rangeland areas and take some GPS readings of visible landmarks to be able to obtain the proper satellite imagery.

## Step 2: Delineate the boundaries of rangeland parcels

Working with communities using satellite imagery to delineate land parcels has proved to be an adequate approach. In the pilot studies, villagers were very engaged in the process; they recognized their houses and lands at once and faced no problems in identifying valid and agreed upon boundaries of the pasture and private land they use. The drawing of the rangeland parcel boundaries requires the following steps:

Acquiring satellite imagery of an appropriate scale. For very large rangeland parcels, imagery at the scale of 1:50,000 showing the topographic relief is needed to delineate parcel boundaries. For smaller parcels, imagery at the scale of 1:5,000 is preferable. The project used Quickbird satellite images.

Equipped with the images, the team returns to the village and walks the boundaries of the rangeland parcels with village representatives. Boundaries are marked on the images using appropriate line symbols. The team at this stage should include one cadastral survey engineer with training in photo interpretation and with training and experience working with villagers on land matters, a community mobilization specialist



**Photo 3.3:** Shura members discuss delineation of pasture parcels on a satellite image

with some training in photo interpretation, and a pasture specialist from the MAIL. If the community is of a special ethnic/language composition, a fourth person from that ethnic/language group may be added.

The resulting map of distinct village pasture is subsequently signed (with signatures or with fingerprints) by elders and all members of the community council. This verifies the boundaries in the eyes of the villager inhabitants.

### Step 3: Agreements are prepared concerning the legitimate users of rangeland parcels

The preparation of the village rangeland agreement is the next step. A form is filled out for each parcel (Specimen in Annex 1). The agreement must record all of the legitimate users of each rangeland parcel for the entire year and for any use of that land (as pasture for livestock of different types, as sources of fuel and herbs, etc.)

Special care must be taken to include all legitimate users, including nomadic people who may use the land only during specific months of the year. To assure that these people are included in the agreement, the field team needs to coordinate with the representatives of the General Directorate of the Kuchis who have an office in every province. The local mullahs, elders, cooperative directors and traditional village chiefs should be used as sources of information about who use the different pastures to ensure that all families who depend on the pastures get their interests recorded on the agreements.



**Photo 3.4:** Filled and signed agreement form for a pasture parcel in Qala-e Safar Khan

The agreement must be signed by the users identified on the agreement, by the village elders, and by members of the village Shura. Since a wider initial agreement

will preclude later disputes, the boundaries must be agreed to and signed by representatives of neighbouring tribes, clans, families or villages. Modifications that may occur in time must be recorded and approved by all parties involved. Thereby, the agreements adopt the following characteristics (see also the Instructions for filling a community pasture land agreement in Annex 2):

**Signatures:** signatures are by the Head of the respective Shura and by the traditional village head (Arbab). The principle employed encourages as wide a buy-in as possible, and when there are different 'factions' within a community, as many as possible are brought on board.

**Witnesses:** witnesses are drawn from the elders of the village community, but also consist of other members. They are drawn as widely as possible from the community, from all ages and from all landholders. This is mainly for two reasons: first, the younger members of the community can be expected to give validity to the agreement for a longer duration; second, the wider the buy-in from the community, the greater the legitimacy an agreement will have assigned to it.

**Additional information:** some further information on the parcel in question is provided in the agreement document. It contains a sketch of the land and its boundaries. Each parcel is given a distinct number on the satellite image and the coordinates of its boundaries. If existent, it contains reference to customary or other documents existing for the parcel. It contains agreements as to the obligations and rights of communities to use the pasture only for grazing animals, to protect the pasture from converting to agricultural or residential use and to improve it in collaboration with Ministry of Agriculture and other stakeholders.

**Community basis of agreements:** the aim of the project is to provide a single agreement sheet which will establish finally for the communities the rights to each parcel in question. There is no »going behind« the agreement as validated by users, neighbours and witnesses - it itself represents a legal agreement in the sense of Islamic as well as Customary Law by having signatures or fingerprints of witnesses, elders, village chiefs and others.

#### **Step 4: Meet, discuss and approve the agreements and delineations**

The signed agreements and the delineated images should be displayed in a prominent, but secure place in the village. This is to give community members the opportunity to take due notice of the documents and to contest its contents where there are errors, so that possibly a renegotiation of boundaries, the number of its rightful users or any notice of other concerns with the agreements can take place. The display period shall last for one month in a publicly accessible place, such as the local Shura building.

A representative of the Pasture Department will then come to the village and examine the agreements and delineated images, using a checklist of factors to verify that the work has been accurately done. He will leave a signed checklist attached to each pasture agreement. If there is some problem with the formulation of the agreements or with the delineation of the images, the Pasture Specialist will present a written memo to the Village Elders describing the problem and how to resolve it.



**Photo 3.5:** The delineated satellite imagery put for public display in the village mosque of Beydak-e Saghari

#### **Step 5: Archive the agreements and delineated images**

After there is general community and government approval of the final versions of the agreements and to the delineated parcel boundaries, then two other identical agreements should be prepared for each rangeland parcel, giving a total of four identical, signed agreements for each parcel:

- One to remain in the village archive
- One to the Provincial Pasture Land Department of the MAIL
- One to the Provincial Amlak archive
- One to the Central Amlak/Cadastre in Kabul

An exact copy of the delineated image will be prepared to be taken to Kabul to be digitized. A paper copy of the delineated image plus a digital copy of each agreement along with a digital copy of the delineated parcel image should be filed with the Central Cadastral Office Archive.

People in all four pilot villages perceived the exercise as laid out in the first five steps of ADAMAP to be very valuable for their future, and considered the resulting documents as binding agreements ensuring security of their tenure. Further, they were willing to maintain the agreement documents and imagery and keep record of any changes that may occur over the recorded user rights on the delineated land parcels. There is an active request by village councils to be formally acknowledged by the Government and the assumption of additional responsibilities provides the community councils with an ongoing role, thereby strengthening their position as a village-level institution with real responsibilities as the basic institutional body of land administration in Afghanistan. Since, however, these councils are not necessarily the bodies with the most authority in a given village, it is important to allow for additional signatures or, at the least, to allow for numerous witnesses in order for the agreements to be representative for the entire community. Ultimately, however, the increased security of tenure achieved through ADAMAP shall lead to physical improvements of rangelands, addressed in the final step of the methodology.

### **Step 6: Plan for the improvement of the rangeland parcels**

As a final step, a rangeland improvement team will visit the community and discuss with the managers of each rangeland parcel as shown on the agreements how they have attempted to improve the pastures in the past and how they can be improved in the future. This step obviously needs time, resources and investments and a strong partnership between communities and the Government. In the pilot implementation of Step 6, no explicit improvement measures have been taken, but discussions between communities and the Government have occurred. It is assumed that

local consensus and written documentation about rights to rangeland as promoted by the implementation of ADAMAP provides the incentives to the holders of those rights to improve the rangelands in the knowledge that their tenure in these lands is now secure. This represents a new and unfamiliar situation for most herding families. Whereas most crop farmers are accustomed to investing in land improvements (fertilising land, extending irrigation and so on) in the expectation that they have sole control over the benefits of that investment, the situation is wholly different for herding families. They have never been in a position to contemplate investing in pasture and forest land because they never operated within a tenure regime in which it has been logical to do so. Initially they will require substantial guidance in both preparing land management plans and in implementing improvements.



**Photo 3.6:** Planning for pasture improvements is critical to sustain the natural resource

Many useful ideas emerged from discussions with villagers for improving rangeland carrying capacity, including investments that the villagers already intended to make. However, given the novelty of the situation, people are unlikely to know all the technical and management options which are open to them due to their improved tenure security. There are many recipes

for improved pasture, ranging from rotational grazing through pasture/forestry developments and the planting of fodder crops in pockets of especially favourable rangeland; at the outset, however, herdsmen can be expected to know little about such ideas. It is therefore vital that herdsmen and farmers get a rapid start in implementing rangeland improvements, and it is crucial that outside help from government, companies and NGOs is provided. If it is not provided, it will lead to delays in the addressing of the urgent problem of pasture degradation and erosion in the rural areas.

ADAMAP contains procedures for working with the village users of rangeland parcels to prepare plans for the improvement of those lands (see a format in Fig-

re 3 with example entries for an imaginary situation which illustrate the types of information required.) The preparation of a pasture improvement plan should therefore follow a simple step-by-step procedure. It needs to be conducted separately for each parcel of pasture land, by the legitimate users of that land, and overseen by the Natural Resources Directorate (NRD) of the MAIL.

1. An agreement on the purpose of the meeting, and its agenda as below.
2. A definition of who the users are, classifying themselves according to their major occupations and sources of family livelihood.
3. A discussion centered on what the parcel of land is used for at present, and what is its importance and value for the users.
4. A discussion of the present state of the pasture and land in the parcel, and how that may have changed over the last ten years.
5. In light of points 2 to 4, a discussion of the threats to the pasture and pasture improvement options which are needed and are technically feasible on the land parcel.
6. The selection of pasture improvement measures to be adopted initially, justifying that selection in light of points 2 to 5 above.
7. A discussion of how the users will divide the work involved in paragraph 6 and organize it between them.
8. Recording and copying of the agreed plan as minutes of the meeting, together with an attached sketch map.

In terms of developing better government/community relationships, the approaches developed under ADAMAP for pasture and forest lands have two important positive characteristics. Firstly, they address the reality of the situation, by recognising the traditional system of tenure over pasture and forest land which has been practiced for years, and by strengthening that system through the provision of complete records. Secondly, the increased security of tenure makes it in the interests of land users to invest and improve the land. Suddenly, the interest of the State and the interest of the people - to increase the value, and stop the degradation of forest and pasture land - are aligned. This could be considered a milestone in the development

of new, cooperative, mutually beneficial relationships between government and the rural people.

<b>Pasture Improvement Plan Format</b>		
<p><b>Note:</b> The entries below are for an imaginary situation in which users choose to implement pasture improvements involving (a) rotational grazing, (b) construction of check dams and (c) a prohibition on the collection of shrubs for firewood. The users have decided that construction of the check dams will be done by three users.</p>		
<b>Topic</b>	<b>People Responsible</b>	<b>Payment details (if any)</b>
Overall manager on behalf of village users	Name given	specify if any
Overall deputy manager on behalf of village users	Name given	specify if any
Overall manager on behalf of migratory users	Name given	specify if any
Management of rotational grazing according to regime agreed in the improvement plan	All users	no payment
Construction of check dams	Three names given	payment from other users given
Prohibiting collection of shrubs for firewood - warning away people who are not observing the prohibition	All users	no payment

Figure 3: Pasture Improvement Plan Format

### 3.3 ADAMAP and Community Validation of Private Land Parcels

A slightly modified method has been applied to test the feasibility of a community based system for certifying private ownership of agricultural land. Field experience which, due to time and resource constraints, has been limited to one test site (village of Nau Abad, Chardara District of Kunduz Province) tentatively showed this assumption to be grounded in fact. In general, the method used for private lands resembles the ADAMAP procedure, except that it is necessary for a different parcel form to be legitimized by the owners and by the village elders (see specimen in Annex 3). As in the ADAMAP rangeland process, the agricultural land parcel maps

and forms are kept in the village Shura office. These become the village's archive of parcel maps and Parcel Specification Forms defining ownership of agricultural land.



**Photo 3.7:** Private land parcels in the village of Nau Abad

Practically speaking, the field team selected a block of 100 privately owned parcels by inspecting satellite imagery. The team verified that the Cadastral Survey had maps and parcel cards available for those same parcels, albeit from 30 years earlier. A parcel is defined as a piece of land with a clear boundary whose ownership is constant for the entire area of the parcel. Through consultations with the owners

of the 100 parcels, their boundaries have been delineated on high resolution Quickbird satellite imagery plotted at the scale of 1:2,000. They were assigned a unique number, and ownership and use information were noted on a specific parcel specification form for each parcel. Subsidiary users and the names of the sharecroppers or other users have been noted in the appropriate places of the model form.

On the parcel form, there is also a place to describe the type of land in the parcel. The purposes of this item are:

- to enable a statistical tabulation of this data for describing the main types of agricultural land for MAIL's planning purposes; and
- to coordinate the estimation of the value of the parcel derived from its productive potential. This will be used in cases where some simple contribution system is devised in the future for supporting the village Shura's land records management activities. This question has also been used to explore whether villagers can readily classify parcels using the criteria proposed.

To limit the likelihood of unauthorized modifications to the forms or boundaries, two procedures were devised:

1. There should be a log book, listing all forms in sequential order with basic information about each parcel, including the ownership. Any subsequent modification of a form must be authorized by the Shura, and so indicated on the forms and in the log book.
2. The delineated parcel maps are digitized, and the forms are digitally photographed. Subsequently these digital records are combined into a simple GIS and archived in an appropriate governmental agency (see Section 3.4 below).

The experience with the community based land records management method in Kunduz has been entirely positive. The community welcomed the approach to their generating and managing the archival of the documentation of state and private agricultural land as much as they did ADAMAP providing them with formalized documentation on their rights to pasture land. However, due to the limited testing of methodologies for cropland during the pilots, any extension of the approach will require additional piloting to develop further amended methodologies suitable for ownership of croplands. This includes the role of 'Village Recording Secretaries' designated by the community council, who shall be responsible for the management and archiving of delineated satellite images and parcel forms and who need training in the procedures for maintaining and updating cropland ownership records and maps. Also, questions pertaining to the amount of review needed of the field teams' work on boundary delineation and parcel register forms and how to control unauthorized changing of parcel records need to be addressed further. Finally, ownership and boundaries of state-owned cropland parcels needs to be done unanimously to assure proper recording.

### **3.4 Digital Archiving of Community Agreements and Ownership Forms for Private Parcels**

The ADAMAP methodology's final activity is to build a simple digitized Land Information System that renders the field data readily accessible and provides an additional archive of records about user rights to pasture and ownership of agricultural land. The aim is to improve the technical capacity of Afghan land administration institutions and their organization of land information, although the priority will be given to proper recordation of hard copies, as outlined above. It must be

recognized that land administration systems, and particularly their core cadastral components, comprise important infrastructure which oversees the implementation of land use policies. At the same time, they represent a broader land information infrastructure which, when functioning well, will be able to support economic development, environmental management and social stability. The complex range of rights, restrictions and responsibilities in land usage needs to be identified, mapped and managed, with village communities being the principal basis to do so. What, then, is the role of GIS? While in the short term it is certainly not realistic to expect that modernization or administrative reform will also encompass computerization and digital land information storage all over Afghanistan, the technology should be gradually introduced. Initially, it should be introduced in the central government for a better and more efficient management of land information. The institution that best can serve as a central repository of digitized data is the Afghan Geodesy and Cartography Head Office (AGCHO). In the long run, provincial Cadastral Departments in partnership with the provincial Amlak offices may start functioning as provincial digitising centres over an extension of the approach to additional areas of the country. At a practical level, the hard data collected in the field needs to be digitized and transferred into an uncomplicated GIS. Satellite imagery showing the boundaries of pasture parcels and agricultural land parcels must be scanned and the parcel boundaries digitized. Further, the completed and signed agreement documents for each parcel should be digitized and should include hyperlinks to the parcels they belong to. This simple procedure is at the heart of what will become a very straightforward GIS. It will provide a digital record of the location of parcels and their boundaries, along with the agreement documents showing user rights and ownership, all easily accessible. For the four pilots, a GIS has been developed and successfully tested, proving the workability of establishing a digital system of the ADAMAP results for easy reference. A GIS based on pilot-tested community, government and private sector consultation provides a number of advantages:

- It provides additional security for the land records collected over fieldwork.
- It provides easy and efficient organization and management of the land information data collected through ADAMAP, the original hard copies of which are archived in the villages.
- It assures that a centralized land information management system is introduced that can be extended gradually, along with hard copies in villages and government land institutions.

- Its development through public-private collaboration will help to ensure sustainable maintenance, extension and probable modifications of the GIS.



Figure 4: The village-based parcel register for private land as managed in the GIS: each individual parcel is digitized and linked with its parcel form signed by owners and witnesses

### 3.5 Lessons Learned from ADAMAP Implementation in Four Villages

The practical experience with ADAMAP and its very positive reception by the village communities in the four pilot sites provide ample evidence that ADAMAP has the potential to sustainably tackle the land tenure problems affecting Afghanistan.

In all four sites, community Shuras enthusiastically welcomed the ADAMAP approach and were ready to assume responsibility for land administration and management, albeit to be conducted under formal acceptance of and in partnership with the government. In fact, the councils of pilot communities see themselves as not only capable, but in fact the only body that can administer and manage their lands properly, as they are sure about delineations of boundaries over private and communal lands. To be formally able to do so, however, they requested official status and recognition by the government beforehand, as well as some support in terms of office space and materials. Generally, villagers in the pilot areas were positive toward engaging in partnerships with the Government.

### Villagers' perceptions about the ADAMAP methodology

- Generally, all villagers expressed great satisfaction with the work done by the field teams. People see the benefits this type of work entails and how it can lead to stable land relations both in regard to pasture and private lands as well as to a mutually agreed upon understanding about the use of public lands between communities and the state.
- Especially important for villagers is the preservation of documents stating user rights to pasture and ownership over private land inside the village itself. This allows them to easily tackle land problems that may arise in future and helps them to access land records without investing time and money.
- Proactively, villagers established what they call a 'land administration room' located in the premises of their Shura compounds. Here the delineated imagery is put to public display, and here all records shall be kept for archiving and future reference.
- The work on private land in Kunduz was highly appreciated, as it give additional evidence to the rightful owners of a given parcel in addition to the documentation that may already exist, such as tax receipts from the Amlak Department. For pasture land, however, such prior documentation never existed before and the community agreements are perceived as an important means to formally register user rights to public land.
- Villagers are very confident about the entire process and see themselves not only capable of administering the land they use and own, but also of carrying out the method of delineating pasture parcels and producing attendant agreement forms as well as producing a community register of private lands. People feel they have acquired the capacity to carry out the entire ADAMAP process and would volunteer to help and teach other villages to record their pasture and private lands as well.
- A concern remains as to the activities of the government - some villagers feel that in spite of documentation, perceived as legal documents under *Sharia* and customary law, the state may obtain the pasture areas that are used by the community to implement whatever projects. This why it has been strongly recommended by villagers that the government recognizes the community agreements as legal documents and formally accepted records of user rights to public land. Along the same lines, villagers request the government to recognize them as an official body for land administration.
- In addition, *Shuras* demanded from the Government to make clear together with them who is responsible for which type of land, so that they can effectively exercise the role of a principal land administration and management body at the local level.
- A clause in the agreement form states the responsibility of villagers not to convert pasture land into agricultural use - this is accepted by the village community, and people hope that the government will fulfil its own obligation not to implement any sort of project on communally used pastures without seeking the prior consent of the community as also stated in the said clause (see Annex 1).
- The community *Shura* in the pilot village in Takhar acted as controlling body over pasture already in the past, when per verbal decree they forbid any conversion of grazing land to agricultural use; this decree is followed until today, and it shows the power customarily assigned to this representative body and the potential role it can assume for sustainable conservation of grazing lands.
- The ADAMAP approach has also been described by villagers as a viable means to resolve conflicts over land that may exist between communities and the state.
- Villagers stressed that formal documentation over user rights to pastures will provide the incentive to protect their pastures better and to engage in investments for pasture improvement.

Figure 5: How villagers see the ADAMAP methodology

No major differences in the general perception of ADAMAP have been encountered between the four pilot villages. In all test sites, village communities engaged

in discussions with their neighbours to delineate boundaries of the pasture areas they use, thereby prompting the desire to extend ADAMAP beyond the immediate pilots to also include the neighbouring villages - a strategy explicitly recommended when it comes to a roll-out of the approach, which would best involve full coverage of target districts. In addition, nomadic pastoralists should be integrated in the agreement process in order that their legitimate rights to access pasture areas is recorded. However, during ADAMAP implementation in pilot villages, work with nomad populations remained somewhat marginal. This happened primarily because in the spring and summer of 2007 the pasture areas covered and delineated in Herat and Takhar Provinces unexpectedly were not visited by nomads and the field teams explicitly revisiting the sites in the appropriate season were therefore unable to complete an agreement. The pilot village in Kunduz however consisted of nomadic tribes who had chosen to live a semi-sedentary lifestyle. In this case, facilitation of agreements with migrating Kuchis passing through the area over springtime was unproblematic and successful. The nomads of the pilot village themselves move seasonally to Badakhshan to use high altitude summer pastures. They therefore explicitly expressed the need to obtain formalized documentation about their rights to access water points and pasture lands during migration, as well as to the grazing areas they traditionally use in the high pastures of Badakhshan. The Department of Kuchi Affairs in Kabul and their local offices in the provinces expressed the same need, saying that formalized rights over pasture and forest land are absolutely critical for nomadic populations.

In principle, inclusion of nomads in the ADAMAP process is not difficult. It however needs careful timing to catch pastoralists when they are there. However, sedentary populations know the seasonal movements of Kuchis and at which times they access the local pastures. In all pilot villages, local communities stated that Kuchis have the right to use village and public pastures and there would be no problem reaching an agreement about time and boundary delineation. Likewise, the provincial Departments of Kuchi Affairs know the migratory routes and will be a partner in facilitating agreements between settled people and nomads over the legitimate rights to the use of pasture land. However, migrating Kuchis do not have elected representational bodies such as the community Shuras, so that the council of elders will serve as the partnering institution in the ADAMAP process.

The central conclusion, based on the experience of fieldwork, is that community administration of rangeland land agreements is feasible, and there are the many

advantages to be gained from pursuing it. The viability of the approach was also highlighted in discussions between community representatives and government employees in village and provincial level workshops facilitated by the ADAMAP project team (see Figure 5 for major workshop findings).

Under the tested system for community administration of rangeland agreements, the Government and the communities will develop new and more effective ways to improve rangelands, and to reduce tensions concerning access to rangelands. The Village Shuras will assume the burden of day-to-day responsibility for archiving, consulting and modifying when necessary these rangeland agreements, with the government taking on supporting and regulatory roles. The approach, however, has implications for the future evolution of Afghan land institutions and the relations between communities and the state. In order to put a new community based system of land administration and management to work, gradual institutional change and significant investments in capacity-building are essential (see Section 4).

The general advantages of the ADAMAP methodology with regard to the ultimate result of a **new system of land administration for Afghanistan** may be summarized as follows:

1. The new system builds directly on the traditional system, with which people are already familiar.
2. The new system keeps parcel records in a systematic way at the community base, ensuring ready access for those living in the place where it is most frequently needed, both for normal land transactions and in the resolution of land disputes.
3. The new system using satellite images in the field can be implemented much more rapidly than one which relies on conventional survey and mapping.
4. The new system provides families, clans and tribes with documentary confirmation of their rights to specific rangelands for certain purposes at defined times of the year. There are provisions for modifying the archived agreements when and if the stakeholders want to change those arrangements. This local consensus about rights to rangeland encourages the holders of those rights to improve the rangelands in the knowledge that their tenure in these lands is secure. There is potential for use of the agreements as evidence of land access,

which lenders could use to justify loans to the herding families involved in land improvements.

5. The new system provides herdsmen, for the very first time, with written documentation of their rights to rangelands to the extent that they will be encouraged to invest in their own improvements on that land. The advantages from the point of view of the individual herdsman are similar to those for cultivators of agricultural land (although the situation is somewhat different in the sense that most herdsmen have never had any such formal rights at all).
6. Therefore, the new system, by providing adequate security of tenure over pasture, reverses the logical responses of herdsmen in the use of pasture. Previously, herdsmen were logically drawn to exploiting the pasture in the short term, at the conspicuous expense of its long-term sustainability. Under the new system, herdsmen have direct interest in improving pasture in the interests of short-, medium- and long-term prosperity. The same advantages apply to forestry for exactly the same reasons.

## **4 Implications for Programming Institutional Change and Capacity Building**

Given the wealth of positive experience made over piloting the ADAMAP approach, and its potential to successfully tackle the contentious land problems of Afghanistan, it is recommended that its extension and comprehensive rollout in a larger Land Administration and Management Programme to encompass significant areas of the country be commenced soon. Any significant upscaling of ADAMAP to priority areas, however, needs a broad and long-term commitment to structural institutional change. The Afghan government must put community based management of natural resources at the centre of policy development and implementation while the donor community must start funding projects that aim to implement the Land Policy of Afghanistan on the ground. These commitments would embark upon two critical issues that arguably have not been sufficiently addressed to date:

1. Emphasis by the donor community to focus on long-term strategies accompanied by long-term commitments of funding that improve local governance

structures and addresses the apparent backlogs in subnational statebuilding activities.<sup>7</sup>

2. Obliging the government to improved service delivery in a new system of land administration. This would result in increased cooperation between the government and village communities and with gradual building of mutual trust also contribute to improve the overall security situation in Afghanistan.

#### **4.1 Requirements for Extension of the ADAMAP Approach**

The successful experiences made over the ADAMAP pilots provide a good basis for programming an extension and upscaling of the approach. Significantly, there emerged a clear demand among rural people for greater tenure security through a land administration system managed locally and which is readily accessible. This view was also echoed at the national level by the Director of the Department of Kuchi Affairs.

Extending ADAMAP to larger areas of the country would develop institutionalized working partnerships between national and local governments and rural communities to put into practice rural land administration systems and land improvement measures that contribute to significant improvements in the rural economies of Afghanistan as well as conserve pasture resource.<sup>8</sup>

Thereby, two sets of actions need to be pursued:

- Firstly, rural communities have to gain substantially strengthened capacities to take on their new roles. They have to become aware of the benefits available through much greater involvement; they have to decide they want to do those things and will work to achieve them; and, they have to know how to do them - both how to carry out the technical and administrative tasks involved, and how to organize themselves so they can cooperate with local government

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7) See Hamish Nixon: Subnational Statebuilding in Afghanistan 2005-2006, Draft, AREU Kabul, December 2007

8) The technical assistance presented to government a five-year programme proposal termed the »Land Administration and Management Programme (LAMP)« that is based around a shared vision of what rural areas would be like if the ADAMAP principles were applied, and how they could best be applied. This proposal forms part of the final reporting series of the ADTA.

authorities and representatives, all the while working together towards the greater good of the people and resources in their areas.

- Secondly, local and national government authorities have to adopt new roles. The function of government needs focusing on its mandate roles and service delivery responsibilities - which may be summarized as the creation of a good environment in which the communities may take up and carry out their new planning and implementation roles to the fullest extent. In the context of rural land, key government roles become:

1. the creation and guidance of the rural land policy framework;
2. the creation of a legal and fiscal framework for land which encourages sustainable, equitable and productive land uses;<sup>9</sup>
3. the efficient provision of a range of services which have to be done by government (judicial services, implementation of national standards, for example);
4. and, most importantly the local and national coordination of efforts to improve the land resources and productive uses to which they are put.

These goals must be implemented by the Government in ways which promote to the maximum extent the development and putting into practice of the new roles and responsibilities of the communities described above.

## **4.2 Institutional Development and Capacity-Building**

The most important land institutions in Afghanistan are the Amlak, administratively located in the MAIL, and the Cadastral Survey as a sub-department of AG-CHO. The natural resources directorate of the MAIL assumes an important responsibility in rangeland and forest management and will assume a key role in the rollout of LAMP. Other agencies with fewer responsibilities over land include the Supreme Court, where existing title deeds are stored, and the Ministry of Finance, which

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9) There needs to be in place a clear legislative framework for land administration and management that is as simple as possible and covers all aspects of land adjudication and recording. The key point of focus of the land adjudication and recording system is at the village level, but it must also apply to the actions of groups of village Shuras in gaining legal status for actions and measures which they decide on and implement together (e.g. District resource use plans).

holds tax papers and some information about land measurements. Evidently, these institutions are currently not in a position to exercise a clear regime for administering land rights and to fulfil their responsibility to provide services to the people, nor do they possess the capability at the level needed to resolve land tenure problems. Inefficiency, lack of coordination and overlapping responsibilities have been identified as main characteristics of the Afghan land administration system and the issue is phrased as such in the Land Policy which proposes to integrate gradually land administrative functions into a single government body. This major institutional change ultimately will need to be realized in order to ensure efficiency, avoid duplication and better utilize technical knowledge and skills so as to enable the government to overcome the present confusion that exists among competing land agencies and to start effectively managing land in equal partnership with local communities. However, such a process takes time. LAMP proposes a roadmap that defines incremental institutional reform in a staged approach and suggests initial streamlining of functions along with the extension of the community based approach, rather than advocating for an immediate major institutional reorganization. Common basic features that are apparent and need to be addressed across all institutions can be summarized as follows: All land agencies have to cope with a backlog in their mandate activities. In various ways, the mandates of each individual institution are ill-suited to the community approach. This is probably not surprising, given how little acceptance inside government there is for the devolution of power and the assignment of enhanced responsibilities to communities. This goes along with a general resistance inside the government towards institutional change. However, the unanimous approval of the Land Policy with its clear community focus points to the fact that government is opening up and realizes that the problems of the country can only be solved in partnership with local communities. To date, however, all land institutions face a deficit in capacity for the implementation of community based methods, and accordingly any effort to scale up ADAMAP needs sufficient investment in capacity-building programs. Building capacity and developing a new understanding about the benefits of the community approach to land administration and management will likely reverse this resistance. New terms of reference for staff in all offices need to be devised in order to prepare staff for their new roles as guides, supporters and facilitators of communities in land administration and management. Cooperation between land institutions is very limited at best. This, however, is also not very surprising since it has yet to be clearly defined what the

basis of this cooperation should be. Mandates of different institutions need to be attuned to the community approach and harmonized accordingly.

The degree and shape to which the different land institutions are to be involved in the extension of the ADAMAP approach has to be decided in consultation with the MAIL and other relevant offices. In the case of MAIL, an extension was seen as a means of deploying in practice its existing policy and strategy for community management of forest and range land. The Staff of the responsible institution within MAIL - the Directorate of Natural Resources - and the ADAMAP team jointly developed proposals for minor institutional restructuring and major capacity-building within the Directorate which would allow the government to take up its mandate role in supporting and coordinating community management of natural resources in rural areas (see below). In the case of AGCHO and AMLAK, however, the response was different: the two organizations expressed willingness to support an extension of ADAMAP in specific roles which fall within their own present mandates, but they were however not yet ready to discuss significant amendments to those mandates.

However, over the rollout of ADAMAP, the Cadastral Survey Department will clearly play crucial roles in training, supervising and advising the field teams doing the parcel boundary delineation on the satellite imagery, and encouraging village Shuras and elders to produce the user agreements. They will then continue to support and monitor the work of the village Shuras in keeping these agreements and maps up to date. Similarly, the District Amlak office will support and monitor the work of the field teams as well as the ongoing work of the Village Recording Secretary with regard to private cropland, and both institutions will serve as regional 'IT and mapping centres' for the digital archiving of the collected land information. Accordingly, the District Offices should be trained and equipped to handle digital archives for both pastures and croplands. The Regional offices also need to be equipped to handle the paper copies of these images for delineating parcel boundaries.

Whereas the Cadastral Survey and Amlak will be mostly responsible for supporting the delineation of boundaries for pasture and croplands and to store digital and paper copies of the satellite imagery and its attendant land agreements, the originals of which are to be kept in with the community councils, the Natural Resources Directorate assumes a critical and far-reaching role in facilitating pasture improvements plans. In particular, their field staff will need to receive substantial training in order to support communities in the assumption of their new roles.

A vital function of NRD field staff will be to assist, advise and facilitate the legi-

timate users of pasture as specified in the agreements to prepare plans to manage individual parcels of forest and pasture land and to implement those plans through their initial stages. This task includes a check that all people who have rights of access and use over a parcel of land are present and take full parts in these decisions and actions.

The skills needed by the NRD field staff to fulfil their new functions can be listed under five headings, as follows:

- **Techniques in community consultation:** The Staff of the NRD needs new skills in community group organization and management aspects. Knowledge about essential techniques and modus operandi in dialoguing with community members and groups has to be acquired.
- **Multidisciplinary knowledge:** The Staff requires a wide knowledge of pastures and forests, including various recipes for pasture improvements and the use of trees and shrubs in improved pasture areas. The knowledge must also include the uses of forest and pasture land for fuel wood, as sources of medicinal plants and as habitats for wildlife in places where that applies. This also consists of the preparation of resource use overviews of Programme target Districts, including the calculation of fodder balances for livestock (from pasture, browse, fodder crops and crop residues) and relating the balance to present and possible future improved uses of rangeland.
- **Adaptability to local land resources and land-use systems:** The land resources of each individual land parcel are different and the improvements which rural people may want to implement on them are likely to be different (depending on the present livelihood problems and possible solutions for improving livelihoods through better, more productive land uses). While there may be similarities between improvements which are possible in neighbouring land parcels, there is no fixed prescription in any one case. Conditions in one District may well be wholly different from those in neighbouring Districts. The staff need to know what these differences are and how they affect the choice of initial improvements chosen by the rural people before they start the advisory work.
- **Adaptability to the understandings of the groups of rural people:** The community management group and its capacity for planning and implementing

land improvements is likely to vary widely. Some groups may already have clear ideas about land improvements which are well adapted to the land parcel concerned, and about how to organize the labour and management involved in the improvements between members of the group. Others will have little initial experience of either of these things. The Field Staff needs to take careful account of these differences in each individual case.

- **Presentation of the new community service:** For the rural community members, community range management, forestry and wildlife development will be something quite different from arrangements and services in the past. They involve new roles for rural people - deciding on and implementing land improvements of their own choice, and at their own initiative; for government in the form of the NRD field staff - advising, facilitating and linking, but not doing the improvements for them; and for the Shuras in deciding on the things which need to be addressed collectively in District resource use plans, and in doing other things (for example mediation in any land disputes) which facilitate the move towards more productive uses of land.

**The following measures need to be taken to adapt the NRD to its new roles and responsibilities:**

- The establishment within NRD of a new Department called the Field Services Department
- The transfer of all NRD staff in the Provinces and Districts to Field Services as Field Services Technical (FST) staff
- Field Services Headquarters, Kabul (FSHQ) to be operated by a Head of Department and three experienced support staff
- Greater emphasis in the work of the Departments of Forestry and Range Management on development of technical recipes for improved community land management (for deployment through Field Services), and on making natural resources effective as a cross-cutting issue
- A major investment in the immediate future in training and capacity-building, with the main emphasis on Field Services staff

### 4.3 The Need for Improved Coordination

Putting a new and community based system of land administration and management into practice obviously is a challenging task. The process of implementation has been laid out for the government in the ADTA reporting series; however, it requires improved measures of coordination at various levels right from the outset. These include the following:

- Coordination between different Ministries, especially the Ministry of Rural Rehabilitation and Development (MRRD) and MAIL. In the complete absence of any prior coordination between those important Ministries, a first step to bring both entities closer together has already been undertaken during the pilot phase, with MAIL requesting enhanced cooperation regarding the pilot implementation of ADAMAP. This eventually needs to be formalized in a Memorandum of Understanding to be signed by both Ministers. In an effort to recognize the issue of land taxation as a critical and potentially contentious issue in a program roll-out, the Ministry of Finance should be also involved in the effort.<sup>10</sup>
- Coordination between the Community Development Councils and District and Provincial level land institutions, or a possible unified land office to be established in the longer term. Such coordination has been facilitated in the pilot areas, but needs to be formally institutionalized on a larger scale over a programme rollout. With the official recognition of CDC's assuming land administration and management responsibility, community-government relations almost certainly will improve.
- Inter-CDC coordination will be required when verifying user rights to the large public pastures used by a variety of village and nomadic groups. Experience from the pilot village in Kunduz has provided evidence as to how this can be achieved; other projects also contribute to a substantiation of the process.<sup>11</sup> Nomad representation, in turn, needs to be ensured through their tradi-

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10) For details about land taxation in Afghanistan see also Fernando Cossio Munoz: Taxation of Land in Post-Conflict Environments: The Case of Afghanistan. Preliminary Draft for the Ministry of Finance, Islamic Republic of Afghanistan, November 2007.

11) MAIL and FAO, also with DfID support, operate a SALEH (Sustainable Agricultural Livelihoods in Eastern Hazarajat) pilot project in Bamyan Province which includes the testing of ways to define local agreements about pasture land tenure and for the sustainable uses of pastures.

tional council of elders. However, further thinking is required as to how those Nomad councils can be integrated more formally into land administration and management, possibly accompanying a larger CDC consolidation effort.

- Coordination between donors needs to be facilitated such that availability of dedicated resources for activities within the specific sectors of a larger Land Administration and Management Programme, and with regard to different target provinces and districts would be ensured. Thus, it seems advisable that one major donor agency take the lead in funding and coordination, to be supported by others. The technical assistance detected significant interest in the ADAMAP approach among various donor agencies and, with the formal approval of the proposal through the MAIL, there appears to be potential for getting the programme off the ground comparatively quickly.

## **5 Conclusions**

As stated before, the central conclusion of the pilot implementation of ADAMAP is that community administration of rangeland land agreements is feasible and contains many advantages. Importantly, the method proved to be an effective tool for asserting user rights to pastures and private cropland, thus encouraging investment into pasture resources and helping to address the problem of pasture degradation. At the same time, ADAMAP helps reducing conflict over land and strengthens the relationship between communities and the government, which is a precondition for improving the overall security situation in Afghanistan. Institutionally, the project provides elected village councils with an ongoing role, ensuring their position as the basic body of land administration in Afghanistan and thus nurturing their role as bona fide village institutions with real responsibilities. This provides an ideal opportunity for linkages to the NSP programme, which should be explored. The empowerment of community Shuras is also welcomed by most governmental representatives on the provincial and district level, who clearly recognize the lack of state capacity to manage pasture in Afghanistan and principally welcome ADAMAP as a way forward. However, in order to transfer responsibilities for land administration and management to communities, partnerships with existing land institutions need to be forged beforehand. In addition, ADAMAP requires support through im-

proved coordination between the different state land institutions. Another positive effect of gradually extending the approach to the entire nation is the establishment of a comprehensive land information and management system for Afghanistan that provides clarity about land ownership and land use patterns. This will facilitate agricultural and, in time, counter-narcotic planning. The ADAMAP approach has been received very positively among all stakeholders. Significantly, representatives from all participating government offices (presently the Rangeland Department and AMLAK of the MAIL and AGCHO under the Presidency) and community members recommend its roll-out into more provinces, where security conditions allow. Also the involvement of NGOs has proved to be a workable option and partnerships between NGOs and governmental land agencies should be established more formally. They represent the most promising way to move forward in a concerted manner.

# Annex 1: Community Agreement Form

## 1. Location

Village: \_\_\_\_\_

District: \_\_\_\_\_

Province: \_\_\_\_\_

Agreement Number: \_\_\_\_\_ Date: \_\_\_\_\_

## Community Agreement on the Uses of a Pasture or Forest Land Parcel

2. Number on map or image: \_\_\_\_\_
3. Approximate area of the parcel based on community estimation: \_\_\_\_\_
4. Approximate area of the parcel based on Map/ Image: \_\_\_\_\_
5. Area of the parcel based on Calculation: \_\_\_\_\_
6. Approximate coordinates of center point: N \_\_\_\_\_ E \_\_\_\_\_
7. Boundary of the parcel:

Northern: \_\_\_\_\_

Southern: \_\_\_\_\_

Eastern: \_\_\_\_\_

Western: \_\_\_\_\_

## 8. Sketch from map or image

**9. Uses of Pasture or Forest Parcel by Local Community or Kuchis during Year \_\_\_\_\_**

Type of Use:	Dates of use during year:	Community Identified User (s)	For how many years has User(s) used the parcel?	From whom does the User need approval to use parcel (Name)?
Use 1:	From ____/____/____ to ____/____/____/			
Use 2:	From ____/____/____ to ____/____/____/			
Use 3:	From ____/____/____ to ____/____/____/			
Use 4:	From ____/____/____ to ____/____/____/			

**10. Are there any conflicting claims as to the users of this parcel? Explain:** \_\_\_\_\_

**11. Location of the documents relevant to the community decision:**

A) Type of document: \_\_\_\_\_

B) Registration location: \_\_\_\_\_

**Obligations of the Users of the Parcel:**

We use the pasture only for grazing animals. Pasture may include small areas of trees and shrubs planted to protect the pasture land from erosion. We protect the pasture from conversion to agricultural or residential uses and we work to improve the productivity of the pasture/forest land parcel, in collaboration with Ministry of Agriculture and other stakeholders. Since according to the Land Management Law and Pasture Law all pasture and the forest lands are the government's property, the government may, with the agreement of the local community, establish large agricultural farms, livestock and industrial parks, roads and other infrastructure for the welfare and promotion of the living standard of the people.

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**Name, Signature and Fingerprint of boundary Identifier:**

**Name, Signature and Fingerprint of recorder of agreement:**

**Name, Signature and Fingerprint of Members of Shura:**

**Name, Signature and Fingerprint of Elders and Villagers:**

**Neighbours' Agreement:**

"We the neighbours of ( ) village agree on the text of this agreement. We don't have any claim on this parcel of land."

**Name, Signature and Fingerprint of Neighbours:**

**Name, Signature and Fingerprint of witnesses**

**Confirmation and certification of Head of Shura:**

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**MODIFICATIONS TO AGREEMENT:**

Description of modification	Date of modification	Signatures of Village Shura, elders, heads of families affected by modification

## Annex 2: Instructions for Filling a Community Pasture Land Agreement

**Agreement Number:** Within a local community, typically a village, one or more agreements can be prepared for parcels of land used as rangeland (or as forests, in cases of forest parcels) which contain the information indicated in this model form. The Agreement Number is assigned sequentially beginning with "1" to each agreement.

**Date:** The day, month and year of the final approval of the agreement by the community.

**Village Name:** The name of the village where most of the users of the pasture parcel live.

**District:** Name of the District where the village is located.

**Province:** Name of the Province where the District is located.

The above information is noted on each page used for the agreement so that in case a page becomes separated from the agreement, it can be correctly re-attached.

**1. Directions for arriving at the Village:** Instructions for finding the way to the village from known landmarks and place names.

**2. Number on map or image:**\_\_\_\_\_ An image is used to delineate the boundaries of a specific pasture parcel to which the agreement refers. The number of the parcel as written on the image is noted in this space.

**3. Approximate area of the parcel based on community estimation:**\_\_\_\_\_ Based on discussions with the community concerning the pasture parcel, note their estimation of the area of the parcel, in jeribs or some other measure. Be sure to note the unit of measurement as well as the numerical area.

**4. Approximate coordinates of centre point:** N \_\_\_\_\_ E \_\_\_\_\_ Using the image and the coordinates noted there, estimate the coordinates of the centre of the pasture parcel being to which this agreement pertains.

**5. Boundary of the parcel:** Note what place or tribe or clan or family is on the Northern, Southern, Eastern and Western boundaries of the parcel of this agreement.

**6. Sketch from map or image** Make an approximate sketch of the pasture parcel as it appears on the image.

**7. Uses of Pasture Parcel by Local Community or Kuchis during Year** \_\_\_\_\_

In this table note the year to which the agreement refers.

Then note the following information concerning each use and user:

**Type of Use:** Pasture, gathering fuel, herbs, other.

**Dates of Use:** From what date to what date is the parcel used for the specified use.

**Community Identified User:** List the names of all of the users of the parcel during the specified period of time.

**For how many years has the User(s) used the parcel?** Note the number of years.

**From whom does the User need approval to use the parcel (name)** List the names of the persons or organizations who give approval.

**8. Are there any conflicting claims as to the users of this parcel? Explain:** Note the nature of any conflicting claims by people or groups to be users of this parcel and explain as clearly as possible the origins and history of each conflicting claim.

**9. Location of the documents relevant to the community decision:**

**Type of document:** Note the type of any document which is relevant to the community decision about the legitimate users of this parcel, such as a royal decree or Ministry permit or other document.

**Registration location:** Note the location of this document.

**Obligations of the Users of the Parcel:**

Be sure that the community leaders understand the following description of the obligations of the users of the pasture parcel subject to this agreement.

*We will use the pasture only for grazing animals. Pasture may include small areas of trees and shrubs planted to protect the pasture land from erosion. We protect the pasture from converting to agricultural or residential uses and we work to improve the productivity of the pasture/forest land parcel, in collaboration with Ministry of Agriculture and other stakeholders. With the agreement of the local community, the government may establish large agricultural farms, livestock and industrial parks, roads and other infrastructure for the welfare and promotion of the living standard of the people.*

**Name, Signature and Fingerprint of boundary Identifier:**

Note in this space the names, and get the signatures and fingerprints of the person(s) who have identified the boundaries of the parcel subject to this agreement.

**Name, Signature and Fingerprint of recorder of agreement:**

Note in this space the names and get the signatures and fingerprints of the person(s) who have prepared this agreement

**Name, Signature and Fingerprint of Members of Shura:**

Note in this space the names, signatures, and fingerprints of the members of the village *Shura* of *Jirga* who approve the contents of this agreement.

**Name, Signature and Fingerprint of Elders and Villagers:**

Note in this space the names, signatures and fingerprints of the village elders, Arbabs, and other respected people who approve the contents of this agreement.

**Neighbours' Agreement:**

"We the neighbours of ( ) village agree on the text of this agreement. We don't have any claim on this parcel of land."

Fill in the name of the village from above.

**Name, Signature and Fingerprint of Neighbours:**

Note in this space the names, signatures and fingerprints of the neighbours of the parcel subject to this agreement.

**Name, Signature and Fingerprint of witnesses:**

Note in this space the names, signatures and fingerprints of witnesses to this statement of the neighbours of the parcel subject to this agreement.

## MODIFICATIONS TO AGREEMENT:

The last page of the model agreement contains space for the community stake holders in the management of the parcel to adjust to changed conditions in the future. Today's agreement as expressed in the filled out Community Pasture Land Agreement may have to be changed in the future.

If all of the stakeholders agree to change, then they should note:

- the nature of the modification in the agreement which they desire,
- the date of the modification, and
- the names, signatures and fingerprints of the community elders, Shura representatives, and other stakeholders in the management of the parcel.

# Annex 3: Parcel Specification Form

**1. Location:**

Village:

District:

Province:

**PARCEL SPECIFICATION FORM**

Form Number: \_\_\_\_\_

2. Parcel Number On Map/ Image: \_\_\_\_\_ a. Number of Origin Parcel: \_\_\_\_\_ b. Date: \_\_\_\_\_

**3. Information about the Parcel:**

**Area:**

a. Calculated from Map/Image: Approximately \_\_\_\_\_ Jeribs.

b. As described in documents: \_\_\_\_\_ Jeribs.

c. As calculated by survey: \_\_\_\_\_ Jeribs.

d. Type and Description of documents:

e. Location of survey plan:

f. Type of Land Parcel: \_\_\_\_\_

g. Distance of parcel from market: \_\_\_\_\_ km

**h. Bounded by:**

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

**4 - OWNERSHIP OF PARCEL**

Owner(s) Name(s) and Father's Name(s)	Date present owner acquired land	If private owner, the address of owner's residence	Basis for proving ownership, and location of documents establishing ownership

5 - RESTRICTIONS ON OWNERSHIP AND USES, SUCH AS CONFLICTING CLAIMS, MORTGAGES, COURT DECISIONS, OTHER RESTRICTIONS:

Date of Starting Restriction	Type	Description	Location of Documents Defining Restrictions

Comments:

6. Subsidiary users for more than 2 years: Renter's Name:

User's Name:

Comments:

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7. Printed name, title and signature of person who prepared the Form:

8. We certify that the information in this Form is correct:  
 [Names, signatures of Village Shura and Elders]

9. Date of certification: \_\_\_\_\_



