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IMPLEMENTATION COMPLETION AND RESULTS REPORT
(IDA-38010)

ON A

CREDIT

IN THE AMOUNT OF SDR 10.8 MILLION
(US\$14.82 MILLION EQUIVALENT)

TO THE

LAO PEOPLE'S DEMOCRATIC REPUBLIC

FOR THE

SECOND LAND TITLING PROJECT

October 2010

Social, Environment and Rural Development Unit
Sustainable Development Department
East Asia and Pacific Region

CURRENCY EQUIVALENTS

(Exchange Rate Effective November, 4, 2009)

Currency Unit = Lao Kip
LAK 1 = US\$0.000118245
US\$1.00 = LAK 8,457.0

WEIGHTS AND MEASURES

Metric system

FISCAL YEAR

October 1 - September 31

ABBREVIATIONS AND ACRONYMS

APL	Adaptable Program Loan
AusAID	Australian Agency for International Development
CAS	Country Assistance Strategy
CES	Community Education and Services
DCA	Development Credit Agreement
DoL	Department of Lands
DoNLUPAD	Department of National Land Use Planning and Development
DSA	Department of State Assets Management
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investment
FRR	Financial Rate of Return
FY	Fiscal Year
GIS	Geographic Information System
GoL	Government of Lao PDR
GPS	Global Positioning System
GTZ	<i>Deutsche Gesellschaft für Technische Zusammenarbeit</i> (German Agency for Technical Cooperation)
ICR	Implementation Completion and Results Report
IDA	International Development Association
IERR	Internal Economic Rate of Return
ISR	Implementation Status Results Report
KPI	Key Performance Indicators
Lao PDR	Lao People's Democratic Republic
LAK	Lao Kip (Lao's currency)
LDB	Laos Development Bank
LIL	Learning and Innovation Loan
LIS	Land Information System
LNRIRC	Land and Natural Resources Information Research Center
LTP I	First Land Titling Project

LTP II	Second Land Titling Project
LWU	Lao Women's Union
M&E	Monitoring and Evaluation
MAF	Ministry of Agriculture and Forestry
MEM	Ministry of Energy and Mines
MoF	Ministry of Finance
MTR	Mid-Term Review
NGD	National Geographic Department
NGESP	National Growth and Poverty Eradication Strategy
NLMA	National Land Management Authority
NLPC	National Land Policy Committee
NLPF	National Land Policy Framework
NPEP	National Poverty Eradication Program
NPV	Net Present Value
PAD	Project Appraisal Document
PC	Polytechnic College
PDO	Project Development Objective
PLMA	Province Land Management Agency
PLO	Provincial Land Office
PMO	Project Management Office
PSC	Project Steering Committee
PSU	Project Support Unit
PY	Project Year
QAE	Quality at Entry
QAG	Quality Assurance Group
QSA	Quality at Supervision Assessment
ROW	Rights of Way
SAT	Surveying and Adjudication Team
SEBS	Socio-Economic Baseline Study
SEEIA	Socio-Economic and Environmental Impact Assessment
SIL	Specific Investment Loan
SMB	Small and Medium Businesses
TA	Technical Assistance
TTL	Task Team Leader
VCC	Vientiane Capital City or Vientiane Prefecture
VIS	Valuation Information System
WREA	Water Resources and Environment Agency
XDR	Special Drawing Right

Vice President:	Mr. James W. Adams, EAPVP
Country Director:	Ms. Annette Dixon, EACTF
Sector Leader:	Ms. Jeeva A. Perumalpillai-Essex, EASTS
Project Team Leader:	Mr. Keith Clifford Bell, EASER
ICR Team Leader:	Mr. Keith Clifford Bell, EASER

LAO PEOPLE’S DEMOCRATIC REPUBLIC
SECOND LAND TITLING PROJECT
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A. Basic Information			
Country:	Lao People's Democratic Republic	Project Name:	Second Land Titling Project
Project ID:	P075006	L/C/TF Number(s):	IDA-38010
ICR Date:	05/20/2010	ICR Type:	Core ICR
Lending Instrument:	SIL	Borrower:	LAO PEOPLE'S DEMOCRATIC REPUBLIC
Original Total Commitment:	XDR 10.8M	Disbursed Amount:	XDR 10.8M
Revised Amount:	XDR 10.8M		
Environmental Category: B			
Implementing Agencies: National Land Management Agency			
Cofinanciers and Other External Partners: Australian Agency for International Development (AusAID) German Agency for Technical Cooperation (GTZ)			

B. Key Dates				
Process	Date	Process	Original Date	Revised / Actual Date(s)
Concept Review:	06/05/2002	Effectiveness:	02/03/2004	02/03/2004
Appraisal:	04/28/2003	Restructuring(s):		
Approval:	06/24/2003	Mid-term Review:	09/30/2005	05/29/2006
		Closing:	06/30/2009	06/30/2009

C. Ratings Summary	
C.1 Performance Rating by ICR	
Outcomes:	Moderately Satisfactory
Risk to Development Outcome:	Substantial
Bank Performance:	Moderately Satisfactory
Borrower Performance:	Moderately Satisfactory

C.2 Detailed Ratings of Bank and Borrower Performance (by ICR)			
Bank	Ratings	Borrower	Ratings
Quality at Entry:	Moderately Satisfactory	Government:	Moderately Satisfactory
Quality of Supervision:	Moderately Satisfactory	Implementing Agency/Agencies:	Moderately Satisfactory
Overall Bank Performance:	Moderately Satisfactory	Overall Borrower Performance:	Moderately Satisfactory

C.3 Quality at Entry and Implementation Performance Indicators			
Implementation Performance	Indicators	QAG Assessments (if any)	Rating
Potential Problem Project at any time (Yes/No):	No	Quality at Entry (QEA):	None
Problem Project at any time (Yes/No):	No	Quality of Supervision (QSA):	None
DO rating before Closing/Inactive status:	Moderately Satisfactory		

D. Sector and Theme Codes		
	Original	Actual
Sector Code (as % of total Bank financing)		
General agriculture, fishing and forestry sector	50	50
General public administration sector	50	50
Theme Code (as % of total Bank financing)		
Land administration and management	34	34
Personal and property rights	33	33
Rural markets	33	33

E. Bank Staff		
Positions	At ICR	At Approval
Vice President:	James W. Adams	Jemal-ud-din Kassum
Country Director:	Annette Dixon	Ian C. Porter
Sector Manager:	Jeeva A. Perumalpillai-Essex	Mark D. Wilson
Project Team Leader:	Keith Clifford Bell	Wael Zakout
ICR Team Leader:	Keith Clifford Bell	
ICR Primary Author:	Surajit Goswami	
	Maria Cecilia Zanetta	

F. Results Framework Analysis

Project Development Objectives (from Project Appraisal Document)

The Second Land Titling Project (LTP II) is the second phase of the long term land titling program aiming at the development of the land administration capacity to support the country's economic development and poverty reduction goals. The project would contribute to the government's National Poverty Eradication Program (NPEP) under preparation. The objectives of the project are to (i) improve the security of land tenure; (ii) develop transparent and efficient land administration institutions at the national and

provincial levels; and (iii) improve the government's capacity to provide social and economic services through broader revenue base from property related fees and taxes. These objectives would be achieved through formulating and approving land policy and regulatory changes, strengthening institutional capacity and project management, accelerating land titling activities in areas of high demand, developing and implementing an efficient and transparent land registration system, and strengthening land valuation systems.

Revised Project Development Objectives (as approved by original approving authority)

The objectives were unchanged.

(a) PDO Indicator(s)

Indicator	Baseline Value	Original Target Values (from approval documents)	Formally Revised Target Values	Actual Value Achieved at Completion or Target Years
Indicator 1 :	Increase in government revenues by 30% from land and property taxes and fees.			
Value quantitative or Qualitative)	Land offices revenues from land-related taxes & fees in FY 2000-01 (Oct. 1, 2000 to Sept. 30,2001). Revenue collected in 2000-2001 was 20.75 billion kip.	30% increase.		Land offices revenue from land-related taxes and fees increased by 208% between FY 2002 to 2003 and 2008 to 2009
Date achieved	09/30/2004	06/30/2009		06/30/2009
Comments (incl. % achievement)	The 30% target was amply exceeded, with land-related taxes and fees increasing from LAK 28.3 to LAK 87.3 between FY 2002 to 2003 and 2008 to 2009, equivalent to over 200 percent. After adjusting for inflation, the overall increase is about 86%.			
Indicator 2 :	Equal access of women to land office services and land titling activities.			
Value quantitative or Qualitative)	No baseline until the socio-economic impact assessment (SEEIA) is completed.	Equal access		37.5% of titles issued to women (compared to 23.4% to men) and 29.3% issued jointly to spouses under LTPII
Date achieved	10/31/2007	06/30/2009		06/30/2009
Comments (incl. % achievement)	Based on distribution of titles, the target was exceeded, as 148,152 titles were issued to women compared to 92, 653 titles issued to men, i.e., the number of titles issued to women is 60 percent higher than those issued to men.			
Indicator 3 :	Increase by 30% in the number of formal land transactions (both sales and rentals).			
Value quantitative or Qualitative)	No baseline until the SEEIA is completed.	Increase by 30%		34,973 transactions registered in FY 2007 to 2008,

				equivalent to a 106% increase
Date achieved	10/31/2007	06/30/2009		08/30/2008
Comments (incl. % achievement)	The number of registered subsequent land transactions, including sales, leases, inheritance & sub-divisions among others, roughly doubled over the life of the project, from 17,009 in FY 03-04, to approx. 35,000 in FY 07-08. No available data in FY08-09.			
Indicator 4 :	Increase in Formal Lending and the average loan size, as well as a reduction in interest rate.			
Value quantitative or Qualitative)	No Baseline	30% increase in formal lending		6,791 mortgages registered in FY2007 to 2008, equivalent to a 108% increase
Date achieved	08/30/2004	06/30/2009		08/30/2008
Comments (incl. % achievement)	The growth in mortgage-backed business loans indicates that financial institutions place a value on land titles. The number of registered mortgages roughly doubled over the life of the project, from 3, 271 in FY 2003 to 2004 to 6,791 in FY 2007 to 2008.			

(b) Intermediate Outcome Indicator(s)

Indicator	Baseline Value	Original Target Values (from approval documents)	Formally Revised Target Values	Actual Value Achieved at Completion or Target Years
Indicator 1 :	Key land policies are formulated, and associated regulatory instruments developed and adopted.			
Value (quantitative or Qualitative)	No national land policy framework is in place.	National Land Policy Framework in place. (White paper)		NLPF has been prepared but is yet to be presented to the National Assembly
Date achieved	09/30/2004	06/30/2009		06/30/2009
Comments (incl. % achievement)	Partially Achieved: Thirteen studies on key land policy issues were conducted under LTP II. NLPF is now completed and is expected to be presented to the National Assembly during 2010.			
Indicator 2 :	The Department of Land (DOL) has the institutional capacity to undertake its mandate in an efficient, effective and sustainable manner			
Value (quantitative or Qualitative)	Multiple agencies exist with unclear mandates, overlapping responsibilities and weak capacity	Institutional capacity fully implemented		The NLMA was implemented in December 2006. Institutional capacity has gradually improved but sustainability issues are pending.
Date achieved	09/30/2004	06/30/2009		06/30/2009
Comments	Partially Achieved: A single land agency, the National Land Management			

(incl. % achievement)	Authority, (NLMA), with a broad mandate on land policy, management and administration, was created in May 2004, through changes to the Land Law, but was only established in Dec. 2006.			
Indicator 3 :	A well functioning land registration system is established.			
Value (quantitative or Qualitative)	No service standards	Service standards for land registration developed, implemented and monitored. 80% of all transactions are completed within standards.		Service standards were developed and implemented. Provincial Land Offices are complying with the majority of the standards
Date achieved	09/30/2004	06/30/2009		06/30/2009
Comments (incl. % achievement)	Achieved: The majority of the service standards are being complied with by the PLOs. Compliance with service standards is monitored and confirmed by the M&E system.			
Indicator 4 :	A well functioning system for issuing land titles is established.			
Value (quantitative or Qualitative)	Nil	400,000 land parcels to be surveyed and adjudicated, with 80% of these (320,000) as titles issued to owners.		427, 526 land parcels were surveyed and adjudicated; for 93% of these parcels (i.e., 395, 279) titles were issued to owners.
Date achieved	09/30/2004	10/24/2008		06/30/2009
Comments (incl. % achievement)	Achieved: Targets were amply exceeded. The number of land parcels that were adjudicated and surveyed under LTP II was roughly 7% higher than anticipated at appraisal.			
Indicator 5 :	Improved capacity of DOL and land offices to implement and manage project activities			
Value (quantitative or Qualitative)	No M&E system in existence	Computerized M&E system		M&E system has been developed and is operational.
Date achieved	09/30/2004	06/30/2009		06/30/2009
Comments (incl. % achievement)	Achieved: The M&E system was developed and served to monitor project inputs and outputs during implementation as well as compliance with service standards by PLOs. An effective manual system became operational soon after the first MTR of May 2006.			

G. Ratings of Project Performance in ISRs

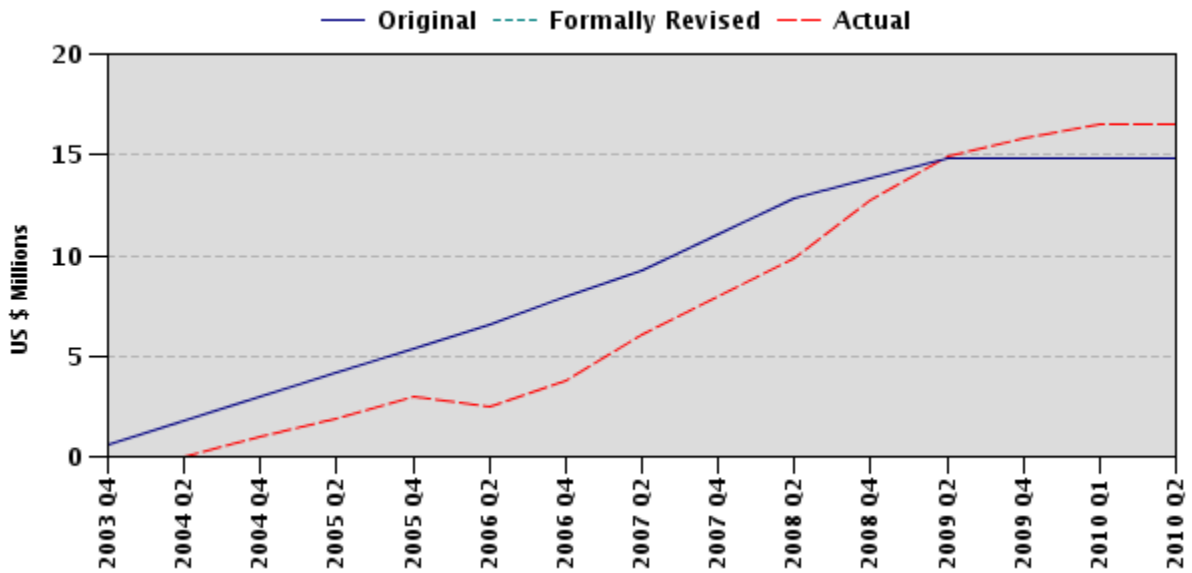
No.	Date ISR Archived	DO	IP	Actual Disbursements (USD millions)
1	06/30/2003	Satisfactory	Satisfactory	0.00
2	12/22/2003	Satisfactory	Satisfactory	0.00

3	03/29/2004	Satisfactory	Satisfactory	0.70
4	08/25/2004	Satisfactory	Satisfactory	1.22
5	11/30/2004	Satisfactory	Satisfactory	1.74
6	06/03/2005	Moderately Satisfactory	Moderately Satisfactory	2.84
7	06/20/2005	Moderately Satisfactory	Moderately Satisfactory	2.98
8	06/20/2006	Moderately Satisfactory	Moderately Satisfactory	3.77
9	04/18/2007	Moderately Satisfactory	Moderately Satisfactory	7.34
10	03/14/2008	Moderately Satisfactory	Moderately Satisfactory	11.32
11	08/12/2008	Moderately Satisfactory	Moderately Satisfactory	13.23
12	12/18/2008	Satisfactory	Moderately Satisfactory	14.88
13	04/27/2009	Moderately Satisfactory	Moderately Unsatisfactory	15.21
14	08/19/2009	Moderately Satisfactory	Moderately Satisfactory	16.18

H. Restructuring (if any)

Not Applicable

I. Disbursement Profile



1. Project Context, Development Objectives and Design

1.1 Context at Appraisal

Building upon the achievements of its predecessor (the first Land Titling Project, LTP I - IDA Credit 2832), the Second Land Titling Project (LTP II) continued to support the efforts of the Government of Laos (GoL) to develop the legal and regulatory framework for land administration. GoL had identified efficient land markets as one of the cornerstones to transition from a centrally planned economy to a social market economy. LTP I is mentioned in the Country Assistance Strategy (CAS) as one of the main elements of the strategy to achieve poverty reduction and private sector growth. Although LTP II was not directly mentioned in the subsequent CAS, it nevertheless was part of the strategy to support economic development and poverty reduction through developing land administration capacity. Such transition was set in motion in 1986 with the introduction of a set of economic reforms under the so-called 'New Economic Mechanisms.' In this context, a properly functioning system of land titling and registration was seen as a critical step in enhancing tenure security, increasing fiscal revenue, and providing a solid foundation for the development of land markets. Like its predecessor, LTP II was designed to support this objective.¹

Box 1. Laos First Land Titling Project (IDA Credit No. 2832)

LTP I was approved in early 1996, after two years of intense sector work. The original project cost was of US\$28.4million, of which US\$20.7million were financed by an (International Development Association) IDA credit, US\$5million from Australian Agency for International Development (AusAID), and the remaining by government counterpart funds. It closed in September 2005, two years after the original closing date.

The overall goal of the project, as defined in the Staff Appraisal Report (SAR), was to strengthen the basis for the long-term sustainable economic and social development of the Lao People's Democratic Republic (Lao PDR). In order to contribute to the achievement of this goal, the two objectives of the project were: (a) to foster the development of efficient land markets; and (b) to facilitate domestic resource mobilization, by providing a system of clear and enforceable land-use ownership rights and by developing a land valuation capacity.

The outcome of LTP I was assessed as satisfactory, with a likely sustainability, moderate institutional development impact, and satisfactory performances by both the Bank and Borrower. Specifically, the project was successful in the development of the regulatory framework and the implementation of the property valuation component. A Land Law was passed in 1997 and several decrees on land administration and property valuation were prepared and enacted. The project was less successful in the issuance of land titles. The project was designed to issue land titles to around 300,000 parcels in the Vientiane Prefecture (also called Vientiane Capital City or VCC and four provinces (four additional provinces were added later). The number of titles issued under the project was much lower than initially planned, due to several factors, including lack of government counterpart funds during the period from 1997 to 1999, weak staff capacity and bottlenecks in the technical processes.

¹ Refer to ICR, June 2006, for LTP (IDA Credit No. 2832)

1.2 Original Project Development Objectives (PDO) and Key Indicators

The specific objectives of the project were to:

- a. Improve the security of land tenure.
- b. Develop transparent and efficient land administration institutions at the national and provincial levels.
- c. Improve the government's capacity to provide social and economic services through broader revenue base from property-related fees and taxes.

A set of eight Key Performance Indicators (KPI) were included in the Project Appraisal Document (PAD). They were identified for the project as whole and not linked to individual PDO. They included various indirect measures of improved land tenure security as well as some general benchmarks for more efficient land administration institutions and gender equality in relation to land issues. Only four of the KPI, together with the corresponding targets, were included in the International Development Association (IDA) Development Credit Agreement (DCA).

LTP II Key Performance Indicators

KPIs included in both the PAD and the DCA

- Increase in the number of formal land transactions (both sales and rentals).
- Increase in formal lending and the average loan size, as well as a reduction in interest rates.
- Increased government revenues from land and property taxes and fees.
- Equal access of women to Land Office services and land titling activities.

KPIs included only in the PAD

- Increased household incomes in the project areas.
- Increased level of resolution of land disputes.
- Increased investment in the property sector.
- General satisfaction with Land Office services.

1.3 Revised PDO (as approved by original approving authority) and Key Indicators, and reasons/justification

The PDO remained unchanged throughout the life of the project.

1.4 Main Beneficiaries,

About 200,000 households, in the designated project provinces, were expected to benefit directly from LTP II by receiving land titles as part of the systematic land titling program. The benefits associated with land titles included increased tenure security as well as access to credit and opportunities to increase investments and productivity. Special attention was given to information dissemination and community participation activities to ensure that women and other vulnerable groups were fully aware of their rights and the potential benefits and risks of using land titles as collateral. The population as a whole was also expected to benefit under the project,

as additional property-related revenues were expected to improve the government's capacity to provide social and economic services.

1.5 Original Components (as approved)

The project was designed as the second phase of a long-term national land titling program aimed at extending secure land ownership and developing land administration and valuation systems including a cadastral mapping system. The project focused on urban, peri-urban and rural lowlands, mainly small rice fields, on the periphery of the smaller towns.

The project design had five components and fifteen sub-components. The total project cost was estimated at appraisal to be US\$ 23.92 million (of which IDA financing is US\$ 14.82), which included taxes and duties (US\$ 0.18 million); and physical and price contingencies (US\$ 1.50 million).

Component 1 - Development of the Land Policy and Regulatory Framework (Cost estimate at appraisal - US\$ 3.13 million)

This component supported:

- the development of government's capacity to formulate land policies.
- the formulation of land policy and the development of regulatory framework.
- the establishment of a coordination mechanism for land information.

Component 2 - Institutional Development (Cost estimate at appraisal - US\$ 2.13 million)

This component supported:

- the long term institutional development of Department of Lands (DoL) and Province Land Offices (PLOs).
- training and human resources development for DoL and other land institutions at the central, provincial and district levels.
- education programs of the Polytechnic College in the areas of land administration, land management, and property valuation.

Component 3 - Development of a Modern Land Registration System (Cost estimate at appraisal - US\$ 2.24 million)

This component supported the continuing strengthening of the land registration system, the associated work flow procedures and the operation of the land offices, through:

- strengthening of land offices to achieve agreed service standards.
- supporting Community Education and Services (CES) focusing on dissemination and community participation activities with a particular focus on women and other vulnerable groups.
- supporting land valuation services.
- supporting the Department of State Assets Management (DSA).

Component 4 - Accelerated Land Titling through Systematic Registration (Cost estimate at appraisal - US\$ 7.98 million)

This component supported:

- CES to assess the social and ethnic profile of communities as well as special community participation needs prior to their inclusion in the project.

- systematic land titling activities.

Component 5 - Support to Project Management and Implementation (Cost estimate at appraisal - US\$ 8.44 million)

This component supported:

- technical assistance for capacity building.
- strengthening of project management and implementation.
- strengthening of monitoring and evaluation (M&E) function of DoL.

1.6 Revised Components

The Project components remained unchanged throughout the life of the project.

1.7 Other significant changes

Apart from the reallocation of project funds among different disbursement categories, three additional significant changes took place over the life of the operation:

- Initially, the project was to be co-financed by IDA and AusAID. In 2005, the German Agency for Technical Cooperation (GTZ) joined in and provided US\$ 1.25 million in grant support for Component 1 (originally to be financed by IDA).
- DoL was the original implementing agency under the Ministry of Finance (MoF). It was placed under the newly established National Land Management Authority (NLMA) in December 2006, with NLMA itself being the newly designated implementing agency. NLMA also took on the functions of former Department of National Land Use Planning and Development (DoNLUPAD) which was leading Component 1 and also the key functions of DSA.
- The original coverage of the project, with nine (9) provinces (including the Vientiane Capital City (VCC) as identified in the PAD) was expanded in October 2007 to include an additional five provinces. Expansion of the project to these five additional provinces was anticipated at appraisal, but was subject to satisfactory progress in the initial nine provinces. In early 2008, NLMA advised that the government want to complete first time land registration for the entire country by 2020, and in order to do this it wanted to expand project implementation to all provinces.² Based on the significant technical capacity (surveying, titling and CES under DoL), experience and reliable procedures established under LTP I and II, this objective seemed to be reasonable. At that time, funding was available under the existing Credit and IDA had agreed to commence processing Additional Financing for a two-year period 2010 to 2011 in anticipation that a third phase of LTP would follow around 2012. Accordingly, a further request from GoL to expand to the country's remaining three provinces was approved in August 2008. These expansions were approved through amendments to the DCA. There were no changes in the KPIs.

² Lao PDR has sixteen provinces and the VCC. For convenience this is referred to as seventeen (17) provinces.

However, by January 2009, NLMA had expressed interest in changing the focus of LTP II to one of land use planning before title issuance. As this created concerns about tenure security, together with a number of land policy and institutional development concerns, Additional Financing was dropped.

2. Key Factors Affecting Implementation and Outcomes

2.1 Project Preparation, Design and Quality at Entry

Quality at Entry (QAE): The project's overall QAE was moderately satisfactory. While the project design effectively built upon the strengths of LTP I, it also had some weaknesses, which have negatively affected the project's overall effectiveness and sustainability.

Assessment of Quality at Entry (QAE)

Strengths

- *Relevancy:* LTP II was highly consistent with the GoL's strategic development objectives during its transition from a centrally planned economy to a social market economy. By contributing toward enhanced tenure security and the development of an efficient land administration system, LTP II helped provide a solid foundation for the development of land markets. The project was also fully consistent with GoL's National Growth and Poverty Eradication Strategy (NGPES), which was under preparation at the time. The goals of the NGPES are to promote economic growth with equity, modernize the country's social and economic infrastructure, and enhance the development of human resources.
- *Consistency with Country Assistance Strategy (CAS) Objectives:* The objectives of the project were fully aligned with the IDA CAS for the period 2000 to 2002 (Report No.19098, March 30, 1999) and the one covering the period 2003 to 2005, which was under preparation at the time of appraisal (Report No. 31758, March 10, 2005). As with its predecessor, LTP II directly supported the fundamental objectives of the 2000 to 2002 CAS, which were to achieve poverty reduction and private sector growth.
- *Scope of the Project:* As with its predecessor, LTP II correctly emphasized securing existing land rights in areas that were experiencing growth pressures and, at the same time, had relatively clear legal and policy frameworks. Thus, the systematic titling program under LTP II focused on urban, peri-urban and lowland agricultural areas surrounding villages. Although the importance of ensuring land tenure in all rural areas and the implications for rural poverty were clearly recognized, it was also recognized that additional policy dialogue and an agreed National Land Policy Framework (NLPF) were needed before land titling efforts could proceed in all rural areas, especially those under complex systems of traditional land use rights, including shifting cultivation and communal land ownership.
- *Emphasis on Cross-sectoral, Institutional Partnerships:* The project design proactively incorporated mechanisms to foster cross-sectoral policy dialogue, as well as technical and institutional cooperation among a wide spectrum of institutional stakeholders. At the

policy level, it supported the role of the National Land Policy Committee (NLPC), which was the cross-sectoral intra-governmental body responsible for the formulation of the NLPF. At the operational level, it promoted cross-sectoral coordination by establishing a Project Steering Committee (PSC) with representatives from key central governmental agencies with responsibilities relevant to land issues and the institutional partners.³ Committees with a similar institutional structure were also to be established at the provincial level. At the operational level, it continued to strengthen the key institutional partnerships forged under LTP I, including those with the National Geographic Department (NGD) and the Polytechnic College (PC).

- *Expanded Participatory Processes at the Community Level:* LTP II effectively addressed the weaknesses identified by the Socio-Economic Baseline Study (SEBS) conducted in 2002, which indicated that women had not been able to participate fully in LTP I and that they did not fully understand their rights with respect to land. It did so by expanding Community Education and Services (CES) activities that were initiated under LTP I, explicitly incorporating the Laos Women Union (LWU) into the project and providing financial support for their participation in field activities and the development of educational materials.
- *Adequate Incorporation of Lessons Learned:* Given that LTP I was still ongoing at the time of appraisal, an independent review mission was conducted in 2002, which identified three key lessons to be addressed under the proposed operation. These lessons pointed to: (a) weak government capacity in areas such as policy development, M&E, project management, procurement and financial management; (b) lack of clarity in policy formulation; and (c) the need to emphasize stakeholder participation. As discussed above, the design of LTP II effectively expanded participatory and information-sharing mechanisms. Likewise, the project design addressed the other two weaknesses by focusing four of the five project components on capacity building, including policy formulation, institutional capacity including project management and M&E. AusAID and GTZ, also provided significant TA under the operation.
- *Partnership with Other Donors:* LTP II continued to build upon the long-term partnership between IDA and AusAID working on land issues in Laos; thus, helping ensure the consistency and efficiency of the technical assistance provided by IDA, AusAID and, later on, GTZ.

Weaknesses

- *Undue Number of Covenants:* Too many covenants were defined at appraisal and subsequently included in the DCA. Many did not warrant to be legally binding, such as meeting schedules for policy bodies and other specific actions within individual components. At least one of the covenants concerned the completion of a national land policy which was to be submitted to the National Assembly for approval. A further covenant required implementation of a restructuring of DoL during the first year of project

³ The Committee was chaired by MoF and included the heads of key government agencies as well as partner institutions, including the NGD, PC and LWU.

implementation. Such policy and institutional changes require higher level government decisions, at a political level, and are not within the control of the implementing agency. .

- *Weak Results Framework:* Although highly relevant, the PDO were not fully conducive to objective measurement, as some elements were too broadly defined and highly qualitative. The definition of the third PDO, ‘improve the government’s capacity to provide economic and social services through a broader revenue base from property-related fees and taxes,’ was particularly weak. While the target increase in land-related revenues was defined, no indication was given of how to gauge improvements in government’s capacity to provide social and economic services. The set of KPI did not fully support the measurement of all PDOs.). It is difficult to isolate the effect of the project from other factors, e.g., the extent to which the increase in the average size of mortgage-backed loans over the life of the operation is the result of enhanced tenure security or, alternatively, other factors such as rising land prices as a result of economic growth. Likewise, an extensive set of outcome indicators was identified in the PAD, although only a few of them were truly measurable or relevant. As in the case of the KPI, only a subset of the outcome indicators identified at appraisal were included in the DCA and subsequently monitored. Unfortunately, some elements of measuring the achievement of the PDO were to be through the impact assessment, i.e. the SEEIA, which was not undertaken, due to ongoing procurement delays. Therefore, the ability to more fully evaluate the achievement of the PDO could not be realized. A further weakness was that the SEEIA was covenanted for delivery by October 2006, which would have been much too early to provide adequate measurement. It would have been pragmatic to have amended the due date to within six months of closing. By early 2007, consideration was already being given to Additional Financing for two years, so the amendment was left pending consideration of that. However, for reasons advised elsewhere in this ICR, the proposed IDA Additional Financing did not proceed. Had IDA Additional Financing proceeded, delivery of the SEEIA would most likely have been re-scheduled to six months before the new designated closing date. Therefore it would have been beneficial to revise the Results Framework and the PDO, to reduce the dependency on measurement through the SEEIA.

2.2 Implementation

Implementation of LTP II started in February 2004 and preceded in parallel with the LTP I until September 2005, when the latter was closed. Two Mid-Term Review (MTR) missions were carried out, in May 2006 and December 2007 respectively, during which the relevancy and adequacy of the PDO and overall project design were reconfirmed. It was not considered necessary to restructure the project as from the time of the first MTR, the project continued to be well on track for achieving targets and the three elements of the PDO remained achievable. Of course it was recognized that measurement of the third PDO, regarding improvement of the government’s capacity to provide social and economic services through a broader revenue base from property related fees and taxes, would be accomplished through the end of project impact assessment. Accordingly project restructuring was not required. However, project implementation was impacted by a number of factors, many of which were under the control of the GoL and, in some cases, that of the implementing agency. These factors can be summarized as follows.

Factors Affecting Project Implementation

Factors Generally Subject to Government Control

- *Lack of Definition in the Overall NLPF* : Other than in the initial months of the project, there was little formal dialogue on land policy at high levels of government (e.g., through the NLPC and the PSC). While the lack of subsequent formal dialogue could be perceived by Western observers as the result of lack of engagement on the part of top government authorities, the large number of decrees on key land issues issued by the Prime Minister's Office during the past five years suggests that a 'policy dialogue' has been indeed taking place, although not in the public arena. Given the inherent complexities of land issues, the fluidity of the policy environment in Laos, and the extraordinary pressures arising from fast economic development, a certain amount of 'muddling through' should be expected. However, the uncertainties in the policy and regulatory framework with respect to land are becoming increasingly evident, threatening the achievements made so far in improving land tenure security.
- *Major Institutional Restructuring*: The revised Land Law of October 2003 called for the establishment of the National Land Management Authority (NLMA) under the Office of the Prime Minister. Although the NLMA was formally approved in March 2004, it was the GoL's decision to proceed with its actual establishment only in December 2006. The creation of the NLMA was welcome by the Bank and its partners, as a single agency now had a broad mandate over land issues. However, the establishment of the NLMA five years into the life of the project severely disrupted its implementation, as the transition to the new institutional framework resulted in a significant loss in capacity and dilution of resources.
- *Inadequate Allocation of Budget and Staffing for the Newly Created NLMA*: A further impact of the establishment of NLMA was that the resources allocated to it were not in line with its responsibilities, and significantly impacted some aspects of project implementation through dilution of staffing support to implement the project. As a result, many positions at the national, provincial and district level still remain open and a large proportion of the NLMA staff are hired on a contractual basis.
- *Expanded Land Titling Coverage*: GoL's land titling objectives were also expanded with the creation of the NLMA. In May 2007, the decision was made at a National Land Conference to accelerate land titling efforts and extend them to the entire country to respond to the functions of the newly created land agency. As a result, the project's coverage was expanded from the fourteen (14) provinces identified in the PAD (including the VCC) to include all seventeen (17) provinces (VCC included) in the country. The expanded coverage, however, was not supported with additional government funding for its own operations, and this further exacerbated the NLMA's limited human capacity and other shortages, as mentioned above.

Factors Generally Subject to Implementing Agency Control

- *NLMA's Performance*: While the establishment of the NLMA had the potential to bring added momentum and internal consistency to the formulation and implementation of the GoL's land agenda, this potential has not yet materialized. The recent work of the NLMA

has resulted in some policy distortions and probably an institutional impasse on some land issues. There is noticeable intransigence by special interests as well as a considerable level of confusion and disarray in the implementation of some reforms. Furthermore, some of the efforts being undertaken by consultants on behalf of some donors in the land management area, in other Ministries, albeit at very small scale and well-intentioned, may have contributed to some of the confusion in the overall NLMA agenda. Specifically:

- a. *Weak Cross-sectoral Policy Dialogue:* As part of its broad mandate, the NLMA is responsible for leading the land policy dialogue with a cross-sectoral perspective, coordinating the participation of the various line ministers responsible for environment, water, transport, forestry, mining and agriculture, among others. Under these arrangements, land policy coordination is a committee functioning under the Cabinet, chaired by the Prime Minister and with the NLMA providing the Secretariat. However, these institutional arrangements have not improved land policy development process, due to diminution of broader stakeholder consultation in the policy formulation process. In fact, since late 2007, the LTP II donors have raised their concerns on the adequacy of stakeholder consultation on policy formulation and on the findings of the policy studies supported under LTP II. Whilst land policy may be under the Cabinet, for most aspects, NLMA has actually internalized the preparation of policy including the NLPF, effectively replacing the NLPC with an internal NLMA working group. This has led to a significant reduction in transparency.
- b. *Weakening of Partnerships With Other Institutions:* The relationship with other project partners weakened after the creation of the NLMA. While NGD (which provided mapping and geodetic survey control), the PC (which developed and implemented the land administration education programs) and the LWU (which support CES) continued to participate in LTP II and to contribute substantially to its implementation, they had less access to financing and faced more cumbersome administrative procedures, which negatively affected their ability to provide the services agreed. After project completion, the NGD was requested to return to the NLMA the technical equipment that had been procured under LTP II.
- c. *Lack of Effective Communications within the NLMA:* Information within NLMA departments at the national level is highly compartmentalized. Likewise, effective communication between the central and provincial offices is lacking. Decisions are taken at the central level without consultation with provincial offices. Likewise, new procedures are adopted at the central level without adequate training and dissemination at the sub-national level.
- d. *Institutional Restructuring Under NLMA:* Recent changes in the NLMA's institutional arrangements have not always been conducive to supporting the overall land reform agenda. For example, CES activities were transferred from the DoL to the Land and Natural Resources Information Research Center (LNRIRC). As a result of this change, the CES function was seriously affected by a lack of support and resources. The production of CES materials was delayed due to budgetary delays and NLMA personnel at the provincial level were reassigned to other activities not

covered under the LTP II. The funding for the LWU was consistently delayed, with agreed budgets being released up to five months late in some provinces, often resulting in the cancellation of activities. Concerns were consistently expressed by the supervision missions since March 2007, but support for CES activities within the NLMA remained weak.

- e. *Major Strategic Change Within the NLMA:* Under the NLMA, the focus shifted away from land titling and the protection of existing use rights to an approach that prioritizes land use planning and negates existing land use rights when at odds with the development needs of either the public sector (in the case of new or expanded roads and other infrastructure works) or, more worrisome, private interests (mainly in the form of land concessions for a variety of uses, from tourism to agro-business and forestalling exploitation). While LTP II was implemented following the original strategy and in accordance all the Bank's social safeguards, the NLMA has been slowly re-orienting its resources to pursue the new strategy. In fact, in future NLMA's work plans, land titling comes only after land use planning has been completed, with land titles recognizing only those use rights that are consistent with the land use plan and, in practice, without proper compensation for those cases in which rights are affected in the process. Indeed it was the change in focus of NLMA, together with the disproportionate re-allocation of project resources to some of its constituent units, especially LNRIRC, which precluded any extension of the IDA Credit and provision of Additional Financing.
- f. *Weak Procurement.* Weak procurement, due to limited NLMA capacity, together with the cumbersome operations of a large procurement committee, continued to delay project implementation. Although at one time, an international procurement specialist was engaged, he failed to develop NLMA's capacity, and focused on the preparation and processing of procurement packages. Up until the Credit ending, quality management of procurement operations was very weak, with mistakes repeatedly made, despite intensive engagement by the Bank team, including the procurement hub leader. A consequence of weak procurement was the NLMA's inability to procure the Socio-Economic and Environmental Impact Assessment (SEEIA) study, which was a DCA covenant.

Weak Financial Management. For most of the project implementation period, the internal control system for financial management was weak, and reports were frequently delayed. Following the establishment of NLMA, there were long periods when salaries and allowances were not paid to contract Surveying and Adjudication Team (SAT) staff and also the budget for LWU support for CES was stopped. This slowed down field operations and hindered efforts to raise community and public awareness.

2.3 Monitoring and Evaluation (M&E) Design, Implementation and Utilization

The project's M&E system served to effectively monitor and improve project implementation. However, it also exhibited some weaknesses, which hindered the assessment of some of the project's intended impacts:

Monitoring and Evaluation (M&E) Design

The Project's M&E system was defined as a sub-component of Component 5 - Project Management and Implementation. It was to be supported by two elements:

- An integrated M&E system within the DoL.
- A Socio-Economic Baseline Study (SEBS) to be completed prior to the commencement of LTP II and the actual impact study to be carried out in October 2006.

Monitoring and Evaluation (M&E) Implementation

- Despite delays, the M&E system was implemented as planned and is now operating within the NLMA. It systematically generates data on the project's outputs, such as such as the number of parcels adjudicated per day, compliance with service standards, and other data that allowed developing quality control and productivity statistics. The first MTR mission was critical to identifying the weaknesses in the M&E system. Whilst it took a couple of years for the system to become fully computerized, the overall quality, reliability and timeliness of project reporting ultimately achieved a very high standard. In addition, the system contributed significantly to annual work program planning.
- The SEBS was published October 2003, and provided a sound methodology and set of baseline data for a sample of villages. The follow-up SEEIA study, which would have repeated the measurement for the same variables in the same of villages, was never conducted. The study eventually did not proceed due to lengthy procurement delays. Unfortunately, this constitutes a lost opportunity to measure more fully the impact of LTP II and, more importantly, to learn more about the complex dynamics of land tenure, economic development and poverty alleviation at the micro-level.

Monitoring and Evaluation (M&E) Utilization

- The project's M&E system was a valuable tool for project management, serving a pulse-taking function and contributing to improving the project's efficacy and efficiency. For example, the systematic analysis of the M&E data served to reduce errors in land titles from 8.9 to 1.7 percent during 2007. However, there is little evidence that the project's M&E system helped improve other functions within the NLMA. For example, variables that could be critical inputs in the NLMA land management functions, such as whether registered parcels correspond to urban or agriculture land, were not included in the system. Likewise, the State Assets Management office, which is responsible for state land, has only been given an aggregate figure of the land titles issued for state land, and no additional information that would be useful in enhancing the management of state land, such as geographical location, area, etc. Finally, the sustainability of the M&E system

beyond the life of the project will depend on the adoption of institutional mechanisms to ensure ongoing reporting on the part of PLOs.

- As noted earlier, the Project's impact could be only partially assessed, as the SEEIA was not undertaken.

2.4 Safeguard and Fiduciary Compliance

Environmental Safeguards

The only environmental safeguards implications of the LTP II were in relation to civil works for the construction and renovation of land office buildings. The environmental safeguards were fully complied with, including government requirements for civil works. All buildings were constructed on state land that was not subject to environmental concerns. Land titles were issued for residential land and some permanent agriculture land; hence there were no environmental issues associated with change in land use as a result of title issuance.

Social Safeguards

All civil works undertaken during under LTP II were on state land that was not occupied. Therefore, there was no involuntary re-settlement or land acquisition that would be covered under the Resettlement Policy Framework of the agreed Environment and Social Safeguard Guidelines. With regards to titling, there was no re-settlement caused by titling, as titling fundamentally confirmed, officially, the existing possessory rights of land holders. The project implemented preventive mechanisms, such as village profiling prior to beginning of project activities, to ensure full compliance with social safeguards. Accordingly, the project, also did not impact Indigenous Peoples and it not impact Cultural Property. The project also implemented the approved Ministerial Instruction for titling of lands abutting Rights of Way (ROW) to ensure that Surveying and Adjudication Teams (SATs) correctly followed safeguard procedures, including recording the abuttal on title certificates.

Financial Management

Several challenges were faced in the financial management of LTP II, including: (a) longstanding counterpart funds arrears totaling over US\$230,000 which were only refunded in late 2008; (b) recurrent delays and incompleteness of financial monitoring reports (FMR) and audit reports; (c) weak internal controls, particularly on petty cash management, fixed assets and bank reconciliations, which were exacerbated by the geographic dispersion of implementation activities; and (d) weak accounting staff capacity. These challenges were gradually addressed over the life of the project and, at the time of the project's completion, all financial management issues had been satisfactorily resolved. There were also systemic delays in the payments of salaries and allowances to contract SAT staff and allowances to LWU staff, preventing their timely completion of programmed tasks. These outstanding payments were to be paid from the NLMA government budget.

Procurement

Persistent weaknesses in procurement were a challenge throughout the life of the project, negatively affecting its implementation. SATs were unable to perform their functions as programmed, due to long delays in the procurement of vehicles, surveying equipment, drawing instrument, card box, plastic envelopes, printing forms, and land boundary markers due to the incomplete and/or conflicting information in the bid evaluation reports (BER). By the end of the

project, all critical procurement issues had been satisfactorily resolved, except the contracting of the SEEIA study, which was finally cancelled as time had run out to allow for its completion.

Compliance with DCA Covenants

Compliance with the DCA covenants was generally late throughout the life of the project. As mentioned earlier in section 2.1, there were too many covenants included in the DCA. Some of the covenants related to institutional restructuring of DoL (the initial designated implementing agency), and compliance with these was outside of the control of DoL itself. Ultimately, with the establishment of NLMA at the end of 2006, the DCA was subsequently amended to reflect the change in implementing agency from DoL (which became subordinate to NLMA). There was only one significant non-compliance and that was the failure to undertake the SEEIA, which was due October 31, 2006. However, scheduling of the delivery of the SEEIA by such an early date, almost 3 years before the scheduled closing of the Credit, was too soon, and would have provided unreliable, premature assessment of project impacts. In hindsight, it would have been better to revise the due date of this covenant to within six months of the scheduled Credit closing date, around January 2009. Furthermore, a number of other DCA covenants should have been amended, including: the requirement for formal adoption by the National Assembly of the NLPF and implementation of restructuring of DoL, which were beyond the control of the project. The inclusion as a DCA covenant for full computerization of the M&E system, was not necessary, especially when a manual system could deliver similar benefits.

2.5 Post-completion Operation/Next Phase

The closing of LTP II effectively represents the end of the long-term IDA support to the GoL's efforts to enhance tenure security and develop a land registration system, which began in the early 1990s with the preparation of LTP I. At this point, no future operations for further land titling and registration are programmed in IDA's pipeline. Although there had been IDA approval for the preparation of Additional Financing of US\$5 million for LTP2, the new priorities for the land agenda set by NLMA were not consistent with the developments under LTP I and LTP II and were seen as not being conducive to broadening tenure security. As agreement could not be reached with NLMA, the Bank declined to proceed with IDA Additional Financing.

AusAID formally ended its support on June 30, 2009, advising that its objectives had largely been achieved and no further support was envisaged for the land sector as the Australian government had decided to re-structure its country assistance into fewer sectors.

Although GTZ's existing support for land policy also ended on June 30, 2009, it then began funding a new Land Management and Registration Project. The new GTZ project is being implemented in two provinces and is focused on: (a) land registration in a small number of rural communities (in two provinces); (b) building the inventory of land concessions; (c) land conflict resolution; and (d) land use planning.

LTP I and II were always seen as being the first two phases of a long-term program to establish a national coverage of land tenure security. Overall, it has been a significant achievement that by the end of the second phase, almost one-third of the estimated 1.6 million land parcels, suitable for land titling, had been titled. Had the program continued, for at least another phase, it is likely doubt that such good progress would have continued, using well-established procedures and

capacity, with systematic titling being undertaken in all project provinces. With the ongoing increases in revenue generation, it could be envisaged that outcomes similar to the Thailand land titling program may have been achieved, wherein a sustainable program supported by the government's own budget has successfully continued. Unfortunately, the program in Laos had not yet reached the same level of sustainability as in Thailand, and at the time of the ICR, the GoL budget allocation for NLMA has not been adequate for sustainability of a large-scale land titling program across all project provinces. This is further discussed in Section 4

3. Assessment of Outcomes

3.1 Relevance of Objectives, Design and Implementation

The objectives of LTP II remain of utmost relevancy and are fully aligned to the strategic objectives of the GoL as reflected in its National Growth and Poverty Eradication Strategy (NGPES). These objectives are also critical as the GoL continues to transition into a market economy, as they provide the foundation for the development of efficient land markets.

3.2 Achievement of Project Development Objectives

Overall, the project's objectives have been moderately achieved. Overall the project had many positive outcomes, especially in terms of meeting or exceeding key project targets for land titling, service delivery, capacity building, education and land valuation reform. Significant progress has been made under the project toward enhancing land tenure security, building land administration institutions at the central and provincial levels, and expanding property-related revenues. There is overall positive development of the formal land market through: (a) strong public awareness of the importance and value of land titling; (b) gender equity in land ownership; and (c) a growing mortgage sector to support development. However, there are critical weaknesses in the areas of: (a) the openness of land policy development and consultation; (b), transparency and accountability in the institutional application of policy for land acquisition and management of concessions; and (c) the sustainability of a national land administration system if inadequate funding is continued to be provided through recurrent government budget.

PDO 1: To Improve the Security of Land Tenure - Achievement of this PDO is considered satisfactory, as security of land tenure was improved for the 381,800 recipients of land titles. Under Lao' law, land titles provide land owners the greatest proof of their land rights than any other document, as the title is registered and recorded in the official land office. In addition, the KPIs indicate that individuals and financial institutions do indeed place value on land titles, as shown by an increase in registered transactions, particularly sales, as well as collateralized loans. Ultimately, of course, the security of the land use rights embedded in land titles needs to be demonstrated by a consistent record of official actions honoring such rights.

Under the current legislation, *'a land title is the only one document that is taken as the main evidence for permanent use rights'* (Land Law, Article 49).⁴ Thus, a land title constitutes an

⁴ Land Law, Oct. 21, 2003. It is important to note that, in the context of Laos, land security is defined in terms of use rights rather than property rights. Specifically, as stated in Article 3, *'land of Lao PDR is under the ownership of the national community as prescribed in Article 17 of the Constitution, in which the State is charged with*

improvement with respect to the other documents traditionally used to prove tenure rights, such as land acquisition certificates, land certificates in the case of agriculture and forestry land, and land tax receipts. Long-standing boundary disputes were settled as part of the land titling process. Parcels were systematically surveyed, with location, area, and boundaries being formally defined and recorded in the cadastral maps. Parcels were also adjudicated and registered using procedures in accordance with existing land law and regulations. Land titles were subsequently issued and distributed to owners. Land titles are the only land tenure documents that are systematically registered by the government.⁵

Overall, the specific KPIs associated with this PDO consistently exceed the original targets.⁶ These indicators, which reflect the actual behavior of individuals and financial institutions, signal that these economic agents do place a monetary value on formal land titles. Specifically, the increase in registered subsequent transactions indicates that individuals are willing to pay the corresponding fees to formally register subsequent sales. Likewise, the increase in the number of mortgage-backed loans shows that, when a land title is offered as collateral, financial institutions are more willing to extend business loans. The performance of the KPIs related to the first PDO can be summarized as follows:

- The *number of registered subsequent land transactions*, including, among others sales, leases, inheritance and sub-divisions, roughly doubled over the life of the project, from 17,000 in Project Year (PY) 2003 to 2004 to almost 35,000 in project 2007 to 2008, equivalent to a 106 percent increase, thus amply exceeding the 30 percent target (see Figure1). However, there are significant variations depending on the type of transaction. For example, while registered sales increased from 0 to 2,687 during this period, registered leases decreased from 671 to 98 (see Table 1). This indicates that those purchasing land place a monetary value on formally registering the transaction and, consequently, are willing to pay the corresponding fees. Conversely, landlords and tenants do not. (Data were not available for project 2008 to 2009). The exact reasons for the increased transactions were an issue that would have been covered by the proposed SEEIA. However, in the absence of the SEEIA, it is assumed that the growth in subsequent transactions was due to the effectiveness of the CES program which informed people of the benefits of first time registration, subsequent registrations and working within the formal land market. It was also apparent that as a critical mass of first registration occurred, and public awareness increased, there was increasing investment in land and property which was clearly evident through development and building activity especially in urban and peri-urban areas. However, as other factors also contributed to increased

management in a central and uniform manner throughout the country and allocating it to individuals, families, and economic organizations for use, lease or concession...

⁵ For example, land certificates were issued to individual households in 5,400 villages as part of the systematic allocation of agriculture land implemented until 2003. However, these certificates were not recorded and, in those cases in which they have been lost or destroyed, there is no official record that can be used to re-issue them.

⁶ Three of the Key Performance Indicators associated with PDO 1 could not be measured due to the lack of systematic data. These indicators, which were not included in the DCA, are: (a) increased household incomes in the project areas; (b) increased household incomes in the project areas; and (c) increased level of resolution of land disputes. Regarding the last one, it can be expected that the systematic land titling program has served to settle many long-standing disputes between neighbors, since boundary disputes were systematically addressed as part of the process of adjudication.

development including FDI, it is difficult to assess the extent to which the titling program itself has driven the increase in subsequent transactions.

Figure 1. Evolution of Registered Subsequent Transactions – PY 2003 to 2004 and to 2007 to 2008

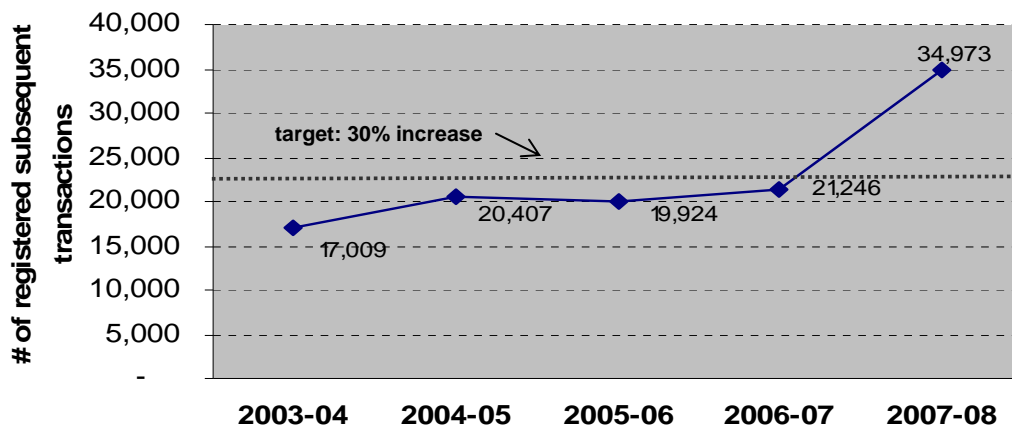


Table 1. Number of Registered Subsequent Transactions – FY 2003-04 to 2007-08

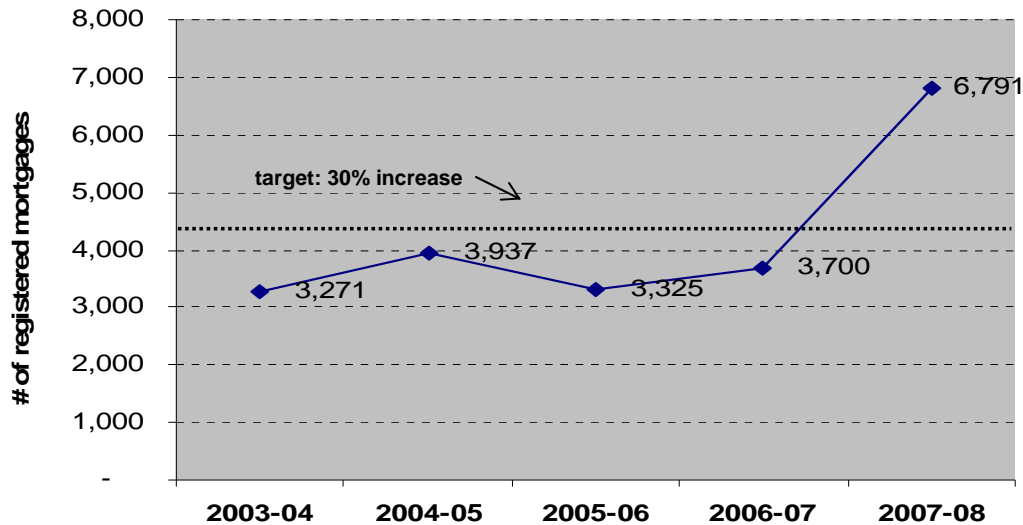
Type of Transaction	Number of Registered Subsequent Transactions					Change (%)
	2003-04	2004-05	2005-06	2006-07	2007-08	
Sale	-	-	-	1,555	2,687	-
Transfer	4,779	6,147	5,713	4,703	7,435	55.6
Mortgage	3,271	3,937	3,325	3,700	6,791	107.6
Inheritance	212	285	363	499	608	186.8
Exchange	-	-	-	370	160	-
Sale contract	-	-	-	6	-	-
Lease	671	122	23	88	98	-85.4
Consolidation	120	220	256	245	360	200.0
Subdivision	1,519	2,197	2,748	2,868	4,552	199.7
Others	6,437	7,499	7,496	7,212	12,282	90.8
Total	17,009	20,407	19,924	21,246	34,973	105.6

Source: NLMA (2009)

Note: Data for FY 2008-09 were not available, except for VCC.

- Formal lending in which parcels with land titles are used as collateral* increased substantially over the life of the project. Specifically, the number of registered mortgages roughly doubled over the life of the project, from 3,271 to 6,791 between project year 2003 to 2004 and 2007 to 2008, equivalent to a 108 percent increase, thus amply exceeding the 30 percent target (see Table 1 and Figure 2). Data for the Vientiane Capital City (VCC) indicate that the number of mortgage-backed loans continued to increase during FY 2008 to 2009, by 30 percent between October 2008 and August 2009. VCC accounted for roughly 41 percent of all registered mortgages during project year 2007 to 2008. Unfortunately, aggregate data for all participating provinces were not available for FY 2008 to 2009.

Figure 2. Evolution of Registered Mortgages – FY 2003-04 to 2007-08



- The *average loan size* also increased during the life of the project (no target was defined). Mortgage registration fees increased from LAK 1.1 to 3.3 billion between project year 2004 to 2005 and 2007 to 2008, indicating that the average mortgage size increased by roughly 12.8 percent in participating provinces after adjusting for inflation and the number of mortgages registered.⁷ Data on mortgage registration fees in VCC indicate more robust increases in the average mortgage size in the capital city, equivalent to a 17.9 annual percent increase in real terms between project year 2003 to 2004 and to 2007 to 2008. This suggests that, as it could be expected, land prices have been increasing more rapidly in the capital city than in the country as a whole.
- External sources* confirm the increasingly important role being played by land titles in energizing credit markets. Officials from the Laos Development Bank (LDB), which is the largest state-own commercial bank serving small and medium businesses (SMBs), report that 96 percent of their portfolio of SMBs loans has a land title as collateral. Collateralized lending for small and medium businesses has increased exponentially over the past few years, with the LDB's portfolio increasing by a factor of 4.3 between 2003 and 2008 after adjusting for inflation. The average loan size also increased significantly, by over 25 percent per year in real terms between 2006 and 2008, with interest rates being reduced by two percentage points during the same period.

⁷ During this period, the registration fee for mortgages was equivalent to 0.1 percent of the value of the mortgage. Consequently, the average loan size can be determined based on the number of registered loans and the corresponding mortgage registration fees.

These indicators point to robust growth in financial transactions that are backed by land titles. While it not possible to determine to what extent the spur in financial activity as well as the increase in the size of mortgages are the result of the increased security offered by land titles, the actual behavior of both individuals and financial institutions as reflected in the KPIs consistently signal to their importance.

PDO 2: To Develop Transparent and Efficient Land Administration Institutions at the National and Provincial Levels - This PDO is particularly difficult to assess, as it was defined in highly qualitative terms. However, based on the progress made in four distinctive dimensions, its achievement is deemed moderately satisfactory. The four dimensions of analysis reflect the areas of intervention under each of the project's substantive components, which supported the development of: (a) NLPF; (b) the institutional capacity of the NLMA, which is Laos' designated land administration agency; (c) a land registration system; and (d) a system for land titling issuing. Ultimately, the successful development of transparent and efficient land administration institutions at the national and provincial levels depends on these four dimensions.

As discussed in greater detail in Annex 2 under the achievement of the individual project components, progress toward developing Laos' land administration institutions under the project has been considerable, albeit uneven. It can be summarized as follows:

- Although progress was made toward the development of the NLPF, the approval of new land-related legislation and regulations has been incremental and their implementation lacked consistency. Opening of the land policy dialogue into the public arena would have improved transparency. Achievement in this area is deemed *moderately satisfactory*.
- The establishment and operationalization of the NLMA, and its programs in all provinces, since 2007, has been a remarkable achievement. The operations of the NLMA at both central and provincial level have been highly dependent on access to the IDA Credit funds, and the "operationalization" of NLMA was largely a consequence of expansion of LTP2 implementation and accelerated disbursement of Credit funds. However, if the Credit funds had not been available, the "operationalization" of NLMA would have been modest. With the closure of the Credit, the NLMA has now been forced to wind-down a significant part of its programs, especially regarding tenure security at the provincial level, as adequate GoL budget has not been forthcoming. Thus sustainability of the NLMA's programs remain at high risk. Achievement in this area is deemed *moderately unsatisfactory*.
- There was also substantial progress toward setting in place a land registration system, particularly in the nine provinces that implemented the 'Model Land Office.' Progress in development and institutional capacity-building was also made in the remaining eight provinces, with registration service standards having been developed and applied. Achievement in this area is deemed *satisfactory*.
- There were remarkable achievements in the implementation of an effective system for issuing land titling, as illustrated by the impressive number of titles being issued and distributed among beneficiaries, as well as the percentage of those that were issued jointly

to spouses or in the name of women. Achievement in this area is deemed *highly satisfactory*.

PDO 3: To Improve the Government’s Capacity to Provide Social and Economic Services Through Broader Revenue Base from Property Related Fees and Taxes - The achievement of this objective is considered to be *satisfactory*. The increase in revenues from property-related fees and taxes amply surpassed the 30 percent target specified in the DCA, both in nominal and real terms. Specifically, land-related taxes and fees increased from LAK 28.3 to LAK 87.3 between PY 2002 to 2003 and 2008 to 2009, equivalent to over 200 percent (see Table 3 and Figure 4).⁸ After adjusting for inflation, the overall increase during the same period is equivalent to 86 percent, i.e., roughly three times the original target. The increase in property-related fees and taxes was directly due to the land registration system covering more titled land parcels.

Table 2: Evolution in Property-related Taxes and Fees – PY 2002 to 2003 to 2008 to 2009

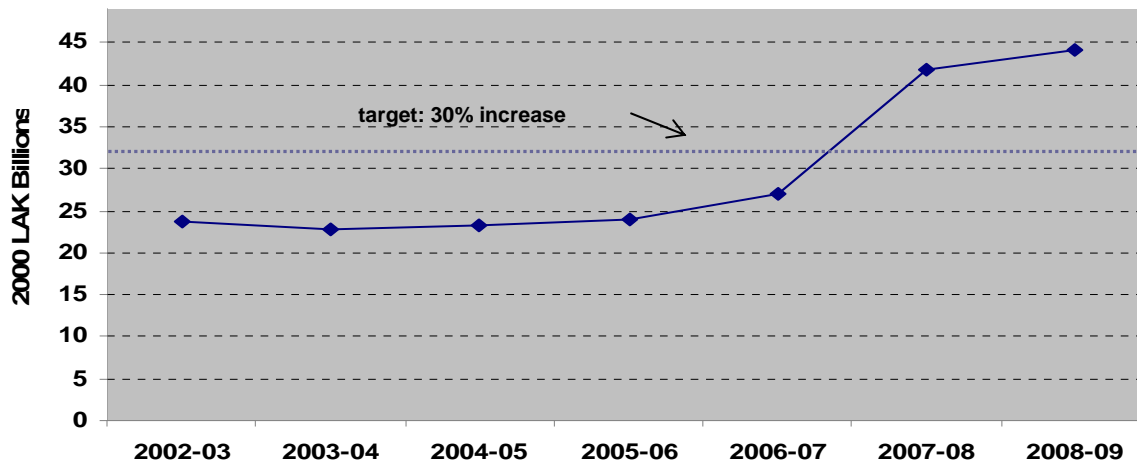
Type of Revenue	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	% increase
	a	b	c	d	e	f	g	((g-a)/a)*100
Nominal Lao Kips, Billions								
Land Tax	24.0	25.2	27.6	30.1	35.4	57.2	63.8	165.7
Registration Fees	4.3	6.2	7.8	9.1	11.7	18.9	23.4	448.7
Other Fees	1.6	1.5	1.9	1.8	1.6	1.9	187.3 ⁽¹⁾	11426.8
Total								
With "Other Fees"	29.9	32.9	37.4	41.0	48.7	78.0	274.6	817.7
Without "Other Fees"	28.3	31.4	35.5	39.2	47.1	76.1	87.3	208.4
2000 Lao Kips, Billions								
Land Tax	20.1	18.3	18.2	18.5	20.3	31.4	32.3	60.2
Registration Fees	3.6	4.5	5.2	5.6	6.7	10.4	11.9	230.9
Other Fees	1.4	1.1	1.2	1.1	0.9	1.0	94.7	6851.1
Total								
With "Other Fees"	25.1	23.9	24.6	25.1	27.9	42.8	138.9	453.4
Without "Other Fees"	23.7	22.8	23.3	24.0	27.0	41.8	44.1	86.0
In	2002	2003	2004	2005	2006	2007	2008	
Consumer prices (annual %)		15.5%	10.5%	7.2%	6.8%	4.5%	8.6%	

(1) During PY 2008-09, revenues under "Other Fees" correspond mainly to concessions.

Sources: Land-related revenues (NLMA, 2009) ; Inflation rate – consumer prices: World Development Indicators for 2003-2007 (World Bank, 2007); CIA World Factbook for 2008 (est.).

⁸ To avoid distorting the comparison, revenues from 'Other Fees' have been excluded, since in FY 2008-09 these include revenues for land concessions for the first time in the period being analyzed.

**Figure 4: Evolution in Property-related Taxes and Fees
– PY 2002 to 2003 to 2008 to 2009 (2000 LAK - billion)⁹**



While revenues from property-related fees and taxes have undoubtedly increased during the life of the project, it is difficult to assess to what extent this increase has actually translated into an improved government capacity to provide social and economic services. It is noted that land taxes are used to pay for salaries and administrative costs at the village and district levels.¹⁰ Thus, although there is a considerable level of ambiguity in the definition of the third PDO, its achievement is considered satisfactory given the ample margin by which the actual increase in revenues exceeded the target and the structure of revenue sharing for land taxes, by which they remain at the local level, enabling funding of local officials and village expenditures. This could have been confirmed through the SEEIA, had it been undertaken.

⁹ Other fees, such as concessions are excluded from this. Refer to footnote 7.

¹⁰ A portion of land tax revenues, between 4 to 60 percent, depending on the area, remains at the village level, where 60 percent is used to pay the salary of the tax collector and the remaining 40 percent is used to finance administrative expenditures of the village. The district's share is transferred to the district's Finance Office with supporting documentation from the district Land Management Authority. It is used mainly to pay for recurrent expenditures, including salaries and operational costs (Source: personal interview with management of the VCC Land Office).

A detailed description of the main achievements under each of the substantive components is provided in Annex 2.

Performance of Individual Project Components

Component 1 - Development of Land Policy and Regulatory Framework	
Expected Outcome	Key land policies have been formulated and the supporting regulatory instruments have been developed and adopted.
Rating	Moderately Satisfactory
Strengths	<ul style="list-style-type: none"> ▪ The NLMA has provided input in the preparation of various decrees addressing important land policy issues that have been enacted since 2007. ▪ The National Land Policy Framework has now completed and is expected to be presented to the National Assembly during 2010. ▪ Thirteen studies on key land policy issues were conducted under the LTP II.
Weaknesses	<ul style="list-style-type: none"> ▪ There were years of delays in the preparation of the NLPF. It has not been formally adopted as anticipated at Appraisal. ▪ The NLPF does not appear to reflect the consensus of the main stakeholders. Rather, it seems the result of an incremental process of policy making. As a result, implementation of the various decrees and regulations is greatly inconsistent. ▪ Throughout the life of the project, donors have expressed the need to have more engagement on the part of top national authorities on land policy issues and to broaden consultation within the government and other stakeholders. ▪ It is unclear how the findings from these studies financed under the LTP II have been incorporated into subsequent land policies and regulations or discussed with other stakeholders.
Component 2 - Institutional Development	
Expected outcome	DoL has the institutional capacity to undertake its mandate in an efficient, effective, and sustainable manner.
Rating	Moderately Unsatisfactory
Strengths	<ul style="list-style-type: none"> ▪ The NLMA was implemented in December 2006. Despite an initial capacity loss as a result of the transition, the NLMA has gradually built its institutional and technical capacity at the central and provincial levels. ▪ The long-term human capacity building activities under the responsibility of the Polytechnic College (PC) have been highly successful. Over 250

	<p>students (including 93 women) have obtained Higher Diplomas of Surveying and Land Management courses during the LTP II, thus helping satisfy the demand for these technical skills on the part of the NLMA and other institutions.</p>
Weaknesses	<ul style="list-style-type: none"> ▪ Weak governance within the NLMA, including poor internal communications at the central level and with provincial offices and excessive concentration of resources and decision making power in selected units, undermines the agency's institutional capacity. ▪ Inadequate budgetary allocations and a large proportion of NLMA contracted staff, both at the central and provincial levels pose a threat to the agency's long-term institutional development. ▪ The responsibility for land tax collection was placed once again under the NLMA, reverting a previous decision to make it independent of the land agency (the DoL at the time). Even more worrisome, since 2009, the NLMA is also responsible for collection of concession fees, which are equivalent to roughly twice the amount of other property-related revenues. This creates a tension between the objectives of maximizing revenues and managing land resources in a sustainable and equitable manner. ▪ Lack of clarity in the criteria informing some of NLMA's decisions, such as the modification of the fee structure for the registration of mortgages, replacing a fee proportional to the size of the loan with a flat fee, which both reduces revenues significantly and is regressive from an equity perspective.
Component 3 - Development of a Modern Land Registration System	
Expected outcome	A well functioning land registration system is in place.
Rating	Satisfactory
Strengths	<ul style="list-style-type: none"> ▪ Most of the progress under this component was achieved in the initial nine provinces that had actually commenced under the LTP I. These provinces implemented the Model Land Office and also made considerable progress in the back-up of land records, with the PLOs scanning land records and the LNRIRC scanning the land books. In addition, loose-leaf paper registration books and new format land titles were adopted. ▪ Uniform standards for land administration services have been implemented and are being largely met. ▪ CES activities, which were implemented in partnership with the LWU, were highly successful in raising awareness among participating communities, particularly women and other vulnerable groups, of their land rights.

	<ul style="list-style-type: none"> ▪ A Valuation Information System (VIS) was implemented, including the creation of VIS maps and rates for selected project areas. ▪ The registration system for state land, previously under the responsibility of the DSA under the Ministry of Finance was integrated with that of the NLMA. Titles were issued for over 45,000 state-owned parcels covering an area of over 175,000 hectares in 17 provinces (VCC included).
Weaknesses	<ul style="list-style-type: none"> ▪ Progress in the five additional provinces originally identified in the PAD was limited as a result of multiple start-up problems, such as inadequate facilities for the operation of the PLOs and the secured storage of land records, and lack of vehicles for the SATs. The DCA was amended in October 2007 to enable these additional five provinces to be included in the project. ▪ Although the DCA was further amended in August 2008 to include the final three provinces, the implementation in these final three provinces was only at the preparation level, which involved staff training, with no actual titling activities being implemented. ▪ CES activities have gradually weakened under the NLMA. The emphasis on protecting the women's land rights is unlikely to be sustained. ▪ Further strengthening of the NLMA valuation function is urgently needed. ▪ The DSA has to have greater access to the information on registered state land to be able to enhance its management functions, which should include, at a minimum, keeping track of the concessions granted on state land.
Component 4 - Accelerated Land Titling through Systematic Registration	
Expected outcome	A well functioning system for issuing land titles is in place.
Rating	Highly Satisfactory
Strengths	<ul style="list-style-type: none"> ▪ All land titling targets were exceeded: (a) 427,526 land parcels were surveyed and adjudicated, equivalent to 107 percent of the original target; (b) 395,279 titles were issued and registered, equivalent to 124 percent of the original target; and (c) 381,806 titles were actually distributed to beneficiaries, equivalent to 133 percent of the original target. ▪ A total of 148,152 titles were distributed to women compared to 92,653 titles that were distributed to men, i.e., the number of titles distributed to women is 60 percent higher than those distributed to men. Therefore, this is seen as a very positive development impact in formalizing land titling including joint ownership, whilst retaining traditional values, where women, under customary traditions, tend to inherit the land in Laos. ▪ The proportion of titles distributed jointly to spouses from the already impressive 23.5 percent that was achieved under LTP I was almost 30

	<p>percent, i.e., over the life of both LTP I & II, the share of conjugal joint titles increased from less than 3 percent in PY 1995 to 1996 to over 40 percent in PY 2008 to 2009.</p> <ul style="list-style-type: none"> ▪ As of May 2009, the average error rate of all provinces was 3 percent, which constitutes a significant improvement compared to roughly 9 percent in 2007. ▪ As of May 2009, productivity was at target, with an average adjudication rate of 3.1 parcels per day per sub-SAT. ▪ Coverage of titling activities had a wide territorial coverage, including 59 out of 141 districts (41.8 percent) in over 1,800 out of 8, 800 villages (20.7percent) in 14 out of 17 provinces (VCC included). ▪ An M&E system has been developed and adopted. Reports are produced regularly. The M&E system has served to significantly enhance effectiveness and efficiency of the land titling activities.
Weaknesses	<ul style="list-style-type: none"> ▪ The average time taken from systematic adjudication to title distribution had increased to 5.3 months, which is outside the project target of 4 months. ▪ At closing, production costs per title registered were reported to be US\$29.4, which significantly exceeds the target of US\$25. Unitary production costs increased significantly after the December 2006 restructuring, partly as a result of losses in efficiency but also as a result of including tasks other than titling in the cost calculations. Moreover, the reported unitary costs cannot be considered to be fully reliable or consistent, as cost basis criteria were never clearly defined.

3.3 Efficiency

The Cost Benefit Analysis Summary carried out at Appraisal (Annex 4 of the PAD) appreciated the lack of detailed information on rural areas, including cultivation practices, and the technical difficulties to measure incremental increases of income from titling. Instead it made an assumption about urban land prices going up by 15 percent in five years after titling, and remaining steady thereafter, to arrive at an Economic Rate of Return (ERR) of about 21 percent. At Completion, the data challenges have remained. Without the quality of data powerful enough to distinguish increase in land prices from titling, a “lower bound” of the land price increase from titling that would make this project have a threshold return of 12 percent was calculated. The total value of land titled under the project was estimated to be at least US\$0.6 billion. The project cost was US\$25.90 million. Consequently, a conceivable 4.8 percent one-time increase in land value adjusted for inflation coming from titling would lead to a return above the threshold ERR of 12 percent for the project. The various other benefits of the project, e.g. that of the project having addressed women’s ownership of land, or having a well running land education system would have to be added to the above average benefit from land titling, to obtain the full economic benefit of the project.

At Appraisal, the financial benefits included in the analysis included first registration fees as well as subsequent registration fees corresponding to sales, leases, and loans with land as collateral. The financial costs included all project costs as well as the future management costs associated administering the titles issued under the project, which were estimated at 2 percent of total project cost. The Financial Rate of Return (FRR), which dealt with the financial benefits and costs to the Government, was calculated to be 14 percent. At Completion, taking into consideration the incremental land-related revenues collected by NLMA were roughly eight percent higher than anticipated, the actual FRR for the project is 14 percent when maintaining all other assumptions constant.

3.4 Justification of Overall Outcome Rating

Rating: Moderately Satisfactory

The overall outcome of the project is rated moderately satisfactory. The objectives of the project defined at the time of its approval still remain extremely relevant today. Despite the natural disruption caused by the major institutional restructuring mid-way throughout implementation, the program was largely implemented as planned and the foreseen program outcomes were largely achieved and with excellent economic and financial efficiency. As further discussed in Section 4, the major weaknesses of the operation relate to sustainability issues related to an apparent shift in the government's approach to managing land planning rather than the operation's overall performance or its actual achievements.

3.5 Overarching Themes, Other Outcomes and Impacts

(a) Poverty Impacts, Gender Aspects, and Social Development

- *Poverty:* Given Laos' widespread poverty, with almost 80percent of the population living on less than US\$2 a day in 2002, LTP II is likely to have had a significant impact on poverty reduction, mainly by enhancing access to credit to land title recipients and by contributing to the country's economic growth as a whole. It is important to note, however, that LTP II did not benefit the very poor and that there are inherent tradeoffs between efficiency- versus poverty-based targeting. By focusing land titling efforts on urban and peri-urban areas with higher land market activity and economic growth, LTP II effectively maximized the efficient use of the resources and their economic impact. The latter is illustrated by VCC, which accounts for 29 percent of all the land titles distributed under LTP operations, but for over 40 percent of all registered mortgages, with an average loan size that is significantly larger than that for the country as a whole. There were other important reasons behind the targeting criteria adopted under LTP II, such as avoiding rural areas with complex land customary practices, including shifting cultivation and collective ownership. However, it is important to point out that, by focusing primarily on urban and peri-urban areas, the project did not benefit the very poor (e.g., urban and rural poverty rates were 27 and 41 percent, respectively, in 1998). Moreover, those who received titles under LTP II did so at below-cost, subsidized rates. As land titling activities move forward into rural areas without donor support, these subsidies will no longer be available.

- *Gender Aspects:* LTP II exhibited a remarkable performance in proactively protecting the rights of women with respect to land. It did so by adopting a multi-pronged strategy, focusing on three main fronts: (a) ensuring that the tenure rights of women are not lost during the transition from customary to official land systems by actively promoting gender sensitivity training for field adjudication staff and public education campaigns that explicitly addressed women’s land rights issues in partnership with the LWU; (b) promoting the employment of women in land institutions at all levels of government; and (c) expanding women’s access to specialized technical education at the Polytechnic College, thus ensuring that they are proportionately represented in the medium and long terms. The specific gender-related outcomes attained under LTP II attest to the effectiveness of its approach toward gender issues, as summarized below:

Main Gender-related Outcomes of LTP II

Protecting Women’s Land Tenure Rights

- 37.5 percent of titles issued to women--compared to 23.4 percent to men.
- 29.3 percent issued jointly to spouses under LTP II.
- Over the life of both LTP I & II, the share of conjugal joint title issuance increased from less than 3percent in PY 1996 to 1997, under LTP I to almost 40 percent, in PY 2008 to 2009, under LTP II.¹¹

Figure 5. Annual percentage of joint titles issued LTP I & II – PY 1996 to 1997 to PY 2008 to 2009

Fiscal Year	Share of all titles issued (%)
1995-1996	3
1996-1997	6
1997-1998	6
1998-1999	15
1999-2000	18
2000-2001	23
2001-2002	25
2002-2003	25
2003-2004	25
2004-2005	30
2005-2006	25
2006-2007	29
2007-2008	30
2008-2009	40

Promoting the Employment of Women in Land Institutions

- In May 2009, there were 283 females out of a total of 1121 employees in the DoL within

¹¹ It should be noted that a proportion of titles were also issued to DSA for state owned land parcels, e.g. for public buildings.

the NLMA, equivalent to 25 percent and below the 30 percent target. However, this constitutes a significant increase from 16 percent in November 2007.

- ✓ *Central level:* 22 percent females
- ✓ *PLOs:* 33 percent females
- ✓ *SATs (260 SATs):* 22 percent females

Expanding Women' Access to Specialized Technical Education at the Polytechnic College

- 55 percent of the students enrolled in the Higher Diploma of Surveying and Land Administration in 2007 to 2008 were female, exceeding the 30 percent target.

- *Social Development:* The decision to permanently grant existing land use rights to the population as part of the economic reforms introduced in 1986 can have long-term implications for the development of Laos. Experience throughout the world shows that initial patterns of land distribution are one of the key determinants of future inequality. Together with investments in education, agricultural extension and other programs targeting households in rural areas, the initial levels of low inequality associated with the post-war redistribution of farm land in the northern economies of East Asia are recognized as one of the key factors that prevented inequality from rising in an environment of fast economic growth. In this way, the decision of the GoL to preserve existing patterns of land distribution by granting land titles to occupants sets the foundation for more egalitarian development patterns.

(b) Institutional Change/Strengthening

As discussed throughout the report, the contribution of LTP II toward institutional strengthening has been substantial. LTP II has contributed toward enhancing the NLMA's ability to formulate land policy, develop and implement a system for land registration and a system for land titling at the central and provincial levels. Over 1,000 NLMA staff have benefited directly from training under the project. It is also worth mentioning the education of skilled professionals in surveying and land information as a result of the partnership with the Polytechnic College under the project.

(c) Other Unintended Outcomes and Impacts – N/A

3.6 Summary of Findings of Beneficiary Survey and/or Stakeholder Workshops – N/A

4. Assessment of Risk to Development Outcome

Rating: Significant

The LTP II has made significant strides in the technical and institutional aspects of the Lao land administration system, but its sustainability remains an issue for concern. Several challenges are still pending, including ensuring adequate levels of funding for the continued expansion and operation of the system, the strengthening of the NLMA's institutional structure, and the further

development of the policy, regulatory and administrative framework for land issues. The NLMA has stated its intention to complete titling for the entire country by 2020 (i.e., approximately 1.6 million parcels, of which roughly 550,000 were titled under the LTP operations). This goal appears highly unfeasible given the NLMA's institutional, technical, and financial constraints. As mentioned earlier, it is worrisome that post-project financial support for land administration remains insufficient. A large number of positions at both the central and sub-national levels still remain vacant or are hired on a contractual basis and no source of continuous financing has been identified.

Although the NLMA has delineated a decentralization strategy under which many of the responsibilities for land titling and administration would be passed on to the districts, there are serious doubts regarding the technical and financial feasibility of such strategy. Land administration capacity at the district level remains largely undeveloped and the human resources and equipment currently existing at the provincial level would be spread too thin if they were decentralized at the district level. Moreover, the decentralization strategy envisions that operational costs at the provincial and district levels will be financed mainly through cost recovery. To this effect, a new fee structure has been proposed. GTZ estimates indicate that, under the new fee structure, the titling fees for an average rural parcel would be equivalent to roughly a monthly income of a rural household, which raises doubts regarding the willingness to pay for titling on the part of potential title recipients.

CES activities are no longer an institutional priority within the NLMA, for which the scarcity of staff and funding is likely to weaken dissemination activities at the community level and among women disproportionately. Moreover, pursuing such an aggressive titling program in the absence of a clearly defined policy and regulatory environment and a sounder governance framework presents serious risks.

Finally, as consistently reported by NLMA authorities at the central and provincial levels, the mounting pressure from concessions continues to pose a fundamental threat to land tenure security for both individuals and also for state owned land.

5. Assessment of Bank and Borrower Performance

5.1 Bank Performance

(a) Bank Performance in Ensuring Quality at Entry

Rating: Moderately Satisfactory

As discussed in detail in Section 2.1, LTP II effectively built upon the design of the preceding operation and exhibited significant strengths, including strong alignment of the project's objectives with the strategic development objectives of the GoL and the Bank's CAS; adequate project scope; emphasis on cross-sector institutional partnerships; strong participatory mechanisms; and a long-term partnership with other donors. However, several weaknesses have become evident in view of the project's implementation experience. These include: a weak Results Framework, and an overly optimistic risk assessment. These weaknesses have negatively impacted the operation's overall achievements and its long-term sustainability.

(b) Quality of Supervision

Rating: Satisfactory

The implementation of the project was well monitored. Joint supervision missions, with the project managers on the part of IDA, AusAID and GTZ, were conducted regularly. In addition to joint supervision missions, the Bank Task Team Leader (TTL) also undertook regular short-duration follow-up missions. The Bank had a strong supervision team, with experts on surveying, land administration, land tenure, land policy, land information systems (LIS), valuation and land taxation. A gender specialist was also added to the missions. Supervision reports were clear and well structured, and systematically included the agreed action plan detailing compromises and pending actions, which facilitated their subsequent tracking. Supervision missions were systematically followed with a Letter from Management to the GoL emphasizing the key findings and requesting formal action when needed. Implementation Status Result Reports (ISRs) were candid in their ratings and assessments.

The Bank team demonstrated its ability to work closely with the other donors and the GoL. Communications with the Borrower were open and direct, with donors clearly expressing their concerns on a number of key issues throughout implementation. Nevertheless, a good working relationship was maintained with the Borrower over the life of the operation.

The Bank showed flexibility, granting the GoL's requests for amendments to the DCA. It also effectively used them as leverage for enforcing and fine-tuning compliance with safeguards. For example, the GoL's request to extend the Land Titling Program to the entire country in early 2008 was used to obtain more stringent procedures on village selection and titling of Rights of Way to ensure full compliance with the Bank's social safeguards. Compliance with DCA covenants, financial administration, as well as procurement was carefully monitored over the life of the loan and weaknesses were thoroughly addressed.

The Bank TTL succeeded in effectively managing supervision resources and in mobilizing resources from other institutions to conduct valuable sector work on land concessions, an issue that is proving to be critical for the sustainability of the achievements under LTP operations in the face of mounting economic pressures on land. However, prior to the final TTL assuming his appointment around May 2006, there was a gap in supervision for around one year between 2005 and 2006. From May 2006 onward, the project was closely supervised, with at least two intensive supervision missions and two additional shorter, follow-up missions each year. Two MTR missions were also conducted in 2006 and 2007, respectively.

While the project benefited from a strong field presence of the partners, AusAID and GTZ, the institutional objectives and priorities of the various donors rarely overlapped fully. Having a locally-based task team presence, either as TTL or co-TTL, may have been justified given the complexity of the project, the limited capacity of the implementing agency, the need to coordinate actions with donor partners, and the high risk associated with the compliance with social safeguards.

(c) Justification of Rating for Overall Bank Performance

Rating: Moderately Satisfactory

Overall Bank's performance is deemed moderately satisfactory for the reasons stated above.

5.2 Borrower Performance

Rating: Moderately Satisfactory

Overall, the GoL supported the implementation of LTP II, eventually addressing some long-standing delays in counterpart funding. It also demonstrated its commitment toward the implementation of the 2003 Land Law by establishing the NLMA in 2004 and implementing in 2006. It has also enacted legislation addressing a series of key policy issues. However, it is of utmost importance that the GoL should demonstrate its full commitment toward honoring the land rights embedded under the over half-a-million land titles issued under LTP operations by consistently implementing Decree 192, which defines proper compensation in the case of resettlement. Likewise, it is also critical to provide adequate budgetary support to the NLMA to ensure its institutional sustainability. It is also noted that compliance with several DCA legal covenants was problematic during implementation.

(b) Implementing Agency Performance

Rating: Moderately Satisfactory

The commitment of the project implementation team within both the DoL and subsequently under the NLMA was commendable throughout the life of the project. However, as described throughout the report, the quality of implementation was uneven, with persistent weaknesses in financial administration and procurement functions that negatively affected project implementation. The establishment of the NLMA mid-way the life of the project resulted in substantial capacity losses. While capacity was gradually rebuilt, the NLMA never became fully aligned with some of the project's priorities. In particular, the priority attached to CES was reduced with the creation of the NLMA. The diminishing CES activity at a time when the government is pushing for the rapid expansion of land allocation and titling activities to new locations is a serious shortcoming, as it is the lack of sound community mobilization and gender awareness, which might undermine individual and community land rights. Finally, the cancellation of the SEEIA was another important shortcoming on the part of the NLMA.

(c) Justification of Rating for Overall Borrower Performance

Rating: Moderately Satisfactory

Overall Borrower's performance is deemed moderately satisfactory for the reasons stated above.

6. Lessons Learned

Lessons of General Application

Reform of land administration is a long-term endeavor that requires decades of investment of capital and human resources and sustained commitment. However, the path towards reform of land reform is rarely straight-forward, and commitment on the part of authorities is often neither sustained nor consistent. Thus, a support strategy should balance a clear sense of direction and priorities with a significant dose of pragmatism. This project could have benefited from a more stable policy framework and closer engagement between the donors and the government. It is important that reform is demand driven, i.e. by the government, rather than supply driven, i.e. by the donors.

In most societies, there are many competing demands on land, including, among many others, economic development, food security, and environmental protection. There are also many conflicting interests of the various stakeholders. Therefore, it is unrealistic to expect that the policy debate over land issues will not be affected by the tensions arising from these competing demands. Best practices demonstrate that highly consultative approaches to policy formulation, together with open and transparent information dissemination, provide the best balance in achieving outcomes. The improvements made from LPT I to LPT II clearly demonstrate the benefits of improved consultation, for example in terms of women's access to title and overall public awareness raising. However, there were areas under LTP II where consultation could have improved through more open and transparent processes, for example land acquisition and compensation.

Laws on compulsory acquisition of land by the state as well as those regulating private concessions, including compensation, are key components of any strategy aimed at enhancing land security. However, public powers of land acquisition should be used for the purposes of public good and not for supporting private land development.

Customary land practices are often designed as safety nets to protect the most vulnerable groups, including women. Thus, it is of the utmost importance not to undermine these safety nets when transitioning from customary rights to state land tenure and administration systems. The project's multi-pronged approach to gender issues incorporates all the elements of good practice.

Given the complexity and long-term nature of land institutions, the forging of strong partnerships with a wide range of development partners, civil society organizations and academic institutions should be emphasized under land management projects. The partnerships with the NGD, the LWU and the Polytechnic College under LTP operations demonstrate that these partnerships could result in gains for all parties.

There are trade-offs between efficiency versus poverty-informed targeting. Often, poverty alleviation refers only to economic development. While it is undeniable that economic growth is one of the key factors underlying reductions in poverty, it remains of critical importance to directly target the poor in the context of land reform and land administration. Therefore, in addition to efficiency, it is important to also consider the many social issues associated with security of land ownership as part of the overall project's design, and targeting in particular.

Project Specific Lessons

There is a risk when measurement of project impact depends on a self-standing study to be completed toward the end of the life of the project. In the case of LTP II, relying too heavily on a self-standing impact assessment unrelated to the ongoing M&E system resulted in the inability to fully measure the project's impact.

LTP II was a complex and challenging project. Although it was intensively supervised by the Bank's supervision team and donor partners, the lack of a local Bank staff member was a limiting factor in monitoring project implementation and engaging with the implementing agency, donor partners and other stakeholders, in project, sectoral and cross-sectoral activities on an on-going basis.

Project expansion from nine to all seventeen provinces in the final 12 to 18 months of the project should be driven by pragmatic requirements such as available funding, capacity, sound project planning and so forth, rather than pure political drivers.

7. Comments on Issues Raised by Borrower/Implementing Agencies/Partners

(a) Borrower/Implementing Agencies

A summary of the implementing agency's project report is at Annex 7. The following are comments from World Bank on the implementing agency's report:

- *Overall Progress.* It is agreed that the majority of project targets for the project were reached, and in some cases exceeded.
- *Project Supervision and Stronger Engagement in the Land Sector would have Improved through a Local Bank Presence.* It is agreed that an established in-country Bank presence would have improved supervision performance and enabled a more timely engagement in the land sector and provided a better balance to sectoral inputs. The land sector is extremely complex and challenging and engagement cannot be satisfactorily undertaken on a mere mission basis.
- *Linking of land classification with land titling.* Although the implementing agency's report is not expansive on this issue, it became very apparent during the final year of implementation, and especially for the consideration of possible Additional Financing, that NLMA wished to change the focus of the project from land titling to land classification and completion of a national master plan, prior to undertaking land titling. The Bank's concern was that this would lead to requiring a regularization of existing land use to the new land classifications, which could undermine long-established possessory rights. Such concerns are especially relevant given the growing pressures from foreign direct investment (FDI) involving land development, where land classifications may be changed to meet the needs of investors, and land owners without formal title received no compensation for land that was acquired using public powers of land acquisition. In addition, even those that had title, may have their land compulsorily acquired with inadequate compensation.

- *Project Expansion from 9 to 17 Provinces (VCC included).* It is agreed that the expansion was too ambitious in light of NLMA limited capacity and the lack of annual recurrent and capital budget funding by GoL. However, NLMA is congratulated for the progress made.
- *Unit Titling Costs.* The cost basis and assumptions have not been adequately defined so it is difficult to prove conclusively the final outcomes. However, there is no doubt that efficiency of titling continued to improve throughout the project implementation period, as experience was gained and capacity developed, so it may be expected that unit costs would have come down.
- *CES.* It is the view of the Bank, supported by comments from LWU, PLOs, AusAID and GTZ that CES performance has weakened since its line of reporting changed from DoL to LNRIRC. Furthermore, based on advice from LWU, the allocation of resources including budget to CES and the support from LWU has been blocked by LNRIRC. It is presumed that such resources are now allocated to other LNRIRC priorities.
- *Project Management.* In regards to project management, planning, reporting, constructive engagement, the Bank agrees that NLMA and previously DoL performed very well. Especially during the second half of the project period, the quality and timeliness of project report was very good. The residual weaknesses in project management remained in the procurement and financial management functions.
- *M&E.* The borrower's comments are agreed.

The implementing agency reviewed the draft ICR Report and advised on May 19, 2010, that it had no further comments. A copy of this letter is included in Annex 7.

(b) Co-financiers

Refer to Annex 8.

(c) Other Partners and Stakeholders

During interviews conducted during the ICR mission, representatives from the three institutional partners expressed their satisfaction for having participated in the LTP II in terms of both their contribution to the project and their own benefit. Specifically:

- *National Geographic Department (NGD):* The NGD reported that the technical support they received under LTP operations, i.e., training and equipment, served not only to effectively support the geodetic surveying activities under LTP II but also to strengthen the NGD's own technical and institutional capacity. The NGD's contribution to LTP operations included: (a) being responsible for the geodetic surveying activities during the first phase of implementation; (b) providing aerial photos; and (c) providing surveying support in highly dense areas. The NGD received substantial training under LTP operations, in land surveying, Global Positioning System (GPS) and English classes, i.e., 30 out of 120 NGD staff members received training, which, in turn, provided training to the rest of the staff. In addition, a network of 110 survey control points was developed under the project, which allows surveyors and engineers throughout the country to locate their surveys with respect to the NGD survey control system.

- *Lao Women Union (LWU)*: It stressed the importance of protecting women’s land rights in the transition from customary-based to state-managed land registration systems. The LWU representative emphasized that, while women often received land as an inheritance, they tend to use the name of the husband when completing land-related documents such as land tax-receipts or land use certificates. As a result, land ownership is often unintentionally altered under the land titling process. Under LTP operations, particularly LTP II, the LWU Right Protection Division actively participated to ensure that women’s legitimate ownership rights are preserved during the titling process. LWU is fully aware of the importance of sustaining a high level of engagement in the field in the future. To this effect, it is mobilizing its provincial and field offices and is planning on utilizing the educational materials developed under the project to support their future training and field operations.

- *Polytechnic College (PC)*: Its administrators emphasized the importance of the resources received under project including: (a) expansion of a building; (b) purchase of surveying equipment; and (c) support for curricular development in surveying, mapping and topography, valuation, and land administration. They emphasized how the advice they received early on from the Bank team helped them conceive LTP resources as seed money that could be used to strengthen the education programs even beyond the life of the project. In this way, the initial two-year basic diploma degree subsequently evolved into a two-and-a-half-year high-level diploma degree. A five-year bachelor’s program in surveying and land administration is now underway, with the first class being scheduled to graduate in 2010. There is a high demand for PC land administration graduates not only from DoL and the NGD, but also from the construction and agriculture sectors as well. Cooperation agreements for teacher training have been signed with Vietnam and China. The PC has recently received a technical assistance grant from the Australian government (including training and equipment) to set up a GIS classroom. The PC is also partnering in the implementation of other IDA projects focusing on mining and electricity. In summary, the inclusion of the PC under LTP operations has been highly successful in creating a long-term supply of qualified human resources with skills relevant to land administration and management.

Annex 1. Project Costs and Financing

(a) Project Cost by Component (in USD million equivalent)

Components	Appraisal Estimate (USD million)	Actual/Latest Estimate (USD million)	Percentage of Appraisal
Development of the land policy and regulatory framework	3.00	1.48	49.3
Institutional development	1.96	1.12	57.14
Development of a modern land registration system	2.01	2.06	102.48
Accelerated land titling through registration	7.11	8.60	120.96
Support to project management and implementation	8.34	12.64	151.56
Total Baseline Cost	22.42	25.90	115.52
Physical Contingencies	0.08	0.00	0.00
Price Contingencies	1.42	0.00	0.00
Total Project Costs	23.92	25.90	108.28
Front-end fee PPF	0.00	0.00	0.00
Front-end fee IBRD	0.00	0.00	0.00
Total Financing Required	23.92	25.90	108.28

* **Note:** Final amounts exceed the original ones, as they reflect exchange rate gains, as well as GTZ financing of US\$ 1.25 million that was not envisioned at appraisal.

(b) Financing

Source of Funds	Type of Co-financing	Appraisal Estimate (USD million)	Actual/Latest Estimate * (USD million)	Percentage of Appraisal
Borrower		2.27	0.67	29.52
Australian Agency for International Development (AusAID)	Grant	6.84	8.17	119.44
German Technical Cooperation Agency (GTZ)	Grant	n.a.	1.25	n.a
International Development Association (IDA)	Credit	14.82	16.08	108.50

* **Note:** Final amounts exceed the original ones due to exchange rate gains.

Annex 2. Outputs by Component

Component 1: Development of Land Policy and Regulatory Framework

Expected Outcome: Key land policies are formulated and corresponding regulatory instruments developed and adopted.

Achievement: Moderately Satisfactory

<p>Strengths</p>	<ul style="list-style-type: none"> ▪ The NLMA has provided input in the preparation of various decrees addressing important land policy issues that have been enacted since 2007. ▪ The NLPF is now completed and is expected to be presented to the National Assembly during 2010. ▪ Thirteen studies on key land policy issues were conducted under LTP II.
<p>Weaknesses</p>	<ul style="list-style-type: none"> ▪ There were years of delays in the preparation of the NLPF. It has not been formally adopted as anticipated at appraisal. ▪ The NLPF does not appear to reflect the consensus of the main stakeholders. Rather, it seems the result of an incremental process of policy making. As a result, implementation of the various decrees and regulations is greatly inconsistent. ▪ Throughout the life of the project, donors expressed the need to have more engagement on the part of top national authorities on land policy issues and to broaden consultation within the government and other stakeholders. ▪ It is unclear how the findings from the studies financed under LTP II have been incorporated into subsequent land policies and regulations or discussed with other stakeholders.

Description: The law to establish NLMA was passed in May 2004, but GoL only approved its operational establishment in December 2006. NLMA has a broad mandate on land and natural resources issues as defined under the 2003 Land Law. Since its inception, the NLMA has gradually developed its capacity to address land policy issues and the supporting regulatory framework. Thirteen studies were carried out with GTZ support. However, it is unclear how the findings from these studies have been incorporated into subsequent land policies and regulations. After years of delays, the NLPF document is now finalized. It is expected to be presented to the National Assembly during 2010. The NLPF may not reflect the consensus of the main stakeholders, given the weakness of the consultation processes. Rather, it seems to be the result of an incremental process of largely internalized policy making. As a result, implementation of the various decrees and regulations are greatly inconsistent. Throughout the life of the project, donors

have expressed the need to have more engagement on the part of top national authorities on land policy issues and to broaden consultation within the government and other stakeholders. Since the establishment of NLMA, some aspects of its broad mandate pertaining to land and natural resources management have been challenged by other institutions, including Water Resources and Environment Agency (WREA), also under the Office of the Prime Minister and created in May 2007, the Ministry of Agriculture and Forestry (MAF) and the Ministry of Energy and Mines (MEM). To a large extent, these organizations have continued to implement their own respective mandates.

The achievement of the specific outputs identified at appraisal under this component can be summarized as follows:

- ***The NLPC is established and functioning properly.*** The NLPC was established as required under LTP II DCA. Accordingly, the NLPC, with a broad membership composition, undertook land administration policy formulation, and carried out reasonably effective consultative processes and dissemination of policy papers, laws and regulation. As such, it made good progress towards promoting a broad policy dialogue on land issues among key institutional actors from multiple sectors. However, after the NLMA was created in late 2006, the NLPC was abolished and it was replaced by an internal group of seven NLMA staff members. Thereafter, land administration policy formulation became highly internalized, and external consultation at the policy formulation stage, especially across sectors, became less effective.
- ***Procedures for policy development based on consultation with key stakeholders are developed and adopted.*** As mentioned above, procedures for land policy development and broad consultation was quite well developed under the NLPC, but it became highly internalized under NLMA. Accordingly, open and transparent policy development diminished during the second half of the project period. Externalization would occur only at the end, whereby the finalized policy would be shared, more on a “for information” basis, rather than to elicit input.
- ***Government capacity to study and formulate land policies is improved.*** Overall, throughout the life of the project the government, working with TA support, developed considerable capacity to undertake land policy studies. Thirteen policy studies were completed under the project. However, the further development of these studies, into actual policy and subsequently laws, regulations and decrees was less effective. Although NLMA became very prolific in the generation of new regulations and decrees, these were more often produced quickly, using internalized processes with limited external stakeholder consultation. As such, they tended to be prepared without sufficient analytical development. Furthermore, the subsequent dissemination and training on the large number of decrees and regulations that were issued in the final year of the project was often inadequate causing knowledge gaps and inconsistencies between the central and provincial/district levels. An example of this was the range of new title certificates that were introduced that were applied inconsistently at the local level. Another example occurred in March 2009, when the fee for registering mortgagors was changed from 0.2 percent of the loan amount to a flat fee of LAK 50, 000 per mortgage, which was seen as

placing a disproportional burden on those obtaining small loans relative to those obtaining large ones.

- ***Policies, regulatory framework and implementation procedures on key land policies are approved by government.*** The 2003 Land Law was implemented through regulations and decrees during the project and this included amendment of the Law to establish the NLMA itself. A significant number of decrees were prepared during the project including new regulations on compensation for compulsory land acquisition, leases on state land, and concessions. However, these decrees do not always appear to reflect government-wide consensus, as they were prepared internally without broader consultation. For example Decree 192, concerning compensation for compulsory land acquisition, is not adopted uniformly by all agencies and it is not applied consistently at central and provincial levels. In addition the NLMA provided input for other land-related decrees and legislation, including: (a) Amendment of the PM Decree on the implementation of Land Law no 101/PM, dated April 20, 2005 to be No 88/PM, dated 3/6/08; (b) Support the Land Management Line under Presidential Decree No 03/P, dated November 19, 2008; (c) Prime Minister Decree No 135/PM, dated May 25, 2009, on Leasing or Concession on State Land; and (d) Draft of Presidential Decree on the State Land Lease and Land Concession, which has been approved by the National Assembly approved and awaits Presidential signing.
- ***Public awareness of land policy issues is enhanced.*** Overall, the CES function under the project was responsible for raising public awareness of land policy matters and was very effective. The success of the CES activities under LTP II was largely the result of the strong participation of LWU. Through its CES activities, LTP II has contributed toward enhancing awareness of land rights, transfers, inheritance, mortgages and government land services. Importantly, with the strong support of LWU, awareness rising has been especially targeted to participating communities in general, and to women and vulnerable groups in particular. The CES program initially came under DoL, and was strongly harmonized with DoL's land titling program and land registration activities. However, after the creation of NLMA, the CES function was transferred under another unit of NLMA, and its effectiveness in supporting public awareness raising was reduced, especially as the new unit largely took its funding away and applied it to other purposes.
- ***Guidelines are developed and implemented for the treatment of environmentally-sensitive areas in land administration.*** It is noted that these were not developed under the project. The Water Resources and Environment Agency (WREA), established in 2007, is responsible for environmental and social impact assessment and has an ongoing program for the development of guidelines and procedures for undertaking these impact assessments.
- ***A strategy was developed and approved for land information sharing, and a pilot project tested for land information sharing.*** A strategy for land-information sharing was completed in early 2007. A pilot project was undertaken in VCC's Chanthabouly District. Digital cadastral maps have been developed and cadastral file records have been scanned, which, together with other improvements in records management may lead to improved efficiency in land administration. The report of the pilot project was only made available

in June 2009, immediately before the project closed, thus limiting the ability of the donors to provide feedback on the proposed data standards and protocols, data pricing, and the main recommendations arising from this pilot experience. Nonetheless significant progress was made, and further work is progressing since the closure of the project.

Component 2: Institutional Development

Expected Outcome: DoL has the institutional capacity to undertake its mandate in an efficient, effective, and sustainable manner.

Achievement: Moderately Satisfactory

<p>Strengths</p>	<ul style="list-style-type: none"> ▪ The NLMA was implemented in December 2006. Despite an initial capacity loss as a result of the transition, the NLMA has gradually built its institutional and technical capacity at the central and provincial levels. ▪ The long-term human capacity building activities under the responsibility of the Polytechnic College (PC) have been highly successful. Over 250 students (including 93 women) have obtained Higher Diplomas of Surveying and Land Management courses during LTP II, thus helping satisfy the demand for these technical skills on the part of the NLMA and other institutions. ▪ Strong gender outcomes were produced in terms of PC enrolments and graduates, with 50 percent of enrollments being women. In addition employment of women under the project significantly grew throughout the project. ▪ The M&E system developed under the project enhanced institutional performance.
<p>Weaknesses</p>	<ul style="list-style-type: none"> ▪ Weak governance within the NLMA, including poor internal communications at the central level and with provincial offices and excessive concentration of resources and decision making power in selected units, undermines the agency’s institutional capacity. ▪ Inadequate budgetary allocations and a large proportion of NLMA contracted staff, both at the central and provincial levels pose a threat to the agency’s long-term institutional development. ▪ The responsibility for land tax collection was placed once again under the NLMA, reverting a previous decision to make it independent of the land agency (the DoL at the time). Even more worrisome, since 2009, the NLMA has also been responsible for concession fees, which are equivalent to roughly twice the amount of other property-related revenues. This creates a tension between the objectives of maximizing revenues and managing land resources in a sustainable and equitable manner.

Description: DoL was brought under the newly established NLMA in December 2006. Therefore from this time on, the emphasis of institutional development was on the NLMA, rather than just one of its constituent elements, DoL. The need to further strengthen the NLMA's institutional capacity remained an issue throughout the life of LTP II. Much of the capacity loss at the central and provincial levels that resulted from the institutional restructuring in December 2006 was eventually restored through the recruitment of additional staff and successful training programs. The NLMA's ability to meet or exceed all output targets defined under LTP II within the original timeframe shows that the agency was able to successfully establish itself since its inception in December 2006. Two challenges, however, are still pending to ensure NLMA's institutional sustainability in the long term: (a) the need to further enhance its internal governance; and (b) obtain adequate recurrent budgetary support.

Weak governance within the NLMA continues to be a key factor limiting the agency's long-term institutional development. Since its inception, there has been a gradual weakening of the consultative and participatory processes that had been earlier set in place under LTP I and II. As a result, partnerships with other institutions such as NGD, PC and the LWU have suffered, as well as the CES activities aimed at raising awareness of individual land rights among participating communities. The governance framework within the NLMA also lacks transparency: communications are highly compartmentalized, with a few administrative units, especially LNRIRC, exercising disproportionate control over resources, information and decision making. Consultative processes with provincial and district levels are also weak, which hampers the NLMA's overall effectiveness.

Lack of adequate resources, including recurrent budget, also threatens the NLMA's long term institutional development. Most of the NLMA personnel continue to be contract staff rather than permanent government positions, which threatens the sustainability of registration and cadastral activities now that external funding has ended. The current budget allocation is not sufficient to fund NLMA activities and the fee-based strategy that the NLMA has proposed to finance its work program appears unfeasible when taking into consideration the ability and, more importantly, willingness to pay of poor rural households for land title.

On the other hand, this component also provided support to long-term human capacity building activities under the responsibility of the PC. These activities have been highly successful. Over 250 students (including 93 women) have obtained Higher Diplomas of Surveying and Land Management courses during LTP II, thus helping satisfy the demand for these technical skills on the part of the NLMA and the NGD. The support provided to the Polytechnic College (including financial support for scholarships as well as surveying equipment and a building expansion) has been wisely used to set the foundations for a bachelor's degree in Land Survey and Administration and the implementation of strategies for improving the quality of graduates of PC courses. The courses are now highly sustainable and self-funding.

The achievement of the specific outputs identified at appraisal under this component can be summarized as follows:

- ***The restructuring plan of DoL is approved and implemented by October 1, 2003.*** The DoL was restructured in 2003. It was subsequently replaced by the NLMA in December 2006. The establishment of NLMA, arising from amendment to the Land Law, effectively bringing together under one institution, the government's key land agencies, was a significant achievement in institutional reform.
- ***PLOs are established and functioning well.*** This outcome was achieved. After the creation of NLMA, the PLMA were established and by project closure, all provinces were operational. See discussion on PLOs under Component 3.
- ***The Land Tax Division of DoL is strengthened, and separated from DoL in PY3.*** This outcome was not achieved. At the end of 2006, the Land Tax Unit was moved from the DoL to the MoF. However, in accordance with the Decree on the Implementation of the Land Law (No. 88/PMO of June 3, 2008), the responsibility for land tax collection was placed once again under the NLMA. Since 2009, the NLMA has become responsible for concession fees, which are equivalent to roughly twice the amount of other property-related revenues. Best practice in land administration good governance would see these functions under two distinctly separate agencies.
- ***The relationship between DoL and the provincial and district Land Offices is streamlined, and the line of reporting technical and administrative matters is improved.*** The relationship between the NLMA's central and provincial and district levels has improved significantly over time. The M&E system developed and implemented under LTP II has contributed to improving this coordination, as reflected by a more consistent performance and reporting at PLOs.
- ***Project implementation is streamlined through the normal structure of the DoL and the PLOs.*** The project was implemented through the NLMA's normal structure at the central, provincial and district levels.
- ***Human capacity is improved (the number of staff who have graduated from the high-level Diploma program), and the number of graduates retained by the government.*** The Polytechnic College reports that the NLMA has been the main source of employment for its graduates, particularly for staffing of SAT. Overall this has been well achieved, demonstrated by the government's high-level of take-up and retention of these graduates.
- ***At least 30 percent of women staff in the DoL and in the provincial and district Land Offices.*** This target was not achieved. In May 2009, there were 283 females out of a total of 1121 employees in the DoL within the NLMA, equivalent to 25 percent. Therefore this came very close to being full achieved and most definitely constitutes a significant increase from the November 2007 of only 16 percent. It is also noted that: (a) at the central level of DoL 22 percent of employees are female (12 out of 54 employees); (b) at the provincial level of DoL, 33 percent of PLO employees are women (98 out of 293

employees); and at the field operations level where there are 260 SATs, 22 percent of employees are women (173 out of 774 employees).

- *At least 30 percent of female students are enrolled in the high-level Diploma program.* This target was exceeded, with over half of the students enrolled in the Polytechnic College’s High Level Diploma being females.

Table 3.1: Number of Students and Percentage of Females Enrolled in the Higher Diploma of Surveying and Land Administration

Academic Year	Total	Female	Percentage of Female
2002-2003	35	11	31.4
2003-2004	89	33	37.1
2004-2005	146	57	39.0
2005-2006	62	30	48.4
2006-2007	36	20	55.6
2007-2008	38	21	55.3

- *Monitoring and Evaluation (M&E) systems and procedures are developed and implemented to support project management, the assessment of impact and service delivery, and stakeholder perception.* A M&E system was been developed under the project and implemented at central and provincial level. Initially the system was manual, but it was gradually developed into a computerized system with online reporting from provinces. Accordingly, reports were produced regularly. The M&E system has served to significantly enhance effectiveness and efficiency of the land titling activities.

Component 3: Development of a Modern Land Registration System

Expected Outcome: A well functioning land registration system is in place.

Achievement: Satisfactory

Strengths	<ul style="list-style-type: none"> ▪ Most of the progress under this component was achieved in the initial nine provinces that had actual commenced under LTP I. These provinces implemented the Model Land Office and also made considerable progress in the back-up of land records, with the PLOs scanning land records and the LNRIRC scanning the land books. In addition, loose-leaf paper registration books and new format land titles were adopted. ▪ Uniform standards for land administration services have been implemented and have been largely met. ▪ CES activities, which were implemented in partnership with the LWU, were highly successful in raising awareness among participating communities, particularly women and other vulnerable groups, of their land rights.
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	<ul style="list-style-type: none"> ▪ A Valuation Information System (VIS) was implemented, including the creation of VIS maps and rates for selected project areas. ▪ The registration system for state land, previously under the responsibility of the DSA under the Ministry of Finance was integrated with that of the NLMA. Titles were issued for over 45,000 state-owned parcels covering an area of over 175,000 hectares in seventeen provinces.
Weaknesses	<ul style="list-style-type: none"> ▪ Progress in the five additional provinces originally identified in the PAD was limited as a result of multiple start-up problems, such as inadequate facilities for the operation of the PLOs and the secured storage of land records, and lack of vehicles for the SATs. The DCA was amended in October 2007 to enable these additional five provinces to be included in the project. ▪ Although the DCA was further amended in August 2008 to include the final three provinces, the implementation in these final three provinces was only at the preparation level, which involved staff training, with no actual titling activities being implemented. ▪ CES activities have gradually weakened since the establishment of NLMA. The emphasis on protecting the women’s land rights is unlikely to be sustained. ▪ Further strengthening of the NLMA valuation function is urgently needed. ▪ DSA has to have greater access to the information on registered state land to be able to enhance its management functions, which should include, at a minimum, keeping track of the concessions granted on state land.

Description: Most of the progress under this component was achieved in the nine provinces that had participated in LTP I. The nine original provincial offices implemented land administration service standards. These provinces also made considerable progress in the back-up of land records, with the PLOs scanning land records and the LNRIRC scanning the land books. In addition, loose-leaf paper registration books and new format land titles were adopted. Progress in the five additional provinces originally identified in the PAD was limited as a result of multiple start-up problems, such as inadequate facilities for the operation of the PLOs and the secured storage of land records, and lack of vehicles for the SATs. Although the DCA was amended in August 2008 to enable the project to be implemented in all provinces the last three provinces that were included in the project received only training, with no other field activities being implemented.

The CES program was established and effectively implemented in full partnership with the Laos Women Union (LWU), as evidenced by the outstanding achievement of gender-related targets under the project’s land titling activities. Unfortunately, CES activities received less priority after

the establishment of the NLMA, when reporting arrangements were changed and sufficient budget was no longer provided. These institutional arrangements placed CES under the NLMA's Land and Natural Resources Information Research Center (LNRIRC). Such reporting arrangements were demonstrably less conducive to support the implementation of CES activities than the former arrangements, which placed them under DoL. In particular, the funds flow to support CES dissemination and training became inadequate whilst under LNRIRC. The particular concerns include: (a) creation of unnecessary bottlenecks in implementation of CES to support land titling under DoL; (b) fragmentation of CES activities and staff which have compromised the overall integrity and quality of CES activities, which are critical for the socialization of land titling and land registration as well as the development of a sound governance framework supporting these activities.

This component also provided support for Valuation Services, including implementation of the Valuation Information System (VIS), the creation of VIS maps and rates for selected project areas, as well as training courses and data gathering in the first nine project provinces to prepare for creation of VIS zoning maps. However, delays in approval of the new and updated rate tables and valuation maps resulted in significant losses in revenues, an estimated US\$400,000 per year. Also, the lack of qualified valuation staff and the high number of contract staff at both the central and provincial level continue to be weaknesses. Continued economic growth and the development of property markets, especially pressures from foreign investment, will require correct property valuation and also provide a proper basis for land acquisition and compensation.

Support was also provided to DSA which was responsible for approximately 20 percent of urban land parcels that are state land. Initially, the DSA operated its own registration system for state land, within the Ministry of Finance. As a result, access to two separate land records systems was required to obtain complete information about state land. LTP II supported the integration of these two systems under the DoL's primary land registration system under NLMA. Titles have been issued for over 45,000 parcels of state land covering an area of approximately 175,000 hectares in seventeen provinces (including VCC), which are now registered under the DoL's land registration system. However, the DSA, which is now housed under the DoL in the NLMA, has yet to capitalize on the potential benefits of this information for improving the management of state lands. As of now, it has only received a listing of the parcels, but no geographic information (not even maps). Moreover, while the DSA is responsible for registering subsequent transactions on state lands, the responsibility for concessions is under the Department of Land Policy and Inspections. The lack of a transparent information flow on concessions remains a critical issue that requires urgent attention.

The achievement of the specific outputs identified at appraisal under this component can be summarized as follows:

- ***The number of provincial and district Land Offices established in project areas.*** Nine PLOs have been fully established, and significant progress is being done in other eight offices additional ones. District offices are yet to be established in all provinces.
- ***Service standards for land registration transactions are developed, agreed, implemented and monitored, with at least 80 percent compliance with the service standards.*** The majority of the service standards are being complied with by the PLOs. Compliance with service standards is monitored and confirmed by the M&E system.
- ***Streamlined land registration procedures are developed and implemented.*** Land registration procedures were streamlined as part of the systematic land titling activities, which included conflict resolution in the case of boundary disputes and a clear definition of the documents and the procedures required to demonstrate user rights. It is important to note that, while these procedures are still more numerous and time consuming than in other countries in the region, at least now they are clearly spelled out. These procedures are now included in the World Bank's Annual "*Doing Business Reports*".
- ***More than 80 percent of subsequent land transactions are registered.*** In the absence of the SEEIA, it is not possible to assess this. A study of Subsequent Registration Transactions finalized in April 2007 reported a rate of subsequent registration of 54 percent. The number of registered transactions increased substantially during PY 2007 to 2008 and 2008 to 2009 (see Figures 1 and 2, Section 3.2). A Strategy to increase the rate of registration of subsequent land transactions was developed by DoL, but no budgetary resources were allocated to this critical activity.
- ***Development and implementation of a community relations program, including an active program of monitoring community satisfaction.*** The community relations program, i.e., CES activities, was established and implemented. Monitoring of community satisfaction, however, did not occur. The fact that SEEIA was not undertaken precluded the overall assessment of community satisfaction.
- ***Development and implementation of a land record management strategy.*** A 10-year computerization strategy was developed by the Land Records Management and a workshop was conducted to evaluate potential computer applications. It is planned to take the VCC pilot databases and to modify them for implementation in SATs and PLOs in order to collect digital ownership data and compile computerized indexes.
- ***An increased percentage of women staff in the provincial and district Land Offices.*** As of May 2009, there were 98 females out of a total of 293 employees in the PLOs corresponding to seventeen provinces (includes VCC), equivalent to 33 percent of their staff. Although the original number of women staff at project start-up is not recorded, and substantial increase is likely, particularly given that NLMA had an overall 16 percent women staff in November 2007.

- *An effective CES program implemented, including broad social awareness, impact monitoring and full participation by the LWU.* The CES program was established and effectively implemented in full partnership with the LWU, as evidenced by the outstanding achievement of gender-related targets under the project’s land titling activities. Unfortunately, CES activities became increasingly neglected after the establishment of the NLMA due to: (a) the transfer of CES from DoL to LNRIRC where it was not appropriately resourced and managed; (b) weak budget support from NLMA, which precluded LWU from fully carrying out its supporting role.

Component 4: Accelerated Land Titling through Systematic Registration

Expected Outcome: A well functioning system for issuing land titles is in place.

Achievement: Highly Satisfactory

<p>Strengths</p>	<ul style="list-style-type: none"> ▪ All land titling targets were exceeded: (a) 427,526 land parcels were surveyed and adjudicated, equivalent to 107 percent of the original target; (b) 395,279 titles were issued and registered, equivalent to 124 percent of the original target; and (c) 381,806 titles were distributed to beneficiaries, equivalent to 133 percent of the original target. ▪ A total of 148,152 titles (37.5 percent) were issued to women compared to 92,653 titles (23.4 percent) that were issued to men. This reflects the fact that women, under customary traditions, tend to inherit the land in Laos. There was also 115,816 titles (29.3 percent) issued in joint names (conjugal), husband and wife.¹² ▪ The proportion of titles issued jointly to spouses from the already impressive 23.5 percent that was achieved under LTP I was 29.3 percent under LTP II. The increase is even more dramatic if the proportions are compared by PY. Under LTP I, in 1996, only about 3 percent of titles were issued in joint names and under LTP II in the final year from PY 2008 to 2009, over 40 percent of titles were issued in joint names. ▪ As of May 2009, the average error rate of all provinces was 3 percent, which constitutes a significant improvement compared to roughly 9 percent in 2007. ▪ As of May 2009, productivity was at target, with an average adjudication rate of 3.1 parcels per day per sub-SAT. ▪ Coverage of titling activities had a wide territorial coverage, including
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¹² It should be noted that a proportion of titles were also issued to DSA for state owned land parcels, e.g. for public buildings

	<p>59 out of 141 districts (41.8 percent) in over 1,800 out of 8,800 villages (20.7 percent) in 14 out of 17 provinces (VCC included).</p> <ul style="list-style-type: none"> ▪ An M&E system has been developed and adopted. Reports are produced regularly. The M&E system has served to significantly enhance effectiveness and efficiency of the land titling activities.
Weaknesses	<ul style="list-style-type: none"> ▪ The average time taken from systematic adjudication to title distribution had increased to 5.3 months, which is outside the project target of 4 months. ▪ At closing, production costs per title registered were reported to be US\$29.4, which significantly exceeds the target of US\$25. Unitary production costs increased significantly after the December 2006 restructuring, partly as a result of losses in efficiency but also as a result of including tasks other than titling in the cost calculations. Moreover, the reported unitary costs cannot be considered to be fully reliable or consistent, as cost basis criteria were never clearly defined.

Description: As of September 30, 2009, the project had exceeded the original targets for land parcels surveyed and adjudicated (427,526 land parcels adjudicated, equivalent to 107 percent of the original target) as well as land titles issued and registered (395,279 titles issued, equivalent to 124 percent of the original target) and distributed to beneficiaries (381,806 titles distributed, equivalent to 133 percent of the original target).

As of May 2009, the average error rate of all provinces was 3 percent, which constitutes a significant improvement compared to roughly 9 percent in 2007. Productivity was at target, with an average adjudication rate of 3.1 parcels per day per sub-SATs. The average time taken from systematic adjudication to title distribution had increased to 5.3 months, which is outside the project target of 4 months. At the Credit's closing, production costs per title registered were reported to be US\$29.4, which significantly exceeds the target of US\$25. Unitary production costs increased significantly after the December 2006 restructuring, partly as a result of losses in efficiency but also as a result of including tasks other than titling in the cost calculations, i.e., precise costing basis was never well defined.

The achievement of the outputs identified at appraisal under this component can be summarized as follows:

- **Number of villages covered by systematic titling activities.** No specific targets were defined. However, systematic titling activities under LTP I and II had a wide territorial coverage, including 59 districts and over 1, 800 villages in the VCC and 13 provinces (See Table 3.2). However, it was also noted that titling activities tended to follow road corridors, resulting in a 'ribbon-like effect' in titling coverage patterns rather than more compact patterns. In part, this was due to the lack of modern surveying equipment (i.e.,

up to 2007, much of the surveying was done using unsophisticated measurement techniques).

Table 2.2: Coverage of Systematic Titling Activities under LTP I and II

	Province		Districts			Villages		
	All	LTP I & II	All	LTP I & II	%	All	LTP I & II	%
1	VCC	Yes	9	8	88.9	500	355	71.0
2	Khammuane	Yes	9	3	33.3	601	111	18.5
3	Vientiane	Yes	13	5	38.5	524	158	30.2
4	Savannakhet	Yes	15	8	53.3	1,006	286	28.4
5	Champassack	Yes	10	10	100.0	637	356	55.9
6	Loangphrabang	Yes	11	7	63.6	792	220	27.8
7	Xayabouli	Yes	11	4	36.4	448	81	18.1
8	Bolikhambai	Yes	6	4	66.7	328	66	20.1
9	Saravan	Yes	8	5	62.5	631	124	19.7
10	Loung Namtha	Yes	5	1	20.0	357	7	2.0
11	Oudomxay	Yes	7	1	14.3	490	9	1.8
12	Sekong	Yes	4	1	25.0	239	14	5.9
13	Bokeo	Yes	5	1	20.0	292	13	4.5
14	Attapeu	Yes	5	1	20.0	157	25	15.9
15	Houaphan	Yes (*)	8	-	-	738	-	-
16	Phongsali	Yes (*)	7	-	-	563	-	-
17	Xiangkhoang	Yes (*)	8	-	-	502	-	-
Total	17		141	59	41.8	8805	1825	20.7

(*) These provinces were incorporated to the LPT II shortly before closing. Thus, they only received training, but no budget for field activities--no systematic land titling activities were conducted.

- **An effective CES program is implemented, including broad social awareness, impact monitoring and full participation by the LWU.** Achieved. See discussion under Component 3.
- **A total of 400,000 parcels surveyed and adjudicated and 320,000 titles (i.e., 80 percent) registered and issued by the projects' completion date.** These targets were exceeded. As of September 30, 2009, a total of 427,526 land parcels were surveyed and adjudicated, with land titles being issued for 92.5 percent of them (i.e., 395,279 parcels). This represents a significant accomplishment.
- **More than 90 percent of titles collected by the beneficiaries.** This target was exceeded. As of September 30, 2009, a total of 381,806 titles were distributed among beneficiaries (i.e., 96.6 percent of the titles issued).
- **Productivity of SATs is at least 3 parcels per day per team.** Productivity was achieved, with an average adjudication rate of 3.1 parcels per day per sub-SAT.
- **Number of titles issued in the names of women or in joint names.** The number of titles issued during LTP II was 395,279. Of these, 148,152 titles were issued to women compared to 92,653 titles that were issued to men, i.e., the number of titles issued to women is 60 percent higher than those issued to men. The proportion of titles issued jointly to spouses from the already impressive 23.5 percent that was achieved under LTP I

was almost 30 percent, i.e., over the life of both LTP I & II, the share of conjugal joint titles increased from less than 3 percent in PY 1995 to 1996 to over 40 percent in PY 2008 to 2009. This is seen as a major success of this project.

- ***The cost per title is less than US\$25.*** This target was almost achieved. The unitary cost of issuing a land title ranged between US\$18 and US\$20 before the institutional restructuring, well below target. However, unitary cost subsequently increased and was reported at US\$29.4 at the closing of the project. The increase reflects both losses in efficiency as a result of the institutional restructuring and the fact that some activities related to land management in general, rather than titling itself, were also included in the cost structure. It is important to note, however, that the cost basis for calculating unitary titling costs was never adequately defined. As a result, the unitary costs reported at various times during the life of the project cannot be considered to be neither fully reliable nor internally consistent.
- ***Title production and distribution is less than four months after adjudication.*** This target was not achieved. The average time taken for the completion of the titling process in the 14 project provinces is about 5.3 months. There are significant differences between the original nine provinces and the five provinces that joined in later on. In the five “new” provinces, the average production time is over seven months. In the original nine provinces, the production time is on average 4.4 months, also with a significant variation within this subset, i.e., between 3.3 and 5.9 months. Had the project continued for a longer period, it is likely that the timeframe would have been further reduced.
- ***The percentage of women in SATs.*** As of May 2009, there were 173 females out of a total of 774 people in the SATs (22 percent females).

Component 5: Support to Project Management and Implementation

Expected Outcome: The capacity of the DoL and PLOs to implement and manage project activities has improved.

Achievement: Moderately Satisfactory

Description: Building capacity for project management was a challenge throughout the life of the project, and particularly after the inception of the NLMA in December 2006. Weaknesses in most management functions, including reporting and M&E, were gradually addressed at both the central and provincial levels. Performance was satisfactory by the end of the project. Procurement, however, remained a weakness.

The achievement of the outputs identified at appraisal under this component can be summarized as follows:

- ***Forward planning process for area selection is in place and functioning efficiently.*** Village profiling was one of the CES activities, aimed at determining whether individual villages met all the eligibility criteria for project participation *before* their inclusion in the project. An important aim of the process was to ensure compliance with the social

safeguards. Some weaknesses were identified early on during project implementation and subsequently addressed.

- ***Enhanced capacity of the DoL in project management (including procurement, finance, planning, budgeting, and monitoring).*** The project management capacity of the DoL was increased substantially during the first five years of project implementation. There was a significant loss in project management capacity when the NLMA was implemented. Although much of this capacity was gradually rebuilt over the past two years, the procurement function never fully recovered.
- ***The establishment of an M&E system, with reports being produced regularly.*** An M&E system was developed and implemented. However, it became increasingly more effective only after an independent review by an FAO expert. Progress reports were produced regularly incorporating the input from PLOs. The reporting function improved significantly between early 2007 and the end of the project.
- ***Contracting of the second round of SEEIA by October 31, 2006.*** The SEEIA was intended to provide a second measurement of the baseline indicators that were developed and measured in 2003 under the SEBS. In this way, the SEEIA would have contributed to a more in-depth measurement of the impact of LTP II and a better understanding of the dynamics affecting land issues at the household level. The SEEIA was not carried out, largely due to procurement delays. It should be noted that NLMA was concerned about the relatively high cost of the SEBS, around US\$ 400,000 and it did not wish to see such a level of costs being incurred yet again with the SEEIA. Whilst an initial allocation of a similar sum had been allocated under DoL, NLMA after taking over as the implementing agency capped this at US\$ 150,000. The Bank team was in agreement with this capping. This reduction had an impact on designing the SEEIA terms of reference, which took a long time to finalize.

Annex 3. Economic and Financial Analysis

The Cost Benefit Analysis Summary carried at Appraisal (Annex 4 of the PAD) appreciated the lack of detailed information on rural areas, including cultivation practices, and the technical difficulties to measure incremental increase of income from titling. Instead it made an assumption about urban land prices going up by 15 percent in five years after titling, and remaining steady thereafter, to arrive at an ERR of about 21 percent.

At Completion, the data challenges have remained. SEBS had found household income changes for titled and untitled villages were not different. This lack of evidence for income increases may reflect that the Lao land titling program is not stimulating income increases but still increased uptake of credit. The additional credit is being used for improvement of their dwellings and not for on-farm activities, where they would make changes after two to three years of titling but not immediately.

The chain of events (see Figure 3.1 below showing Feder's Land Titling Impact Framework¹³) that leads to clear manifestation of higher income/higher land value from titling may not have happened yet. Under such circumstances, only a small portion of the increase in land prices, which have been rising throughout the project period, can be attributed just to the possession of titles. Without the quality of data powerful enough to distinguish increase in land prices from titling, a "lower bound" of the land price increase from titling that would be make this project have a threshold ERR of 12 percent was calculated.

The project surveyed and adjudicated 427,526 land parcels, of which 395,279 titles were issued and registered. One estimate (SEBS on page 64) puts the average parcel-size at 3,246 square meters. For this evaluation, the average price of land before titling was assumed to be at least 50 cents per square meter. This would put the lower bound of price of an average parcel titled under the project to be at least US\$1,500¹⁴, and total value of land titled under the project to be at least US\$0.6 billion. The project cost was US\$25.90 million. Consequently, a conceivable 4.8 percent one-time increase in land value adjusted for inflation coming from titling 395,279 titles would lead to an ERR above the threshold ERR of 12 percent. Of course, the lower bound of land price increase as a result of land titling is very sensitive to the total titled area. Hypothetically, if under the project only 50,000 titles had been issued, an unlikely 38 percent one-time increase in land value coming from titling would have been required to generate the threshold 12 percent ERR. This clearly points to the importance of the number of titles produced under the project.

There may also be economic benefits associated with the title registration systems that are not captured in increases in the price of land and in the ERR calculation above, but have a positive impact on GDP growth. For example, a stable land tenure regime, often defined by a land registration system, is a necessary condition for capital inflows into an economy which in turn result in increases in manufacturing investments and subsequently has positive impacts on GDP

¹³ Land Policies and Farm Productivity in Thailand" G. Feeder et al, 1988

¹⁴ 2008 GNI per capita was US\$740. On average, households in the project area have about six persons and three parcels.

growth for the overall economy. Very small increases in GDP growth as a result of this effect would be required to cover the cost of this investment in the title registration system.

Lastly, the various other benefits of the project, e.g., that of the project having addressed women's ownership of land, or having a well running land education system would have to be added to the above benefits from land titling to obtain the full economic benefit of the project.

Sometimes long-term sustainability of economic benefits of having a title has been questioned¹⁵ particularly for those who are more vulnerable in the society. For example, the Government appears to be granting land concessions for economic activities without paying proper compensation to the original land user. Even in these cases, however, the land owner with a title has benefitted over those without a title. The Government, in practice has not adopted a consistent approach to providing compensation for land that is compulsorily acquired for public or private development purposes. Only those with a title receive any compensation and the level of compensation would seem to be fixed on a case-by-case basis, and not based on appraised value of the land parcel and improvements. The Government will only pay a minimal value for the land only, and no compensation for improvements. Although land-owners with formal title may not have been able to stop the Government from acquiring their land, they are still better off than those without title who get no compensation.

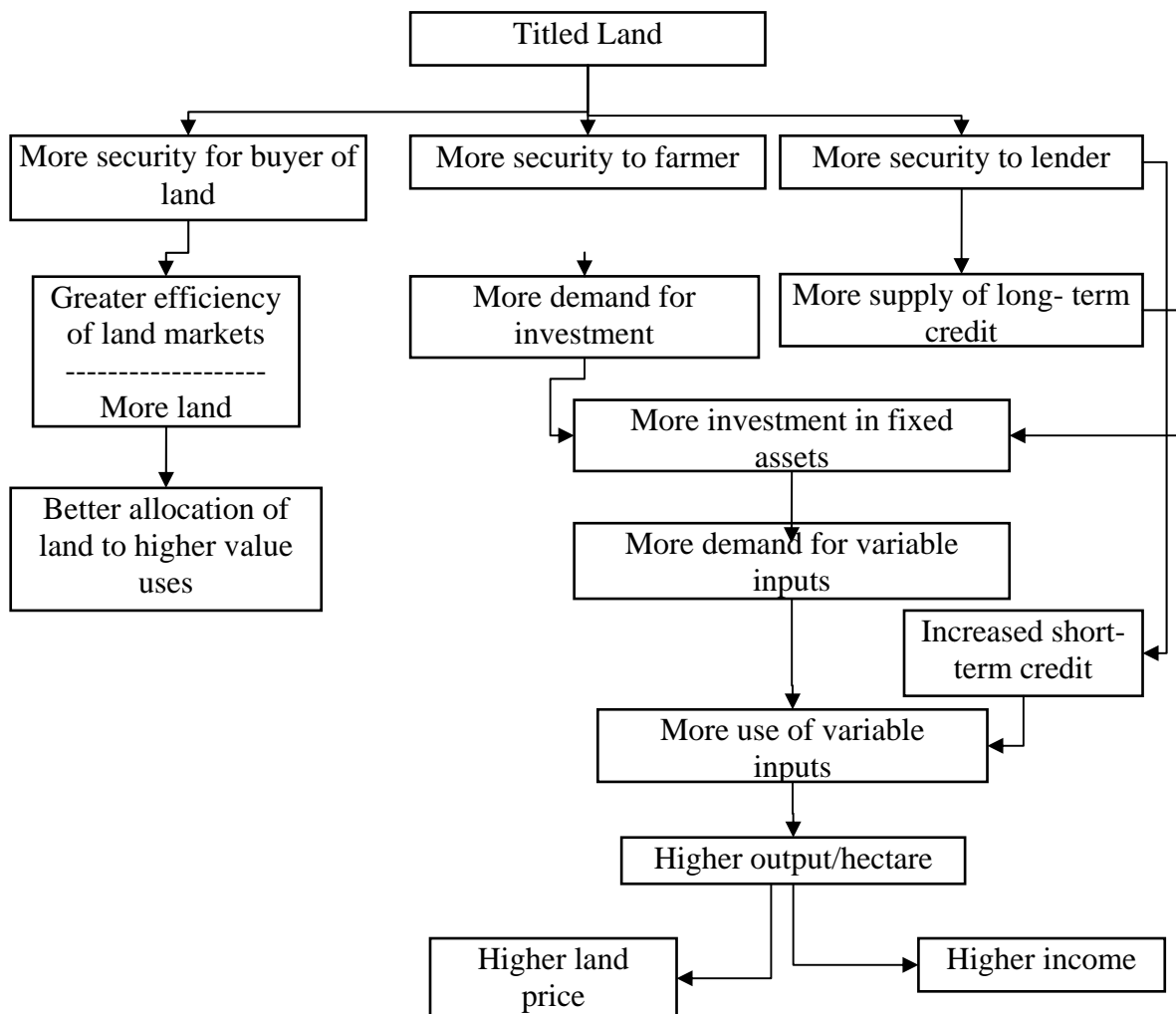
At Appraisal, the financial benefits covered in the analysis included first registration fees as well as subsequent registration fees corresponding to sales, leases, and loans with land as collateral. The financial costs included all project costs as well as the future management costs associated with administering the titles issued under the project, which were estimated at 2 percent of total project cost. The FRR, which dealt with the financial benefits and costs to the Government, was calculated to be 14 percent. As shown on Table 3.1 below, taking into consideration that the incremental land-related revenues collected by NLMA were roughly eight percent higher than anticipated, the actual FRR for the project is 14 percent when maintaining all other assumptions constant. AusAID and GTZ grants, which amounted to roughly US\$9.4 million, were subtracted from the total project costs for the purposes of calculating the FRR.

¹⁵ See AusAID Lao-Australia Property Rights and Land Titling Project ICR, Steven Oliver, January 2010

Table 3.1 Calculation of Financial Rate of Return (FRR) (US\$ Million)

Year	Appraisal Estimates			Net Financial Benefits	ICR Estimates		
	Costs	First Registration Fee	Subsequent Registration Fees		Costs	Benefits	Net Financial Benefits
1	3.23	0.08	0.00	-3.15	3.50	0.07	-3.43
2	3.27	0.08	0.29	-2.90	3.54	0.16	-3.38
3	3.36	0.08	0.60	-2.68	3.64	0.55	-3.09
4	3.49	0.08	0.94	-2.47	3.78	2.48	-1.30
5	3.66	0.09	1.31	-2.26	3.96	2.78	-1.18
6-35	0.34		2.86	2.52	0.37	2.78	2.42
FRR =				14percent	FRR = 14percent		

Figure 3.1: An Impact Framework for Considering Possible Effects of Land Titling



Annex 4. Bank Lending and Implementation Support/Supervision Processes

(a) Task Team members

Names	Title	Unit	Responsibility/ Specialty
Lending			
Chinnakorn Chantra	Procurement Specialist	EAPPR	
Guo Li	Senior Agriculture Economist	AFTAR	
Guzman P. Garcia-Rivero	Sector Leader	EASRD	
Wael Zakout	Sector Manager	ECSS6	
Frank Fulgence K. Byamugisha	Operation Adviser	AFTAR	
Mary P. Judd	Senior Anthropologist	EASER	
Behdad M. H. Nowroozi	Senior Financial Management Specialist	EASFM	
Nina Masako Eejima	Senior Counsel	LEGES	
Chinnakorn Chantra	Procurement Specialist	EAPPR	
Enrique O. Crousillat	Lead Energy Specialist	EASRD	
Malcolm D. Childress	Consultant	EASRD	
Supervision/ICR			
Ahsan Ali	Senior Procurement Specialist	EAPPR	
Keith Clifford Bell	Senior Land Policy Specialist, TTL	EASER	
Gillian M. Brown	Senior Gender Specialist	EASSO	
Chinnakorn Chantra	Procurement Specialist	EAPPR	
Marianne Grosclaude	Senior Agriculture Economist	EASNS	
Ronald P. Isaacson	Senior Operations Officer	AFTCS	
Guo Li	Senior Agriculture Economist	AFTAR	
Srinivas Shivakumar Mahalingam	Project Management Consultant	FAO	
Mark Marquardt	Land Policy Consultant	FAO	
David Mitchell	Land Administration and LIS Consultant	FAO	
Oithip Mongkolsawat	Senior Procurement Specialist	EAPPR	
Donald Herrings Mphande	Senior Financial Management Specialist	AFTFM	
Paul Munro-Faure	Chief Land Tenure Service	FAO	

	and Land Valuation Expert		
Kevin Nettle	Land Registration Consultant	EASTS	
Sybounheung Phandanouvong	Social Development Specialist	EASTS	
Viengkeo Phetnavongxay	Environmental Specialist	EASTS	
Maria Theresa Quinones	Senior Operations Officer	EASPS	
Nipa Siribuddhamas	Financial Management Specialist	EAPFM	
Sirat Sirijaratwong	Procurement Analyst	EAPPR	
Thalavanh Vongsonephet	Program Assistant	EACLF	
Wael Zakout	Sector Manager	ECSSG	
Ngozi Blessing Malife	Program Assistant	EASER	
Maria Cecilia Zanetta	Consultant – ICR Preparation	LCSHE	
Surajit Goswami	Consultant Economist – ICR Preparation	EASIS	

(b) Staff Time and Cost

Stage of Project Cycle	Staff Time and Cost (Bank Budget Only)	
	No. of staff weeks	USD Thousands* (incl. travel and consultant costs)
Lending		
FY02	4.15	36.20
FY03	34.42	202.69
FY04	4.38	15.24
FY05		0.00
FY06		0.00
FY07		0.00
FY08		0.00
Total:	42.95	254.31
Supervision/ICR		
FY02	1.13	4.12
FY03		0.00
FY04	5.81	26.36
FY05	16.05	63.39
FY06	17.98	102.35
FY07	16.35	122.11
FY08	14.91	129.70
FY09	9.06	129.90
Total:	81.29	577.93

Annex 5. Beneficiary Survey Results

N.A.

Annex 6. Stakeholder Workshop Report and Results

N.A.

Annex 7. Summary of Borrower's ICR and/or Comments on the Draft ICR

Summary. The objectives of LTP2 were to improve land tenure security, develop transparent and efficient land administration institutions, and increase government revenues from land related taxes and fees. LTP2 was the second phase of the long-term land titling program aimed at the development of the land administration capacity to support the country's economic development and poverty reduction goals. In order to achieve the project objectives, the project focused on formulating and approving land policy and regulatory changes, strengthening institutional capacity and project management, accelerating land titling activities in areas of high demand, developing and implementing an efficient and transparent land registration system, and strengthening land valuation. Overall good progress was made towards the achievement of the majority of the project's development objectives. In accordance with the government's policy, it is necessary to link together land classification (and land use planning) with land titling together, in order to address social, environmental and economic land issues.

Assessment of the Project Outputs.

Component 1: Development of Land Policy and Regulatory Framework. Sound progress was made on the completion of the NLMA's program of policy studies, and the NLPF document was prepared. The policy studies have been completed and approved. The issued recent decrees, regulations, to improve land administration and management. The government has also approved a decree on Leases and Concessions and a Presidential Decree of the fee for Leases and Concessions.

The VCC pilot has continued to develop digital cadastral maps, scan cadastral file records and improve records management. The current results demonstrate the ability to: (a) record the cadastral maps and scanned cadastral file records; (b) record the statistics of land parcels in village and districts of VCC; and (c) accelerate the searching of evidence of land parcel such as history of each parcel, land transfers and inheritance.

Component 2: Institutional Development. Institutional restructuring within the NLMA has been done from central to provincial, district and village levels. Implementation is based on the requirements of the 2003 Land Law.

Support for Valuation Services. Progress has been made with developing the valuation system. NLMA has defined four main factors to be included into the valuation system: (a) quality of land; (b) location of land; (c) infrastructure areas; and (d) development areas.

Component 3: The Development of a Modern Land Registration System. The VCC model land office has been implemented efficiently and smoothly. NLMA has set a plan to extend the model to all provinces.

CES. The objective of CES is to assist the society understand the regulation and policy of the government related to land including solving conflict and protection of the biodiversity and environment. The CES function is under LNRIRC, working in cooperation with the concerned departments for implementing the project activities.

PLOs, with support from LWU disseminate information about the land policy, laws and regulations, land dispute resolution and gender mainstreaming.

Component 4: Accelerated Land Titling through Systematic Registration. By June 30, 2009 the project had exceeded the project target for titles surveyed and adjudicated (427,526 - 106 percent of target), issued (395,279 - 123 percent) and distributed to beneficiaries (381,806 - 132 percent). The production costs per title are US\$ 27 per land parcel, which exceeds the project target of US\$25.

Component 5: Support to Project Management and Implementation. Overall, project management, including reporting and M&E, are now performing at a satisfactory level. The project's implementation of M&E, which has improved dramatically since the initial MTR mission in 2006. M&E is now performing quite well at both the provincial and central levels and the first online system of reporting was established in 2008.

Project Impacts

The following impacts have been identified:

- *Legal Impacts.* The project has successfully developed and promulgated the Land Law, associated decrees necessary to support project activities and work instruction as a foundation for sustaining the long-term land titling activities and land administration in Lao PDR.
- *Social Impacts.* The project has provided secure land use rights to eligible land occupiers, hence reducing land disputes and inducing confidence for investments on lands. Women have equal rights in participating and obtaining the benefits from the project, and registration their names on land titles. The data collected shows that 38 percent of all land parcels are registered in the names of women, 28 percent in joint names. Moreover, more than 300 women worked in the systematic adjudication teams and on other project teams.
- *Institutional Impacts.* An international accepted standard for systematic land adjudication and registration systems have been established in Lao PDR. In addition, more than 1,000 government and contract staff have received training and developed skills necessary to support systematic registration and land registration skills.
- *Fiscal Impacts.* Government's revenues resulting from the project increased significantly. The revenues from land taxes and registration fee due to better land records, increased by double to LAK 77.95 billion in FY2007/2008 against the amount collected in LAK 32.91 billion in PY2003/2004.

Revenues from land registration fees increased by 6 times from LAK 3.2 billion in 2002 to LAK 18.85 billion in PY2007/2008. The benefit: cost ratio of the registration revenues and the cost of issue a land title stood at 5:1, and this ratio is expected to rise in future when formal registration is widely accepted and the volume of registration increased.

- *Economic Impacts.* Based on data collected by NLMA, the actual land values in those urban and peri-urban areas, under the project, increased rapidly over the period between 2004 and 2009. At the same time agricultural productivity in rural lowlands areas increased more or less at the same rate due to more investment in land and the use of land titles for mortgages.

Performance of Government and Implementing Agency.

The Government considers that it provided adequate support, which greatly affected project implementation in achieving project objectives, particularly the technical development and the land titling targets.

Implementation Experience and Lessons Learned.

The major implementation experiences and lessons learned from the project are:

- Through a well designed project with clear objectives, the implementing agencies have gradually gained experience in implementing the project.
- Successful project implementation and sustainability required an intensive training program and a well managed Human Resource Development (HRD) strategy. The skills of staff under the project remain relatively good to adequate training and education in the PC.
- Some of the policy studies which were delayed made any preparation for a third implementation phase of LTP difficult.
- The government provided financial incentives to SAT, on a per parcel basis, in order to increase productivity of land titling.
- The project's expansion from 9 to all 17 provinces (VCC included), under the newly established NLMA, was too quick. The capacity of NLMA to manage and mobilize these resources to meet the project timetable was over-estimated. The capacity of the NLMA to implement the project was also impacted by the relatively limited middle level management skills in such areas as: (a) project planning; (b) financial and procurement management; (c) policy development and implementation; and (d) community development and awareness programs.
- Technical assistance (TA) provided under project by AusAID and GTZ was adequate and its performance was generally considered to be satisfactory.
- Support from the World Bank was generally satisfactory, but its impact could have been improved by having a local or in-country presence, to work more closely with the implementing agency and to balance the demands and priorities of the other donors and TA. Furthermore, such a local presence would have better supported parallel developments across the land sector.

Borrower's Comments on the Draft ICR Report

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister Office
National Land Management Authority

No: 01 /PMO.NLMA.
Vientiane Capital, Date 19 MAY 2010

Dear Mr. Keith Clifford Bell
World Bank
Sustainable Development Department, EASRE
East Asia Pacific Region
1818 H Street NW
WASHINGTON D.C. 20422 USA
MC9-443; MSN: MC9-915
Tel: 1 202 458 1889; Fax: 1 202 477 2733
kbell@worldbank.org

Re: Second Land Titling Project (Cr.3801-LA) Draft Implementation and Results (ICR) Report for Borrower's Comments

Thank you for your letter dated April 28, 2010. After our review on the ICR for LTP II, we have no any comment on the ICR, because our comment is already included at Annex 7.

Thank you very much for your kind cooperation.

Sincerely,



Kideng THAMMAVONG
Vice Minister and Deputy Head
National Land Management Authority

Annex 8. Comments of Co-financiers and Other Partners/Stakeholders

AusAID

Technical assistance for Components 2 to 5 of the project was provided by AusAID. These components were entirely focused on achieving the three main project objectives and, at a technical level, delivered good results. Land tenure security was strengthened by the production of over 386,190 registered titles. The Department of Lands increased capacity to manage and equip regional staff to implement land administration. In relation to the nine original provinces, efficient PLOs were operating to register an increasing number of subsequent transactions. The annual number of mortgages being registered is increasing, although there is scope for substantially more progress in this area. In relation to the five expansion provinces initiated in 2007, initial development and capacity building commenced. In relation to the final three provinces initiated in 2008, preliminary activity to expand the project resulted in a SAT being appointed in each province; however, adjudication start-up activities stalled in the last 12 months. Government revenue from land transaction fees significantly increased the funds available for the government to use to provide social and economic services. At project end, seven of the nine PLOs were generating more annual revenue than their operating costs, providing a basis for future financial sustainability. Other PLOs could be expected to progress towards cost-effective operations if NLMA continued registration capacity building and implemented the proposed community education program.

There were also a number of major sector outcomes. These include: improved social and economic status of more than 350,000 households; consolidation of the Higher Diploma in Surveying and Land Administration at the Polytechnic School; effectively operating Provincial Land Offices in nine provinces, following Model Land Office criteria and performing according to agreed service standards; improved governance with a focus on the Land Office as the primary service delivery point and with a gradual shift toward decentralisation.

The Project's commitment to women's rights, based on an efficient community education program, and resulting in a high rate of titles registered to women or as conjugal property, can be viewed as an example for similar international projects.

AusAID commends our Lao counterparts on this project for the very high levels of engagement and dedication that resulted in the excellent results outlined above.

However, many decisions made towards the end of the project are likely to negatively impact on the sustainability of some of the gains made. These include: the redefinition of priorities; the mobilisation of key personnel to organise land tax collection; assigning staff to prepare land use planning maps; expanding land administration activities to the district level; and appointment of SAT contract staff to districts.

Lessons learned include: sustainability requires an active commitment by NLMA to the long-term viability of regional land office operations; the need for an integrated and negotiated land policy document that guides rational development of policies and institutional change has been demonstrated by recent activities; the value of integrating policy development with technical

processes to ensure consistent development towards agreed goals; the value of co-locating Technical Assistance into counterpart sections has also been demonstrated.

GTZ

GTZ support for LTP2 ended on June 30, 2009. From July 1, 2009 GTZ has started supporting NLMA in Xayabouly and Luang Namtha provinces focusing on land registration in rural communities, building the inventory of land concessions, land conflict resolution and land use planning. The former Land Policy Development Project was renamed “Land Management and Registration Project”.

Annex 9. List of Supporting Documents

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Annex 10: Meetings Conducted during ICR Mission

National Land Management Authority - NLMA

- Mr. Kham Ouane BOUPHA, Head of NLMA, Minister of PMO
- Mr. Kideng THAMMAVONG, Vice Minister, Deputy Head of NLMA and LTP2 Project Director
- Mr. Siphandone SIHAVONG, Director General, DoL and LTP2 Deputy Project Director
- Mr. Khambone SISOUK, Head of Division, Administration Division, DoL
- Mr. Sivixay SALIVANH, Head of Section, Administration Division, DoL
- Mr. Vongkeo THIPHABOUNHEUANG, Administration Division, DoL
- Mr. PHOUNSAVATH, Deputy Head, Land and Property Valuation Section, DoL
- Mrs. NOUANTHA, Head of Valuation Section, DoL
- Mr. KHAMLEK, Head, State Land Management Division, DoL
- Mr. SOMCHIT, Deputy Head, State Land Management Division, DoL
- Mr. Vongdeuane VONGSIHALATH, Director, Department of Land Use Planning and Development
- Mr. Bountieng SANAXONH, Head, Land Use Planning in Rural Area Division
- Mr. SISOUPHANH, Head of Division, Cabinet Planning and Finance Division
- Mr. Sengpha-angkhane SOMCHANMAVONG, Deputy Head Cabinet Planning and Finance Division
- Mr. KHAMPHOUANG, Head of Accounting Section, Cabinet Planning and Finance Division
- Mr. OUNHEUANE, Deputy Director, Department Land Policy and Land Use Inspection
- Mr. SOUKSAMONE, Head of NLMA Cabinet, International Relationship Division
- Mrs. BOUAKHAM, Head of NLMA Cabinet Secretariat
- Mr. Chanthaviphone INTHAVONG, Acting Director General, LNRIRC
- Mr. BounNhong PATHAMMAVOGN, Head, Research Division, LNRIRC
- Mr. Khamdy PATHAMMAVONGSA, Head, Administration Division, LNRIRC
- Mr. Dr. Palikone THALONGSENGCHANH, Head, Training and Information Dissemination, LNRIRC
- Mr. Phommy THONGSAVATH, Deputy Head, Information and Data Division, LNRIRC
- Mr. Chanthalath SIHAPHONH, Head, Technical Information, LNRIRC

Land Management Agency for Vientiane Capital City – VCC

- Mr. Vila PENGKHEUAP, Deputy Head of VCC Land Management Agency
- Mr. Khamphanh PAVONGVIENGKHAM, Head of VCC Land Office

Land Management Agency for Bolikhamxay Province

- Mr. Khankeo VONGSAVANTHONG, Head of PLMA,
- Mr. Bouansy TOUNALOM, Head of Administration office
- Mr. Phoumiphonh SOUVANNALATH, Head of Land Office
- Mr. Khampha SENGSOULICHANH, Deputy of Land office Head
- Mr. Khemphone PHOMPHASA, Deputy Land Use Planning and Development
- Ms. Inta SISOUTHO Deputy Administration Head
- Ms. Viengsavanh VOUTHIPHOMMAVONG, Accounting
- Ms. Outhongkham KHAMMANIVONGSA, Finance staff

LTP II Institutional Partners

- Mr. Phongsavath OUANEPORMANY, Director, PC
- Mrs. Pakobkeo THOPAKHANE, Deputy Director, PC

- Mr. Kongkham SOURIGNA, Deputy Director General, NGD, Prime Minister Office
- Mrs. Phonsy SIVONGSA, Deputy Director, Right Protection Dept., LWU

Other Institutions

- Mr. Bountern KEOVILAYVONG, Head, Credit Department, Lao Development Bank
- Mr. Khamsovane SISOUVONG, Former National Technical Assistance Coordinator, Managing Contractor for AusAID

Co-Financiers

- Mr. Florian ROCK , Team Leader, German Agency for Technical Cooperation – GTZ

FAO

- Mr. M. S. SHIVAKUMAR, Project Management Consultant

World Bank

- Mr. Keith Clifford BELL, Task Team Leader
- Mr. Patchamuthu ILLANGO VAN, Country Manager
- Mr. Sibounheuang PHANDANOUVONG, Social Development Specialist

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