



Annual Progress Report Amerindian Land Titling (ALT) Project January- December 2015

Project name/ acronym	Amerindian Land Titling Project /ALT		
Project number/ code	00077798		
Implementing Organizations	Ministry of Indigenous People's Affairs / United Nations Development Programme		
Project period	2013-2016		
Total project budget	USD 10,755,990		
Reporting period	Jan 2015- Dec 2015		

List of acronyms and abbreviations

ALT Amerindian Land Titling

COT Certificate of Title

DR Dispute Resolution

FPIC Free, Prior and Informed Consent

GFC Guyana Forestry Commission

GL&SC Guyana Lands & Surveys Commission

GGMC Guyana Geology and Mines Commission

MOAA Ministry of Amerindian Affairs

MoIPA Ministry of Indigenous People's Affairs

PMU Project Management Unit

SESP Social and Environmental Screening Procedures

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NAME OF PROJECT: Amerindian Land Titling Project / UNDP Atlas Project Number: 00077798

Implementation Modality

National implementation, with implementation support from UNDP for FPIC, and Outputs 2 and 3.

Implementing Partner

Ministry of Indigenous People's Affairs (formerly, Ministry of Amerindian Affairs or MOAA)

Key Information:

Project duration: 21 October 2013 - 20 October 2016 (3 years)

► Project budget: USD10,755,990

- ► As of 2010, there were 96 Amerindian villages that had received Absolute Grant of land, of which 77 were demarcated and issued Certificate of Title (COT)
- ► The intervention of the ALT project (2013-2016) led to an increase in the number of titled Amerindian villages by 10 to 106 (Absolute Grants), nine more villages were demarcated, bringing the total to 86, and a previously demarcated village received Certificate of Title
- Further, under the ALT project, another 11 Amerindian villages are currently under consideration for Certificate of Title, and 16 for boundary extension (Absolute Grants)
- ▶ A total of 210 persons from Amerindian communities/villages were trained in FPIC & Dispute Resolution
- ▶ A team of three consultants has started to draft the Communications Strategy & handbook
- Risks to ALT project was further assessed using the UNDP Social and Environmental Screening tool
- ► Project management was provided by a 3-member Project Management Unit (PMU) up to June 2015. Thereafter, MoIPA and UNDP co-supported the PMU functions
- ▶ Projected financial delivery in 2015 USD 946,682.31
- ► Anticipated financial delivery in 2016 -USD 4,626,600

Project Description:

Guyana's <u>Low Carbon Development Strategy</u> (LCDS) emphasizes the importance of protecting indigenous land rights and opening windows of opportunities for Amerindians, especially those that depend on forest resources as a means of livelihood. The objective of the Amerindian Land Titling (ALT) project is to facilitate the Amerindian Land Titling process.

The ALT project has the following outcomes, outputs and targets:

Outcome 1: Secured land tenure for Amerindian villages and communities

Output 1: Land titles issued and demarcation process completed for all Amerindian villages that submit requests **Targets**:

- 45 Absolute Grants issued for villages / communities that have submitted requests
- 68 communities/villages to be demarcated

Outcome 2: Increased use of existing and alternative mechanisms to resolve titling disputes

Output 2: Increased access to existing and alternative mechanisms for resolving land titling disputes

Target:

220 persons trained in mediation

Outcome 3: All relevant stakeholders better informed about Amerindian rights and the land titling mechanism

Output 2: Communications strategy, including a handbook describing the process of titling, demarcation and on the social and economic impacts of secure land tenure

Target:

 Revised communication strategy tailored to include appropriate and relevant communication methods to increase awareness on Amerindian land titling, and reaching 68 villages by year 3

The ALT project operationalises the development framework of the Government of Guyana as reflected in the LCDS. The strategy of the project is to implement the activities in accordance with the UNDP safeguards and standards, cognizant of the regulatory and legal provisions governing Amerindian rights, land titling and demarcation in Guyana. Government of Guyana and UNDP are strongly committed to the effective engagement of all relevant stakeholders in the process of land titling, demarcation and related project activities. Free, Prior and Informed Consent (FPIC) holds the promise of strengthening the legitimacy, efficacy, ownership, sustainability and longevity of the actions on the ground under the project.

An independent capacity assessment of the Ministry was carried out in 2012, one year before the signing of the ALT project document. It established relative Ministry strengths in areas of leadership, stakeholder engagement and project delivery. Findings also indicated capacity needs in the areas of accounting and knowledge management, with particular focus on the functional areas of monitoring and evaluation, analysis and visioning, and development of policy and strategy. Enabling environment issues that tend to influence many of these findings are related to national regulatory context, the comparable isolation of Guyana's hinterland areas and the national political agenda. Recommendations for the capacity development plan concentrate generally on:

- Strengthening financial and informational reporting at all levels
- Expanding knowledge management and communications systems
- · Incorporating international norms for analysis and administration, and
- Institutionalizing mechanisms for retention and transfer of training and reference material.

A decision was taken to implement the capacity development plan under the Amerindian Development Fund project.

Programme of work and activity results for 2015

2015 was the second year of the implementation of the ADF II project, during which the PMU with implementation support from the UNDP strove to ensure land tenure security for Amerindian communities through investigations, titling and demarcation processes, the latter through cadastral surveys.

The number of cadastral surveys increased, and communities were issued COT. At the end of 2015, the ALT project financed and supported 11 cadastral surveys, of which nine are current ongoing and two have been completed. 10 COTs were issued.

Investigations into 16 villages' boundary extensions requests were carried out.

FPIC and DR workshops were conducted and risks to the ALT process assessed.

Communications Strategy and accompanying handbook for Land Titling is being developed.

A summary of achievement of activity results for all three ALT project outputs follows.

Output 1- Land titles issued and demarcation process completed for all Amerindian villages that submit requests

Output 1 activities were led by MoIPA.

▶ Activity Result 1:1- Absolute Grants for 16 Communities/Villages

Achievement: Consultations and investigation missions conducted in 16 villages:

Region 1: Hotoquai, Little Kaniballi, Red Hill, Santa Rosa

Regions 7: Arau, Karrau Region 8: Monkey Mountain

Region 9: Sand Creek, Potarinau, Moco Moco, Awarewanau, Maruranau, Karaudaranu, Karasabai

Achievement: Absolute Grants issued to eight communities:

Region 1: Four Miles, Little Kaniballi Extension, Kariako, Santa Rosa Extension

Region 7: Batavia

Region 8: Karisparu, Tuseneng Region 9: Potarinau Extension

▶ Activity Result 1:2- Demarcation —COTs issued for 20 Villages

Achievement: 11 cadastral surveys in process;

Region 1: Kariako

Region 7: Arau, Batavia, Kaikan

Region 8: Chenapau, Chinoweing, Paramakatoi, Taruka, Karisparu, Tuseneng, Kato Extension

Achievement: 11 COTs issued

Region 1: Baramita, Manawarin, Waramuri

Region 21: Wakapao, Akawini

Region 8: Kambaru, Karisparu, Tuseneng,

¹ The two Region 2 villages were identified for demarcation of extended boundary but the investigation mission discovered that the demarcation process for the originally titled lands was never completed. The ALT project supported the completion of demarcation and issuance of COTs. The villages would have to reapply for extension.

Region 9: Kanashen, Massara Extension

Region 10: Riversview

Output 2: Increased access to existing and alternative mechanisms for resolving land titling disputes

► Activity Result 2:2: A cadre of skilled mediators

Achievement: Training in FPIC and Dispute Resolution conducted for 210 persons from Regions 1, 2, 7, 8, 9 & 10

► Activity Result 2.2.1: Carry out baseline assessment of existing capacities, capacity needs and entry points for training in DR & FPIC

Achievement: Baseline survey and corresponding report completed. Social and Environmental Screening Procedures (SESP) applied and reported

► Activity Result 2.2.2: Conduct four training workshops on dispute resolution

Achievement: Four training workshops held. 201 stakeholders trained in FPIC & DR. Workshop manual produced.

The key findings from the baseline assessment (March 2015), carried out by an international consultant, are as follows and reflect the views of the survey participants, community and village leaders, and government officials:

- Only 16.5% [n=73/443] of respondents recalled hearing of FPIC.
- Over half (50.2%, n=103) of respondents who Agreed [n=205] to the project stated that although they agreed to communal land titling, they were not entirely clear on what the advantages and disadvantages of the ALT Project were. 56.2% [n=249] stated that the information provided was too technical and 51.5% [n=228] recommended that information pertaining to the ALT project should be broken down into simple language.
- 87% [n=341] of respondents did not understand the difference between demarcation and titling nor did they understand the process through which the Amerindian Land Titling Project would be carried out. 52.6% of those who did not understand stated that they were not informed.
- In all communities, information about the ALT Project were communicated solely through verbal communication by the Implementers of the Project and the Village Council. Over three-fourths (82%, n=363) of respondents recommended that they have other forms of communication for more effective learning about the project, especially as announcements for meetings were seldom presented early enough for community members to prepare.
- Internal disputes surrounding Amerindian Land Titling occurred mainly in Four Miles and Rockstone between Amerindians who were in favour of the ALT Project and non-Amerindian and Amerindian Residents who see more security in having individual land leases through the GLSC. Those who favoured the latter believed that by giving ownership of land to the Village Council any internal conflict between the Council and opposing members of the community will influence their access to land tenures. Others posed the issue of not having assets through which they could use as collateral when applying for loans when pursuing growth in income generating activities.

Recommendations based on baseline survey (Jan-Mar 2015)

Issue	Impact	Recommendation	Potential Outcome	Risks	Entry Points
Non-Amerindian fearful of losing their right to reside in community	-Potential Ethnic divisions that may escalate to violence and discrimination. -Displacement of people -Loss of Resident Identity	 Implementation of Legally recognised documents that give Non-Amerindians the right to reside within the community through enclaves of leased land. Villages Gazette rules that stipulate Non-Amerindians rights 	 Co-existence amongst ethnic groups All members have equal status as residents of community Sense of security for Non-Amerindians 	 Conflicting with the Amerindian Act 2006 and the definition of a legal resident of an Amerindian Village Amerindians lose ancestral land 	- GLSC - Independent Legal Advisor
Lack of understanding of Project components by Toshao	-Leader misguides community - Toshao inadequately equipped to inform community on Project to ensure FPIC is established -Community becomes confused by Project - Leader burdened by own limitations in understanding, and may not attempt to widen	-Train active and respected members within the community to ensure that FPIC is being maintained -Support the production of materials and various modes of communication to keep community members informed of - Relieve Toshao from the burden of being the sole bearer of information on project, and encourage members from community to	- Multiple community members tasked with learning components of the Project [shared responsibility of disseminating information] - More accurate information reaches community -More information reaches community - Community can be more objective in decision	- Selection of members from community may not be adequate - Multiple messengers may confuse community with mixed messages	- MoAA - FPIC Expert
Lack of understanding of Project components by Community	-Decisions made based on misinformation -Community members feel pressured to agree or disagree with more knowledgeable people	-Provide various forms modes of communicating information on the ALT Project, e.g. Pamphlets, posters, etc Establish a Community Resource Officer who manages information on the project, and can answer questions community members may have	-Community members better informed - Community can make own decisions based on accessibility of information and being well informedInformation easily accessible	-Costs of making resources for all communities may be high, especially those that may be translated	- FPIC Expert - Communications Expert to develop materials
No access to bank loans	- Solely dependent on Funding coming from Government for large scale economic development activities -Non-Amerindians have no access to funding through MoAA	-Provide Small Government Grants to residents within Amerindian Communities based on set of criteria -For non-Amerindians already residing in community allow individual leases to be held	-Greater investment into communities - Economic development of community	 Accrue debt and loss of properties Logistics may be considered too complex 	- MoAA - National Bank [Initially as advisor]
Presence of Forestry Concessions within proposed areas	 Unworkable Forested areas due to exhaustion of resources Forestry concessions in ancestral lands 	- Map out current concessions in proposed areas, and come up with relocation strategy	 Smoother transition for Amerindian Communities gaining access to applied lands Protection of ancestral lands from forestry degradation 	-Forest concession holders become disgruntle for being moved	- GFC

Issue	Impact	Recommendation	Potential Outcome	Risks	Entry Points
Presence of Mining Concessions within proposed areas	-Environmental Degradation -Communities have no veto power over Large Scale Mining	 Map out current mining concessions in proposed areas, and come up with relocation strategy for SMEs MoAA & GGMC to work out CSR strategy for large scale mining ventures within Amerindian Areas Work towards not 	 Greater control and management over sustaining ancestral lands Communities can ensure 	- CSR Strategy may not be robust enough	-GGMC -MoAA -Village Council
Presence of Protected Areas within proposed areas	 Limit of Indigenous use of Protected Areas Protected Areas decreases due to ALT implementation Reduction of grants to protected areas 	-Monitor use of PAs by Amerindians - Initiative that trains local community members in tour guides and Protected Areas Officer	-Sustainable use of land - Shared knowledge of protecting land - Creates new income generating activity for communities	 - Tourism idea may need a lot of time to set up - Not enough funding - Decrease in Protected Areas - Conflict between UN-REDD projects 	-PAC -Elders
Lack of understanding all impacts associated with the Project	-Community members make decisions based on one-sided information - Community may suffer in long run	-Workshop on ALT Impacts -Provide handouts with pros and cons -Hold consultation to brainstorm impacts community members may foresee	-Fully aware to make own decisions	-Workshops may turn into consultations as is prevalent	ALT PMU Senior Suppliers FPIC Expert
Politically driven Community Leaders	 Decisions on the appropriation of land driven by political affiliation Decision made by communities based on Political affiliation of leaders 	-Clear system for application of land to ensure political affiliations and bias do not play a part in land distribution	-Application goes through systematic process for access to local communal land in order to remove politically-driven decision.	-Politics will still play a heavy role in how Leaders view members of the community	
Inter-Community claims to same land	- Animosity arises between communities	- Use of group of Toshaos to help mediate dispute- Use of MoAA- Use of Courts [extreme cases]	- Compromise of use of land - Avoidance of violence or schism between communities	- Use of Courts may cost too much money	-MoAA -NTC
Lack in diversity of communication strategies	- Monotonous/One note communication of information fails to convey message	 Variety of communication tools, such as fliers and posters (e.g.) Consult with communities on best tools Include translated versions of tools 	-Community Members benefit from various learning strategies -ALT Project can facilitate better understanding -Less time spent repeating and explaining concepts	-Costs of creating tools	-Communications Expert -ALT PMU
Consultation vs Consent	 Community members are forced to make decisions during consultations without going through the process of FPIC 	-Train MoAA Staff, PMU and Village Council on process of FPIC	-Better equipped members of the MoAA, ALT PMU and Village Council -Community members make decisions through FPIC	-Indigenous Peoples rights are not being observed under UNDRIP and the Amerindian Act 2006	FPIC Expert

Output 3: Revised Communication Strategy including handbook

► Activity Result: Detailed information on the land titling process available to stakeholders
Achievement: Three consultants recruited and work ongoing on ALT communication strategy and handbook

Reporting on implementation of UNDP safeguards and standards

In the discharge of the project assurance function, in carrying out the project's objective and independent project oversight and monitoring functions, the following activities in the table below were completed during the period under review with a view to ensuring the maintenance and adherence to UNDP's fiduciary, environmental, social safeguards and standards.

Summary of the safeguard mechanism framework

Safeguard Type	Actual Tools/ Measures applied	Framework/ Specific Standards
Fiduciary	Application of UNDP Financial Regulations and Rules (FRR) 125.06 for Project Cash Advances in support of scoping and training missions	Harmonised Approach to Cash Transfer (HACT) assessment ⁴
	Cash transfer modality – Direct payment and Funding Authorisation and Certificate of Expenditures (FACE) ²	Operational Standards Financial Regulations and Rules
	Procurement Plan development Annual Workplan development and approval by the Project Board	Internal and External Audits UNDP Procurement principles and standards
	Payments through UNDP Atlas system, included checks such as Vendor input,	principles and standards
	Asset inventory, asset verification and spot check exercises conducted at the PMU	
	Labeling of assets for visibility and traceability	
	Sharing Combined Delivery Reports ³ (CDR) and Accounts Activity Analysis (AAA) reports with MoIPA and MoF	
	Project Board meetings	
	Risk Logs updated and maintained	
Social and Environmental	Observance of FPIC. Training was carried out for community leaders and residents. Community consultations	Compliance with the United Nations Declaration on the Rights of Indigenous Peoples and

² Funds are paid by UNDP directly to vendors and other third parties for obligations and expenditures incurred by the IP to support activities agreed in the work plan. The purpose of the FACE form is to establish a simplified and harmonized tool that replaces agency-specific reporting formats and requests for expenditure supporting documentation from Implementation Partners

³ The International Public Sector Accounting Standards (IPSAS) was adopted by the United Nations Development Programme (UNDP) 1 January 2012. CDR presents expenses that reflect costs related to goods delivered and services rendered (recorded in Atlas) of a project during a period (quarterly and at the end of each year). This report is prepared by UNDP, using Atlas financial system and is UNDP official financial statement.

⁴ The HACT framework represents a common operational (harmonized) framework for transferring cash to IPs. The objective of the HACT framework is to: 1. support a closer alignment of development aid with national priorities; 2. and to strengthen national capacities for management and accountability, with the ultimate objective of gradually shifting to national systems.

	A Social and Environmental Screening was done by UNDP in collaboration with the Project Board and other stakeholders (see below). Inclusion of Senior Suppliers and Beneficiaries in decision making (Project Board)	Other relevant UN human rights instruments; Social and Environmental Screening Procedure
Monitoring framework and evaluation	Project Review meetings conducted with PMU, including half-year review Back to Office field mission reports Quarterly Reports UNDP Atlas monitoring	Bank reconciliation statements

Additional:

Fiduciary

UNDP provided training on financial management for NIM projects, and M&E to the PMU.

Social

Participatory approach to decision making, and observance of Free, Prior and Informed Consent (FPIC).

Technical & Environmental

Utilization of technical expertise present in State agencies in the investigation missions to communities and villages.

Monitoring and Evaluation

UNDP personnel accompanied all field missions to provide implementation support as well as quality assurance. In addition, attention was paid to:

- FPIC
- Upholding the rights of indigenous peoples
- Ensuring respect for fiduciary safeguards

Social and Environmental Impact Screening Procedures (SESP)

The application of SESP (October 2015) identified four issues, as follows:

- (1) The need for clarified and strengthened stakeholder engagement, representation structures and decision making processes at all levels;
- (2) The need for a clear process and criteria for investigations (in the context of the titling process) pursuant to the Amerindian Act of 2006;
- (3) The need for additional/new dispute resolution processes to address conflicts that exist within and among Amerindian communities, as well as between Amerindian communities and various other parties asserting claims to lands and resources claimed by Amerindian communities;
- (4) The need for adequate acknowledgement and protection in the Amerindian Act of 2006 of rights of Amerindian communities to lands and resources traditionally used and occupied

The strategy to address these key issues involves two parallel tracks of work – one for issues that can be addressed in the short term (Issues 1 to 3 for consideration by the ALT project), and one for issues that likely will take a longer period of time.

Shorter-term solutions

Facilitation of an in-country process to identify a working group to examine and validate guidelines
to ensure a shared understanding of how the following three key project components are to be

implemented: (1) Stakeholder Engagement; (2) Criteria and Process for Titling; and (3) Process/mechanism for responding to grievances/resolving disputes. Terms of reference for the group will outline criteria for membership. Recommend broader representation than project board, and including people who can engage on these issues with a view to finding solutions (including Independent Advisors)

- Prepare draft guidelines for discussion, revision, and approval by the working group and others through the following process:
 - Develop an annotated outline of possible guidelines based on discussions, information, and literature gathered to date.
 - In consultation with project suppliers/beneficiaries, identify a process through which these annotated guidelines can be further consulted upon and elaborated. The process document will describe who will be consulted in Georgetown, the hinterland, etc. and why; who organizes; who joins mission; set of questions, proposed outcome of the process.
 - Organise a 2-3 day information sharing and consultation meeting with the working group to discuss the draft annotated outline, key issues, and next steps – including the process elaborated pursuant to the second bullet. (Possibly when the NTC executive meeting is happening).
 - Immediately following the information sharing/consultation meeting with the working group, initiate the process to consult on the annotated guidelines, including some meetings in the hinterlands (2 weeks). Possibly focusing on areas in which efforts to title would serve as good examples for titling elsewhere.
 - Draft guidelines, based on feedback in response to the annotated outline -gathered from the
 2-3 day workshop and meetings in the hinterland and share for comments.
 - o Revise and seek approval of new guidelines on a no objections basis

The longer-term issues are under consideration by the MoIPA. The SESP document and presentation were shared with all stakeholders, including Project Board members.

ALT 2016 integrated approach to delivering land tenure security to Amerindian communities

Key elements of implementation approach to address emerging risks:

- ▶ Stakeholder engagement at all levels, including components of a communication strategy (in line with output 3 of ALT)
- Representative platforms
- Decision making processes
- Schedule of project board meetings
- FPIC for communities
- Information sharing and dissemination (horizontal and vertical), languages and formats to improve community understanding of process and rights
- Roles and responsibilities
- Clarify shorter term solutions through a set of guidelines

ALT Output 1

Complete demarcations (22 - year 3 communities, 16 - year 2 communities, 15 - year 2 communities)

- Complete investigation missions (20 more investigations for Absolute Grants) –June 2016
- ▶ Process to demarcate, delimit and title including recommendations to improve investigation guidelines, including: process for joint mapping; means for ensuring accurate base information; process to ensuring final agreement among all relevant parties on boundaries; procedures on sequencing of demarcation and extension; criteria to determine whether proposals for extensions / titles are accepted/rejected; process for sharing of maps and title/extension claims across ministries, sector agencies, communities; proposals for improved guidelines for investigations

ALT Output 2

- ▶ Implement & mainstream SESP shorter term solutions
- ► Conduct training of Village Councils in land issues and demarcation
- Conduct training and awareness sessions for senior beneficiaries (DR & FPIC)
- Address key issues including: Identification and assessment of what is currently in place to resolve conflict (within communities; between communities; between communities and mining sector; others); proposed measures to strengthen existing mechanisms as well as create new ones; roles and responsibilities at all levels: Community/village; Min of Indigenous Peoples Affairs; Min of Agriculture, Min of Forestry, GGMC
- ► Capacity building needs at all levels to implement agreed guidelines, including, e.g.: (in line with Output 2 of the ALT), including Government, NTC, and others' capacities to understand and exercise responsibility to protect rights of IPs and related implications; Indigenous Peoples' organizational capacity to disseminate information to local communities and ensure informed engagement

ALT Output 3

- Complete Communications Strategy and handbook
- ▶ Roll out and test Communications Strategy and handbook