



Amerindian Land Titling Project



AMERINDIAN LAND TITLING PROJECT

Project Number: 00077798

2020 Annual Report

(June 2021)

Project Summary	Project Duration:	2013-2021 (91 months in execution)
	Project Budget:	US\$10,755,990
	Annual Budget:	US\$262,197.35
	Annual Expenditure:	US\$262,197.35
	Cumulative expenditure:	UD\$3,877,574.35
	Name of Project Coordinator:	Ms. Monica Shiri Sharma
	Name of Supervisor (Implementing Agency):	Ms. Sharon Hicks Permanent Secretary, Ministry of Amerindian Affairs
Name of Resident Representative (UNDP):	Mr. Jairo Valverde	
Responsible/Implementing Agency:		Ministry of Amerindian Affairs

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Acronyms

ALT	Amerindian Land Titling
AWP	Annual Work Plan
COT	Certificate of Title
CPD	Country Programme Document
FPIC	Free, Prior and Informed Consent
GFC	Guyana Forestry Commission
GLSC	Guyana Lands and Surveys' Commission
GGMC	Guyana Geology and Mines Commission
GOG	Government of Guyana
GRM	Grievance Redress Mechanism
LCDS	Low Carbon Development Strategy
LOA	Letter of Agreement
MOAA	Ministry of Amerindian Affairs
MOIPA	Ministry of Indigenous Peoples Affairs
NPTAB	National Procurement & Tender Administration Board
NTC	National Toshias Council
PMU	Project Management Unit
SEIA	Social and Economic Impact Assessment
TOR	Terms of Reference
UNDP	United Nations Development Programme

Executive Summary

The objective of the Amerindian Land Titling (ALT) Project is to accelerate the legal demarcation and titling of Amerindian lands. The ownership of land empowers and allows Guyana's First Peoples the liberty to engage in and promote investments towards their own economic advancement. The Government of Guyana remains committed to ensuring Amerindian communities benefit from the objectives of this project although the reporting year, 2020, has been a challenging one in terms of tangible achievements for the project.

Operating without an approved budget or workplan, the PMU worked extensively on finalizing investigative reports; worked closely with agencies like the Guyana Forestry Commission (GFC) and the Guyana Geology and Mines Commission (GGMC) as well as the Guyana Lands and Surveys Commission (GLSC) to resolve land issues affecting Amerindian villages and communities; channeled technical committee meeting recommendations to the Ministry for action; constantly negotiated with the GLSC on details of the demarcation exercise; worked with the Land Registry, the Attorney General's Office and the legal team from the Ministry to attempt to bring resolution to the concerns around the issuance of Certificates of Title (COT). Unfortunately, no demarcations were done, no Absolute Grants given nor any Certificate of Titles issued during the reporting year. The timeline of major issues affecting the project implementation includes the following:

- February – Board meeting date set but postponed due to non-agreement with GLSC on estimate costs;
- March – Corona Virus pandemic declared by WHO;
- March – The Corona virus confirmed in Guyana. With a total of 10, 249 cases and 231 deaths up to March, national COVID restrictions and curfews introduced;
- March – August: Period of General and Regional elections and national uncertainty over which political party gained the majority of votes and victory. COVID restrictions and curfews continued;
- September – Technical Manager resigned;
- November – Administrative Manager / Project Coordinator left.

With a new administration in place, there is renewed commitment in delivering results under the Amerindian Land Titling Project. Staffing, the development of an AWP for 2021 with realistic targets and budget; improved inter-agency / Ministry cooperation; and the revision of Amerindian Land Titling procedures and guidelines are among the priorities towards getting the PMU re-invigorated for project execution along clear guidelines in 2021.

1. Background

The Amerindian Land Titling (ALT) Project was conceptualized within the context of Guyana's Low Carbon Development Strategy (LCDS) and the commitment of the Government of Guyana (GOG) to have policy objectives operationalized to address land tenure of the indigenous peoples of the country.

The ALT Project seeks to enable Amerindians to secure their lands and natural resources with a view towards sustainable social and economic development. It is expected that titling and demarcation will strengthen land tenure security and the expansion of the asset base of Amerindians, thus enabling improved long-term planning for their future development.

In keeping with its objective of facilitating and fast tracking the Amerindian Land Titling process in Guyana, this project expects to

- a) Have land titles issued and demarcation process completed for all Amerindian villages that submit requests, including those that request extensions;
- b) Strengthen existing mechanisms to deal with unresolved land issues;
- c) Improve the communication and outreach efforts of the Ministry of Amerindian Affairs.

Considering the above, the ALT is operationalized through engagement and consultation with villages or communities based on their requests and is always guided by the principles of free, prior and informed consent (FPIC).

The ALT Project is implemented by the Ministry of Amerindian Affairs (MOAA) and has a dedicated Project Management Unit (PMU) that executes approved activities within the Project, in yearly cycles. As the Partner Entity, the United Nations Development Programme (UNDP), Guyana, ensures the Project adheres to UNDP's social, environmental and fiduciary safeguards and standards.

2. Progress towards development results

2.1 Contribution to longer term results

- a) Multi-country Sustainable Development Framework (UNMSDF)/Country Programme Document (CPD) Outcome 2: Access to equitable social protection and systems and quality services and sustainable economic opportunities improved.

Summary achievements based on MSDF/CPD Outcome

CPD outcome target	Summary achievement	Status <i>Delayed, On track, Completed</i>
Number of actionable mechanisms and policies aimed at decent-work creation and protection, the promotion of entrepreneurship, and the formalization and growth of enterprises. Target 9	1	Delayed
Overall		Delayed

In keeping with the CPD outcome indicator, the ALT is contributing one actionable mechanism aimed at decent work creation and protection, the promotion of entrepreneurship, and the formalization and growth of enterprises. The ownership of land empowers the indigenous peoples as it provides a degree of security which allows the First Peoples the liberty to engage in and ultimately promote investments towards economic advancement.

CPD Output 2.1: National and subnational institutions, private-sector and civil society capacities strengthened to deliver effective entrepreneur programmes to women, youth and Amerindian and development related policies.

CPD output target	Summary achievement	Status <i>Delayed, On track, Completed</i>
Number of Amerindian communities with institutional measures in place at the subnational levels to generate and	20	Delayed

strengthen employment and livelihoods	
Overall	Delayed

Under the ALT, to date, a cumulative total of 21 villages are in receipt of land security, in the form of demarcation. The assurance of land tenure creates opportunities for community leaders to engage in constructive land use planning to ensure not only economic development but also the protection of both flora and fauna and by extension the livelihoods of community members. No progress has been made to increase this number in 2020.

3. Progress towards project outputs

Project Output 1:

Investigations and demarcation process completed and land titles (Absolute Grants) issued for approved Amerindian villages that submitted requests.

Indicator	Annual Output Target (2020)	Summary achievement	Status: "Fully, Partially, Not Achieved"
Number of village maps produced and certified by sworn land surveyors (demarcation for new applications and extensions)	2 new communities receive Absolute Grants	0	Not Achieved
	2 villages receive Absolute Grants	0	
	6 village extensions receive approvals		
Number of investigations completed with all issues of conflict and concerns addressed	14 Investigations	4	Partially achieved

Existence of Amerindian Land Titling Database	1 Database	.	Partially achieved
Overall status			Partially achieved

Absolute grants and extensions

“A Guideline for Amerindian Land Titling in Guyana” was finalized and approved by the Amerindian Land Titling Project Board on 6 April 2017. This guideline was endorsed by both the Ministry of Indigenous Peoples Affairs (MOIPA) and the UNDP on 28 April 2017. The direction this document gives towards Amerindian Land Titling states that an Absolute Grant, accompanied by a certified copy of the Special Provisions Plan / Grant Plan (a map produced using aerial photography and using existing records) that is endorsed by the GLSC, precedes the Cadastral Survey and Demarcation exercise. Objections raised by the GLSC on this sequence of actions towards Amerindian Land Titling resulted in the process being changed. It was subsequently decided that the Cadastral Survey and Demarcation exercise will be done prior to a village receiving an Absolute Grant.

The ‘old procedure’ (prior to 2020) saw demarcation as an action that followed the issuance of an Absolute Grant. The ‘new procedure’ however, defined the process of demarcation as being before the issuance of an Absolute Grant.

Since no demarcations were done for villages that were recommended for the approval of / granted Absolute Grants, no Grants were issued.

This ‘new procedure’ governed the actions of the ALT PMU in 2020 and so while there were villages that were approved for Absolute Grants based on the recommendations of the Technical Committee, no Grants were issued since a demarcation exercise needed to take place first. Consequently, no Absolute Grants were issued in 2020.

Demarcations

Estimates for the demarcation of the following villages were received from the GLSC:

- Karasabai

- Tassarene
- Kangaruma
- St. Monica
- Mainstay Whyaka
- Arau

The extraordinarily high costs of estimates, that included a 25% administrative fee for GLSC, resulted in the eventual decision for GLSC to purchase needed equipment for demarcation as opposed to renting them. The GLSC objected to this even though the actual cost of equipment was less than the rental costs quoted. After much discussion around this issue, it was further agreed that Letters of Agreement (LOA) between the Ministry of Indigenous Peoples Affairs (now Ministry of Amerindian Affairs) and GLSC would be signed with the understanding that GLSC would purchase the equipment and remove rental charges for future demarcation exercises. UNDP continued to have reservations about the overall costs and the commitment behind these LOAs and so, although draft LOAs were prepared, none was ever signed or actioned. Consequently, no demarcations were done in 2020.

Development of investigative Reports

Audio recordings were reviewed and transcribed into minutes for seven villages, namely, Shea, Shulinab, Tassarene, Chinoweing, Karasabai, St Ignatius and Kangaruma. Information acquired was transformed into investigative reports, which were compiled in the office.

Previous investigative reports were also reviewed to corroborate information and to determine the status of the old reports.

Investigation

No new investigations started in 2020. Several revisits were made to communities in order to resolve issues. Investigative Reports were finalized and this allowed for Technical Committee meetings to occur and recommend four (4) submissions to Cabinet for approval for Absolute Grant. These submissions included Rockstone, Capoey, Mashabo and Parabara.

Database

A draft terms of reference (TOR) was prepared for the procurement of a consultant to design and build a Database.

A flow chart sequencing the activities involved in Land Titling was also completed. This will serve to inform the creation of the Database.

The ALT Unit began compiling relevant data in an Excel sheet. This will form the basis for the Database when it is built.

All titled villages have been compiled in terms of Absolute Grant numbers, demarcation status and dates, plan numbers and dates, name of Surveyor, Area of land for each village plus similar information for Extensions. Other Data such as Region, location, Descriptions will be extracted from the surveys.

However, some of the Data still needs to be gathered through research at GLSC, this is very time consuming and tedious since it must be manually transcribed.

Certificate of Title

The issuance of Certificates of Titles (COTs) was suspended in 2016 by the Land Registry as a result of issues raised by the Commissioner of Title and the refusal of the GLSC to take part in the process. The ALT PMU, together with legal assistance through MOAA (then MOIPA) and the Office of the Attorney General, sought to have new methods / procedures adapted in order for the process of issuing COTs to continue. A working group was set up and work was done during 2020 with a view to finalizing the procedures and recommencing the proper submission of documents for COTs. This process is to be reviewed by the Ministry of Amerindian Affairs that now falls under a new Government administration.

Project Output 2:

Increased access to existing and alternative mechanisms for resolving land disputes.

Indicator	Annual Output Target (2020)	Summary achievement	Status: "Fully, Partially, Not Achieved"
# of land administration personnel trained in mediation skills for land related disputes	15 representatives		Not Achieved
# community persons trained at mediation Workshops in Regions 7 & 8	50 community members		Not Achieved
Overall status			Partially Achieved

Training of GRM land administration personnel (Liaisons) in Conflict Resolution

The GRM Director commenced coordinating activities for mediation training in Georgetown for fifteen (15) land administration personnel. This training was aimed at building the capacity of liaison institutions to resolve conflicts associated with grievances likely to be reported to the GRM. Invitation letters were drafted and the bid document was prepared under the guidance of the National Procurement & Tender Administration Board (NPTAB). Terms of Reference (TOR) was drafted for the consultancy and incorporated into the bid document to enable training of Land Administrators.

Though this activity was budgeted for in the AWP 2020, with no sitting of the Project Board, the Annual Work Plan & Budget was not approved. This activity therefore could not take place.

Provision of Mediation Services

The Terms of Reference for the recruitment of a consultant to provide Mediation training within Region 7 & 8 for fifty (50) community leaders was drafted and revised. Though this

activity was budgeted for in the AWP 2020, with no sitting of the Project Board, the Annual Work Plan & Budget was not approved. This activity therefore could not take place.

Workshop: Review of the Amerindian Act 2006

The GRM Director accompanied a team consisting of Martin Cheong and Heston Rodrigues to Mahdia, Region 8 to conduct a workshop/ consultation on the review of the Amerindian Act 2006. The consultation took place during the period 26 -28 February, 2020 and included the villages of Campbelltown, Prince Ville and Maicobie consisting of fifty eight (58) persons. This workshop is not indicative of the target set out in the 2020 work plan.

Project Output 3:

Revised Communication Strategy, including a handbook describing the process of demarcation and titling and the social and economic impacts of secure land tenure

Indicator	Annual Output Target (2020)	Summary achievement	Status: "Fully, Partially, Not Achieved"
<i>Revised and Updated Communication Strategy</i>	1	<i>Final draft prepared</i>	<i>Partially achieved</i>
<i># of communities reached through communications strategy</i>	10	<i>Nil</i>	<i>Not achieved</i>
Overall status			Not Achieved

Revised and Updated Communication Strategy

A community friendly version of the communication draft strategy was developed, however there were no consultations held with the stakeholders in respect to finalizing the revised and updated strategy as a result of the covid-19 pandemic.

Number of communities reached through communications strategy

Due to the Covid-19 pandemic, no communication awareness workshops were conducted in the the ten (10) targetted communitites.

- **Procurement of Branded T-shirts** - Discussions were held with Shaw's Investments as it related to the re-branding of shirts and polo t-shirts for the ALT Project. The shirts and polo t-shirt were returned to Shaw's, Investment for the logo of the said items to be corrected and they were re-disturbed to the employees at the Amerindian Land Titling PMU.

- **Development of Communication material** - Communication presentations used for project campaigns/workshops were reviewed and amendments made in preparation for the commencement of activities for 2020. A hand book for Demarcation and Land Titling of the Amerindian Project was also developed.
- **Drafting Terms of Reference (SEIA) & Bid Documents** - The TOR for a consultant to conduct a Social and Economic Impact Assessment (SEIA) on the Amerindian Land Titling Project was prepared and incorporated into the bid document. Further action awaited the approval of the AWP 2020, which did not occur. A Bid Document was also drafted in respect to hiring a consultant to translate the Frequently Asked Questions and Booklet of the Amerindian Land Titling Project into the nine (9) Amerindian languages. Both sets of documents were sent to NPTAB for approval.

**Project Output 4:
Institutional Sustainability for Amerindian Land Titling**

Indicator	Annual Output Target (2020)	Summary achievement	Status: "Fully, Partially, Not Achieved"
<i>Existence of an Amerindian Land titling Unit within the Ministry</i>	<i>1</i>	<i>Nil</i>	<i>Not achieved</i>
Overall status			Not Achieved

Output 4 was an output that was not included in the original project design. It was added during the negotiation for extension of the project. No action was taken against this output for the reporting period.

4. Project Management

Resignation of Technical Manager

The Technical Project Manager, Mr. E. Monize, resigned on the 17th September, 2020. He was responsible for the deliverables under Output 1 of the ALT Project.

Resignation of Project Coordinator

The Project Coordinator, Ms. M. Akpan resigned in November 2020, leaving the PMU without a technical or administrative lead.

Preparation of Annual Report, Work Plan and Procurement plan

The ALT Annual report 2019 was completed and submitted to UNDP. The Annual Work Plan 2020 of the Amerindian Land Titling project was revised and completed to reflect the realistic and achievable activities to be accomplished in 2020. Further, the Procurement Plan 2020 was also revised to reflect realistic and achievable activities for 2020.

Project Board Meeting

Prior to a Project Board Meeting being set in 2020, a meeting was held between former Minister of Indigenous Peoples Affairs, Hon. Sydney Allicock, and UNDP, to address matters regarding exorbitant demarcation estimates provided by GLSC and UNDPs reluctance to approve the LOAs submitted, and to decide the way forward. Further meetings on this matter were held and resulted in the postponement of the Project Board Meeting that was initially set for 21 February, 2020 to an undecided date.

Important to note is that Guyana was poised to have General and Regional Elections held on 2 March 2020. It was hoped to have an approved AWP before then so as not to delay the work of the Unit. However major parties involved in the execution of the project, namely GLSC, UNDP and the Ministry could not agree on important matters that would impact the budget and workplan to be presented to the Board for approval.

A change in government occurred after the General and Regional elections. The country plunged into a period of uncertainty from March to August 2020 as the two main political parties both claimed victory and legal avenues were pursued in order to reach a final decision. ON 2 August 2020 a new President of the Cooperative Republic of Guyana was sworn in and

subsequently the Hon. Pauline Sukhai was named Minister of Amerindian Affairs. (The name of the Ministry was at that point changed from Ministry of Indigenous Peoples Affairs.)

In relation to the ALT Project, Minister Sukhai first attempted to resolve the issue with GLSC in respect to the revision of the demarcation estimates submitted to UNDP since 2019. It was proposed that the Administrative Cost applied by GLSC be 10% as opposed to 25%.

Minister Sukhai attempted to convene a Project Board Meeting so that the AWP 2020 could be approved however, with the Technical Project Manager resigning in September 2020 and the Project Coordinator leaving in November 2020, it was impossible to bring together a Project Board for any meeting. Therefore, the Unit had no approved work plan or budget to implement any activity for the year.

Revision of Demarcation Estimate

The estimate of Kangaruma was revised and submitted to UNDP. However, the estimate still required additional details relative to what constitutes “Administrative Cost”. The GLSC committed to demarcating Kangaruma in 2020. However, a review of the estimate revealed that the number of work days to complete demarcation activities would be more than the days remaining in the year. As a consequence, a request was made to GLSC to provide estimates for villages that could be complete in the year 2020. Demarcation estimates were received for St. Monica and Mainstay and subsequently submitted to UNDP. Unfortunately, no such activities took place.

Audit

The ALT PMU was audited in the month of March 2020 for the year 2019.

Procurement of ALT Project Vehicle

The Tender Board Committee approved the purchase of the Project Vehicle in that a contract was awarded for the purchase of a vehicle. The actual purchase awaited the approval of the AWP 2020 which did not happen.

5. Issues

- Given that the Project Board was unable to meet in the first two months of the year and the many months of national uncertainty that lasted until August; and given that

both managers of the project left in September and November; and given that the COVID-19 pandemic affected Guyana from February onwards, the Project Board was unable to be convened to approve any activities for 2020. Thus, work within the PMU focused mainly on what could be done in-house and without a cost attached. This has been very demotivating for project staff and morale is low.

- Changes in the sequencing of actions for Amerindian Land Titling; non-cooperation at times from key partner agencies like the Guyana Lands and Surveys Commission; difficult working relations with the Land Registry and even UNDP and the Ministry at times created a challenging working environment for staff at the PMU.
- The ALT Project Management Unit was unable to pay rental for its office space for the period January – December 2020. The rental agreement was signed before the tender board award was issued and thus the procurement process was annulled. This issue was not resolved until January 2021.
- The PMU was unable to pay electricity costs for the office space through UNDPs payment procedures since the service provided by the utility is a pre-paid service only. UNDP's procedures allow for payment on invoice and this posed a problem since the service is a pre-paid one. In light of this known fact, the inclusion of electricity costs was not considered in the rental to avoid this issue and as such, project staff used personal funds in order to keep electricity in the office throughout the year. These funds would eventually be reimbursed by UNDP but the entire process was inconvenient, cumbersome and carried a time and transaction cost that was higher than necessary. This situation persists with a new strategy of including electricity costs in invoices for other items purchased for the office by suppliers that are willing to offer that service. This is not the best way to procure a utility service on a monthly basis and the PMU is hopeful that UNDP can advise on a better procurement process moving forward.
- Due to the COVID-19 pandemic most of the Amerindian villages were closed which also made it impractical to execute any of the deliverables under the Project, even if funds were available.

- For various reasons, including COVID-19 and all the restrictions it brought with it, disputes were not being reported by villages thereby making it impossible for the GRM to be effective.

6. Monitoring and Evaluation

There was no M&E activity for the year 2020.

7. Risk management

Risks	Mitigation Measures
Health (COVID-19)	<p>National health protocols followed. Mask policy instituted for persons visiting the office. Social distancing practiced. Meetings held virtually as much as possible.</p> <p>Access to Amerindian villages hindered during periods where villages were closed as a result of the pandemic. PMU to limit number of persons targeted for on-the-ground interaction and location, seating arrangements and general logistics to conform with public health protocols relating to the pandemic.</p>
Political unrest and uncertainty	Professional working relations maintained with all partner agencies, though difficult at times due to high political tension.
Financial execution	Not having the approval of an AWP severely impacted the financial execution of the project. Continuous efforts made to adjust the AWP for approval towards the end of 2020 but time and other factors did not permit.
Operational	Dedicated bank account being worked on so that some releases can be made to the project. This will help the pace of project execution and allow the project to facilitate payment to persons in far flung interior communities.

8. Lessons Learned

- The Project Board Meeting should be planned for early in the year to allow for timely implementation.
- Guidance on Amerindian Land Titling processes should be agreed to by all parties. Changing procedures mid-project, while it may have merit, serves to delay implementation.

- Having a Technical Project Manager responsible for deliverables under Output 1 has proved valuable though there is need for clear reporting guidance and coordination with the overall Project Coordinator.

9. Financial Summary

Outputs / Activity Result		Annual Budget (US\$) (Jan – Dec 2020)	2020 Expenses	2020 Commitments	Total 2020 Expenditures B+C	Balance A-D
		A	B	C	D	E
Output 1	Land titles issued and demarcation process completed for all Amerindian villages that submit requests.	23,883.00	23,883.00	Nil	23,883.00	Nil
Output 1 Sub-total		23,883.00	23,883.00	Nil	23,883.00	Nil
Output 2	Increased access to existing and alternative mechanisms for resolving land titling disputes.	Nil	Nil	Nil	Nil	Nil
Output 2 Sub-total		Nil	Nil	Nil	Nil	Nil
Output 3	Revised Communication Strategy, including a handbook describing the process of titling, demarcation and on the social and economic impacts of secure land tenure	7,793.80	7,793.80	Nil	7,793.80	Nil
Output 3 Sub-total		7,793.80	7,793.80	Nil	7,793.80	Nil
Output 4	Institutional Sustainability for Amerindian Land Titling	Nil	Nil	Nil	Nil	Nil
Output 4 Sub-total		Nil	Nil	Nil	Nil	Nil
Project Management		230,520.55	230,520.55	Nil	230,520.55	Nil
Grand total		262,197.35	262,197.35	Nil	262,197.35	Nil