



SEPTEMBER 2019
MINISTRY OF ECONOMIC PLANNING AND DEVELOPMENT
GOVERNMENT OF THE KINGDOM OF ESWATINI

TECHNICAL ASSISTANCE SUPPORT TO THE GOVERNMENT OF ESWATINI IN SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT

EUROPEAID/136656/IH/SER/SZ
CONTRACT DCI-FOOD/2016/377-327

Final Report

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PROJECT No DOCUMENT NO.

A083105 A083105-REP-006

VERSION	DATE OF ISSUE	DESCRIPTION	PREPARED	CHECKED	APPROVED
A	29 July 2019	Draft version	Sean Johnson	Lars Bagge Hommel Nielsen	Lars Bagge Hommel Nielsen
B	26 September 2019	Final version incorporating changes, additions and correction requested by the Contracting Authority.	Sean Johnson	Lars Bagge Hommel Nielsen	Lars Bagge Hommel Nielsen

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SLAM Technical Assistance Data Sheet

Project location:	Eswatini (Swaziland)			
Project name:	Enhanced capacity for sustainable land administration and management at national, regional and chiefdom level.			
Contract title:	Technical Assistance Support to the Government of Swaziland in Sustainable Land Administration and Management.			
Contract No:	DCI-FOOD/2016/377-327			
Contracting Authority/Client:	Ministry of Economic Planning and Development			
Contract signed:	27 September 2016			
Contractor (Consultant):	COWI A/S with Tausi (Pty) Ltd. as sub-consultants			
Duration of contract:	From 27 September 2016 to 26 August 2019 (35 months)			
Contract Organisation:	Contracting Authority: Principal Secretary of the MEPD (represented by Mr Lwazi Mkhabela of the MEPD). Consultant: COWI A/S (represented by Mr Lars Bagge Hommel-Nielsen, Project Manager, and by Mr Sean Johnson, Institutional Adviser and Team Leader).			
Copyright and disclaimer	The ownership of all results and rights contained within this report lay with the Contracting Authority in accordance with article 14 of the General Conditions of Contractor. This report may not be copied or distributed without permission of the Contracting Authority. The findings and opinions expressed in this report are the Consultant's and do not necessarily reflect the views or opinions of the Contracting Authority.			
Report approval	Approval by the Contracting Authority of this report means that the Contracting Authority or any counterpart agency has no further comments on the contents of the report or concerns about the Consultant's performance in preparation of the report.			
	Reports	Date		
		Due	Submitted	Approved ¹
1	Inception Report	03 Dec 2016	15 Dec 2016	18 Apr 2017
2	6-Month Progress Report #1	26 Mar 2017	19 Jul 2017	29 August 2017
3	6-Month Progress Report #2	26 Oct 2017	27 Nov 2017	13 Dec 2017
4	6-Month Progress Report #3	26 Apr 2018	02 May 2018	07 June 2018
5	6-Month Progress Report #4	26 Oct 2018	13 Nov 2018	24 April 2019
6	6-Month Progress Report #5	26 April 2019	08 May 2019	
7	6-Month Progress Report #6	26 Sep 2019		
8	Draft Final Report	25 Jul 2019	30 July 2019	12 September 2019
9	Final Report	26 Aug 2019	27 September 2019	

¹ Where Contracting Authority approval letters are not issued, the date of approval is either the date of invoice payment or the date of comments.

Abbreviations, Acronyms, Definitions & Translations

ADR	Alternative Dispute Resolution
<i>Bandlancane</i>	Chiefdom inner council
CA	Contracting Authority (see MEPD)
CDP	Chiefdom Development Plan
CMAC	Conciliation Mediation and Arbitration Commission
EDF	European Development Fund
ESWADE	Eswatini Water and Agriculture Development Enterprise
EU	European Union
EUD	European Union Delegation (to the Kingdom of Eswatini)
EUR	Euro
FAO	Food and Agriculture Organisation (of the United Nations)
GIS	Geographic Information System
GOE	Government of (the Kingdom of) Eswatini
GPS	Global Positioning System
HMK	His Majesty the King
<i>iNgwenyama</i>	His Majesty the King, in the traditional sense
<i>Inkhundla</i>	Administrative area or district (pl. <i>tinkhundla</i>)
IT	Information Technology
LIMS	Land Information Management System
LMB	Land Management Board
MEPD	Ministry of Economic Planning and Development (see CA)
M&E	Monitoring and evaluation
MNRE	Ministry of Natural Resources and Energy
MOA	Ministry of Agriculture
MTAD	Ministry of Tinkhundla Administration and Development
PSC	Project Steering Committee
RA	Regional Administrator
SGD	Surveyor General's Department
SLAM	Sustainable Land Administration and Management
SNC	Swazi / emaSwati National Council
SNL	Swazi / emaSwati Nation Land
TA	Technical Assistance
TDL	Title Deed Land
TOR	Terms of Reference
Traditional authority	The <i>Ingwenyama</i> , Ludzidzini councils, chiefs, <i>bandlancane</i> .
<i>Umphakatsi</i>	Chief's kraal and chief's councils

Acknowledgments

This Final Report for the Sustainable Land Administration and Management (SLAM) project details implementation and achievements of technical assistance provided to the project. All inputs and contributions are hereby acknowledged. We would like to especially thank our counterparts and representatives of key stakeholder agencies, specifically, Mr Sydney Simelane, Surveyor General (Ministry of Natural Resources and Energy), Ms Lynn Kota, SLAM Project Director (ESWADE), Mr Amos Maziya and Mr Malangeni Gamedze (Ministry of Tinkhundla Administration and Development), Mr Sipho Shiba (Ministry of Agriculture), and Mr Lwazi Mkhabela, Project Manager (Aid Coordination Management Section, Ministry of Economic Planning and Development).

The view expressed in this report are those of the Contractor and do not represent the position or the views of the Contracting Authority, the Government of the Kingdom of Eswatini, or the European Union.

Executive Summary

This Final Report of Technical Assistance Support to the Sustainable Land Administration and Management Project is a requirement in the terms of reference to provide a short description of achievements including problems encountered and recommendations.

Technical assistance support activities commenced on 03 October 2016 after contract signature on 27 September 2016. Support was to be provided for thirty-two (32) months but this was subsequently extended to thirty-five (35) months. During this period a small team of advisors and experts would assist key stakeholders to implement the project. The project’s objectives, activities, expected results and achievements are summarised in the logical framework matrix shown in Table 1 below.

Table 1: Log Frame Matrix (revised May 2018) – abridged version.

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Summary of achievements²</i>
Overall Objective	To contribute to improving land use and access for the rural poor thereby improving food security.	Food security improves by 10% in the pilot areas 3 years after the end of the project.	Included with data collected on landholding and use, population census and agricultural census numbers, enable linking of data sets and future impact evaluations of the project.
Specific Objective	To provide tools and capacities for sustainable land administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	Updated cadastre and land records available to chiefs, communities, traditional authorities, and others by the end of the project. 5% decrease in land conflicts by project end.	Landholding data collected in 4 project areas and 21 chiefdoms. Results delivered to chiefs, communities, traditional authorities and others, providing up-to-date landholding (customary cadastre) records in 14 chiefdoms. Work continues with GOE funding to deliver results in the remaining 7 chiefdoms. Baseline data on land conflicts collected in 21 chiefdoms for future impact evaluation.
Expected Result 1	Tools developed and used for more efficient SNL administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	By the end of the project: Pilot area chiefdom landholding maps and records created and available at chiefdom level. Single recognised system for SNL land administration.	At the end of technical assistance support to the project, landholding maps and records compiled and prepared and available for 14 chiefdoms in all four pilot areas. Land administration guidelines and standard methodology prepared, workshopped and accepted by stakeholders and

² A more detailed version of this log frame matrix, with specific comments on implementation, deliverables and results, appears in the body of the report.

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Summary of achievements²</i>
		Land information system in place and operational to guide land allocation, planning and development in pilot areas.	distributed with training to Manzini region chiefs and 3 chiefdoms. Land Information Management System developed and operational at national level and local (chiefdom) level.
Expected Result 2	Relevant stakeholders capacitated to use the cadastre and manage SNL more efficiently and sustainably.	By the end of the project: Four <i>tinkhundla</i> with land administration system operating within Chiefdoms. Chiefdoms in four <i>tinkhundla</i> able to operate system in self-sustainable manner. Alternative dispute resolution operating effectively at all levels.	Land information and systems (maps, records/registers, lists and computerised data) delivered to 14 chiefdoms together with guidelines and training that operationalises the new land administration system. System designed to be easy to use with procedures and guidelines for information maintenance guidelines and being used after delivery and training by 14 chiefdoms in the 4 pilot areas. Land dispute mediation operational at national level but, due to factors beyond the control of the Contractor, not yet operational at chiefdom level.
Expected Result 3	Institutional arrangements for SNL accepted by stakeholders.	Recommendations made and accepted by Project Steering Committee by the end of the project. Further follow-on project designed and approved to roll out this pilot.	Four options for land institution arrangement reform with recommendations developed, workshopped and accepted by key stakeholders but not yet by and at a meeting of the Project Steering Committee (comprised of key stakeholders). Concept and design of follow on project prepared and agreed by key stakeholders.

The key lesson learned from the pilot project is that it is possible, with the right approach, to effect change to customary land governance, management and administration with the support of traditional authorities; provided that such change does not erode their role, responsibilities and powers in relation to land.

1 Introduction

This Final Report of the Technical Assistance (TA) support provided for the Sustainable Land Administration and Management (SLAM) project is a requirement of paragraph 7.1 of the Terms of Reference (TOR). The draft version provided a "short description of achievements including problems encountered and recommendations", as specified in the TOR, but this final version includes, at the request of the Contracting Authority³, greater detail about the implementation of project, technical assistance provided, and results achieved and delivered. For this purpose, the Final Report follows the structure of the TOR.

1.1 Background

The SLAM project is an initiative of the Government of the Kingdom of Eswatini (GOE) represented by three key stakeholder agencies – Ministry of Natural Resources and Energy (MNRE); Ministry of Agriculture (MOA); and, Ministry of Tinkhundla Administration and Development (MTAD). The GOE received funding support of EUR 1.8 million from the European Union (EU) for implementing the project. This funding enabled the contracting of a consulting company, COWI A/S of Denmark (the 'Contractor'), to provide technical assistance (TA) support and advice in project implementation. The Aid Coordination Management Section (ACMS) of the Ministry of Economic Planning and Development (the 'Contracting Authority' or CA) is responsible for contract administration. An important external stakeholder and primary beneficiary of project support is the Land Management Board (LMB).

SLAM is one of fourteen pan-Africa land governance reform projects supported by the European Union, which were conceptualised under the African Union Land Policy Initiative⁴, and endorsed by the heads of state and governments of all AU countries, including the Kingdom of Eswatini. This declaration on land issues and challenges in Africa, committed countries to, amongst other things, support effective development and implementation of land policies. The SLAM project is a direct consequence of this.

1.2 Overall Objective

The overall objective of SLAM is to contribute to improved food security and land access for the rural poor.

SLAM project outputs cannot by themselves realise an outcome of improved food security and land access for the poor, but they can contribute by:

- > Improving land governance and clarity and certainty of land rights that strengthen land tenure security, and thereby encouraging increased investment in land, in both labour and capital, in productive capability and for environmental protection.

³ Letter from the PS MEPD dated 04 September 2019 and received on 12 September 2019.

⁴ <http://africallandpolicy.org/eu-programme/>

- > Improving tenure security through better land governance and record-keeping that encourages landholders to lend or rent out land that is un- or underused, improving land use efficiency.
- > Increasing the accessibility of land for the poor is helped by the project identifying land that is available for allocation and land already allocated (and to who) and by raising awareness of the ways land can be acquired.

An assessment of whether the project contributed to the overall objective is provided later in this report in section 0 on page 38.

1.3 Purpose

Project purpose is to provide tools and capacities for sustainable land administration and management at national, regional and chiefdom level.

To achieve the purpose, the project worked closely with traditional authorities⁵, who have jurisdiction over the administration and management of *emaSwati* Nation Land (SNL), formerly known as Swazi Nation Land. The project also worked through and with stakeholders at national and regional levels, and in particular the MNRE, LMB and regional administration, to provide the necessary tools and capacities appropriate at these levels. The project did not provide these for *tinkhundla* centres because they have no jurisdiction over SNL land administration.

1.4 Results

Three results are expected from project activities:

- 1) Tools are developed and used for more efficient land administration of SNL at national and *inkhundla* levels⁶. Expected outputs include: Maps of chiefdom land and land use; documented landholding recording tools; computer-based land records system; and, documented alternative dispute resolution tools.
- 2) Relevant stakeholders capacitated to use the cadastre and manage SNL more efficiently and sustainably. Expected outputs are: reports on training/sensitisation of land governance organisations on value of information and evidence for decision-making; reports on training/sensitisation of chiefdom and *tinkhundla* staff in data collection, mapping and record keeping; documented dispute resolution system, and reports on training of its operation.
- 3) Institutional arrangements proposed reforms for non-Title Deed Land / SNL are accepted by stakeholders. Expected outputs are: report on stock-take assessing progress of land reforms already initiated; draft plan for harmonising and rationalising institutional arrangements for land governance of non-TDL land; and, final draft plan for presentation and acceptance by the steering committee.

⁵ See Abbreviations, Acronyms, Definitions & Translations on page 6.

⁶ '*Inkhundla* level' means the chiefdoms within each *inkhundla* rather than an *inkhundla* administrative office.

The results achieved against each activity and the expected results are reported in section 2, and against the project log frame matrix in Table 2 below.

Table 2: Project Log Frame (including results and comments)

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Results / comments</i>
Overall Objective	To contribute to improving land use and access for the rural poor thereby improving food security.	Food security improves by 10% in the pilot areas 3 years after the end of the project.	Included with data collected on landholding and land use are population census and agricultural census numbers, which enable linking of data sets and future impact evaluations of the project using, for example, agricultural census statistics.
Specific Objective	To provide tools and capacities for sustainable land administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	Updated cadastre and land records available to chiefs, communities, traditional authorities, and others by the end of the project. 5% decrease in land conflicts by project end.	Maps (cadastre) and landholding records produced in four (4) project areas or <i>tinkhundla</i> , of Mkhiweni (Manzini), Sandleni (Shiselweni), Ndzingeni (Hhohho) and Dvokodvweni (Lubombo). These pilot areas, chosen according to criteria developed with key stakeholders, contain wholly or partly thirty-one (31) chiefdoms. Land records, in the form of maps of landholdings, registers of landholders, lists of landholders and data stored on computers, collected in twenty-one (21) chiefdoms and results delivered to fourteen (14) chiefdoms (see Table 4 on page 20). Delivery to the remaining seven (7) chiefdoms delayed due to project delays and traditional events beyond the control of the Contractor, but ongoing work of the project beyond the end of technical assistance, using GOE funds, will deliver these results before end of 2019. All records are also held at SGD, but not provided to <i>tinkhundla</i> administrations because these offices have no role in land administration (See 2.2.2.1 for more details). Baseline data on land conflicts collected during landholding data collection, and not before (impractical, costly and not specified in the TOR), and the data now collected is available for future impact evaluation.
Expected Result 1	Tools developed and used for more efficient SNL administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	By the end of the project: Pilot area chiefdom landholding maps and records created and available at chiefdom level.	Data collection commenced during TA support in twenty-one (21) chiefdoms of a possible thirty-one (31). These are listed in Table 4 on page 20. The reduced time available for collecting and creating landholding maps and records (see 4.2) meant it was only possible to commence twenty-one (21) of the thirty-one (31) possible chiefdoms and to complete and make available the results in fourteen (14) chiefdoms. Finalisation of the results for the remaining seven (7) chiefdoms, which are at various stages of completion, continues beyond the period of TA support using GOE funding. Tools and records available and used at chiefdom and national levels but not at <i>inkhundla</i> level. See 2.2.2.1 for

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Results / comments</i>
		<p>Single recognised system for SNL land administration.</p> <p>Land information system in place and operational to guide land allocation, planning and development in pilot areas.</p>	<p>detail and evidence of the results achieved.</p> <p>A single, standard system of SNL land administration developed, based on a modified form of traditional practice, documented in guidelines, has been accepted and recognised by key stakeholders and chiefs. See 2.2.2.1 for detail and evidence of the results achieved.</p> <p>Land Information Management System developed and operational at the SGD in MNRE. Computerised land information systems in place, operational and being used to guide land administration and management in fourteen (14) chiefdoms. Systems for the remaining seven (7) chiefdoms will be delivered by the GOE project and become operational when data collection is complete, initial results validated and accepted by the communities, and training conducted. See 2.2.2.1 for detail and evidence of the results achieved.</p>
Expected Result 2	Relevant stakeholders capacitated to use the cadastre and manage SNL more efficiently and sustainably.	<p>By the end of the project: Four <i>tinkhundla</i> with land administration system operating within Chiefdoms.</p> <p>Chiefdoms in four <i>tinkhundla</i> able to operate system in self-sustainable manner.</p> <p>Alternative dispute resolution operating effectively at all levels.</p>	<p>Thirteen (13) chiefdoms operating land administration systems using maps, landholding records and registers, computerised data, guidelines and training provided by TA in four <i>tinkhundla</i>. One (1) chiefdom result delivered but retrieved for the purpose of a future handover ceremony; therefore, system not yet operational in this chiefdom. The remaining seven (7) chiefdoms, delayed due to factors outside the control of the Contractor (See 2.2.2.1 and 4.2).</p> <p>Thirteen (13) have land administration systems and use maps, landholding records and registers, computerised data, guidelines with training provided by TA in four <i>tinkhundla</i>, for land allocation and other purposes. At and immediately following delivery of the land administration tools (data, systems, guidelines, training) chiefdoms demonstrated the ability to continue operating the system. However, external support is necessary from national level because chiefdoms lack the capacity and resources for self-sustainability (see section 7).</p> <p>Mediation (a form of alternative dispute resolution) guidelines prepared, and land dispute mediation training provided at national and regional levels to enable operation of land dispute resolution at these levels. Additional funding secured from the EU Transversal Project to enable contracting of a local specialist dispute resolution organisation (Conciliation Mediation and Arbitration Commission) for delivering the guidelines and providing training at local community level for all chiefdoms in the</p>

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Results / comments</i>
			four pilot areas. This training has been delayed by delays in effecting the necessary UNFAO ⁷ agreement with GOE but is expected to take place before the end of 2019. Therefore, land dispute resolution by mediation is not yet in use at local level.
Expected Result 3	Institutional arrangements for SNL accepted by stakeholders.	<p>Recommendations made and accepted by Project Steering Committee by the end of the project.</p> <p>Further follow-on project designed and approved to roll out this pilot.</p>	<p>Recommendations were developed that propose selection by policy-makers of one of four viable options for land institution arrangement reforms. The recommended approach and the four options have been accepted by project key-stakeholders, most of who are presented on the Project Steering Committee. However, as no Steering Committee meeting took place during the last six months of TA support, the recommendation has not been accepted by the Project Steering Committee.</p> <p>A concept note was prepared in July 2018 and presented to the Project Steering Committee in October 2018. Stakeholders agreed that the follow-on project would retain the same scope of work as the pilot project. A follow-on project document was prepared in May 2019 but because the Project Steering Committee did not meet in the last six months of the project, the follow-on project document has not been approved for the roll out.</p>

A description of the results achieved, problems encountered, and recommendations for scaling up the work in a national project are discussed later in this report. The means of verification of results and the assumptions made are given in the TOR log frame attached at Appendix A. References in the TOR log frame to reports means project 6-monthly progress reports and reports of meetings and trainings submitted to the Contracting Authority with this Final Report.

1.5 Assumptions and Risks

The TOR includes assumptions underlying the project with a risk analysis and suggested mitigation measures. The outcome of each assumption is shown in Table 9 on page 42 in the section on lessons learned.

1.6 Scope of Work

The TOR indicates, and the Project Inception Report of March 2018 clarifies, with a revised approach and methodology, that implementation the project will focus on chiefdom land governance through the recording and registration of landholdings, strengthening of land administration practice by traditional authorities, greater security of tenure, and raising awareness of land rights and responsibilities. These are all in line

⁷ UNFAO are managing the overall EU Land Governance Programme and Transversal Support Project.

with the UN Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT)⁸.

1.7 Geographical Areas

SLAM is a pilot project designed to test, with the support of traditional authorities, a system of land recording at local level. To do this, four pilot areas were chosen, one in each region. Each pilot area is an *inkhundla* and its constituent chiefdoms. Selection criteria, described in the following section, were developed that guided each regional administration in selecting their pilot area.

Tinkhundla are supposed to be an aggregation of chiefdoms to form constituencies and administrative districts. The reality is quite different. The four pilot areas contain in whole or in part thirty-one (31) chiefdoms; only two (2) chiefdoms fall wholly within a pilot area. This did not constrain implementation because *tinkhundla* have no jurisdiction in SNL matters. Fieldwork would prioritise those chiefdoms that were completely or mostly within *tinkhundla* and work would extend, time permitting, to more peripheral chiefdoms.

The overlapping chiefdoms, illustrated in Figure 5 on page 13, also did not prove to be an obstacle to implementation, because the areas claimed by each chiefdom are historical or aspirational; in practical, day-to-day administrative matters, the areas of each chiefdom or community are mostly well known to traditional authorities and landholders. Nevertheless, the sensitivities surrounding chiefdom areas and boundaries and the contested claims between most adjoining chiefdoms suggested that dealing with this issue in the pilot project, and without the benefit of landholding data, would prove counter-productive. For this reason, the Contracting Authority and the EU agreed to remove the activities and results for chiefdom area delineation and boundary demarcation from the pilot project, and this was formalised in contract addendum no.1 of 08 May 2018.

1.8 Target Groups

The project worked with key stakeholders⁹ listed in the TOR and most closely with the Surveyor General's Department (SGD) in the MNRE. The MTAD were recognised as a key stakeholder during project inception. The project also worked with the LMB, but institutional constraints, detailed in the following section, prevented the intended strengthening of the Board as an organisation. The principal beneficiaries of the project are chiefdom communities and traditional authorities.

⁸ <http://www.fao.org/tenure/voluntary-guidelines/en/>

⁹ Key stakeholders are: Ministry of Natural Resources and Energy, Ministry of Agriculture and Eswatini Water and Agriculture Development Enterprise, Ministry of Tinkhundla Administration and Development, Land Management Board, and Ministry of Economic Planning and Development.

2 Result Area Activities – Achievements, Problems Encountered and Recommendations

The project implemented all activities specified in the TOR with the exception of the delineation of chiefdom areas and demarcation and cadastral surveying of chiefdom boundaries. The actual work done, and the resulting outputs are briefly described and documented in this section.

2.1 Project Inception and Start-up

During the 3-month inception period a revised approach, methodology and workplan emerged that took cognisance of both institutional issues and the political-economy context. The advice of one stakeholder representative stood out:

'The Land Policy of 1999 and the Land Bill of 2015 have both met resistance and have stalled. If the SLAM project is not to meet a similar fate, it must take a different approach.'

The support of traditional authorities is crucial to the success of SLAM; their approval would be needed to engage with communities and to conduct the necessary fieldwork. To get this support the project had to:

- > Emphasise that the project's purpose is to benefit traditional authorities and chiefdom communities, to strengthen their capacities to administer and manage their land, and not to fundamentally alter land tenure and land governance and governance arrangements.
- > Work closely with the LMB and Regional Administrators¹⁰.
- > Maintain a strict observance of customary protocols.

Because all SNL is held in trust by the *iNgwenyama*, the starting point for engaging with traditional authorities had to be a meeting with His Majesty the King (HMK). This would inevitably delay implementation but thought necessary in order to build trust and support of traditional authorities, chiefdom community beneficiaries and other stakeholders (who are often reticent to get involved because of enduring sensitivities surrounding land issues)¹¹.

The sensitivity of the project with traditional authorities, and concerns about preserving their authority over SNL, also demanded a low-key and cautious approach. Consequently, the revised work plan proposed a preparatory phase for implementation that emphasised consultation and support-building. Meetings were held according to traditional hierarchy of: *iNgwenyama*, *sikhulu*, *bantfwabenkhosi*, *bandlanthane*, then *bandlankhulu*¹².

¹⁰ Both LMB members and Regional Administrators are appointed by His Majesty the King and therefore have legitimate customary or traditional authority.

¹¹ Over the course of the project, of the 6 ministers in 3 ministries, only 1 minister demonstrated enthusiasm and proactive engagement with the project, which is surprising given that the project has the backing of HMK.

¹² HMK > chief > chief's advisory council > chiefdom inner council > chiefdom community.

Securing an audience with HMK is not a trivial undertaking. The three Ministers (MNRE, MOA and MTAD) wished to be present and so too the LMB. Identifying a suitable date where all are available was not easy; there were the inevitable postponements. Eventually, and as a result of an informal personal approach to the King’s Office, HMK summoned the Minister for Natural Resources and Energy (accompanied by the Surveyor General) at short notice. Fortunately, the absence of the other Ministers and the LMB did not unduly affect cooperation among the project’s key stakeholders. For instance, custom has it that only the persons present can relay a communique from HMK, but the Minister for Tinkhundla Administration and Development was more than happy to do so on behalf of the project by addressing meetings of regional chiefs using the collective “we”.

2.1.1 Preparatory Period

During the time when an audience with HMK was being sought, the project prepared for implementation by developing criteria for selecting the four pilot areas. These required that the *tinkhundla* should be predominately SNL, rural with smallholder and rainfed agriculture and without a chieftom development plan, among other things. Modelling these criteria identified suitable pilot areas (Figure 1). However, selection was not confined to these criteria, and discussions with RAs identified the four pilot areas partly on political exigencies (Figure 2). Each RA either presented the selection to regional chiefs as a *fait accompli* or disclosed their selection after first informing the affected chiefs. In all cases, there were no known dissenting voices to the pilot area selection, or to the criteria supposedly used. Publicly, the chiefs welcomed the project.

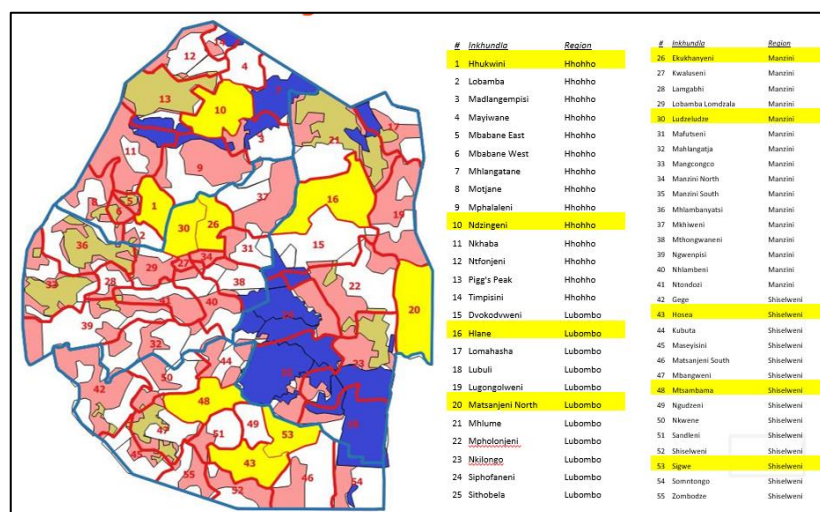


Figure 1: Application of pilot area selection criteria

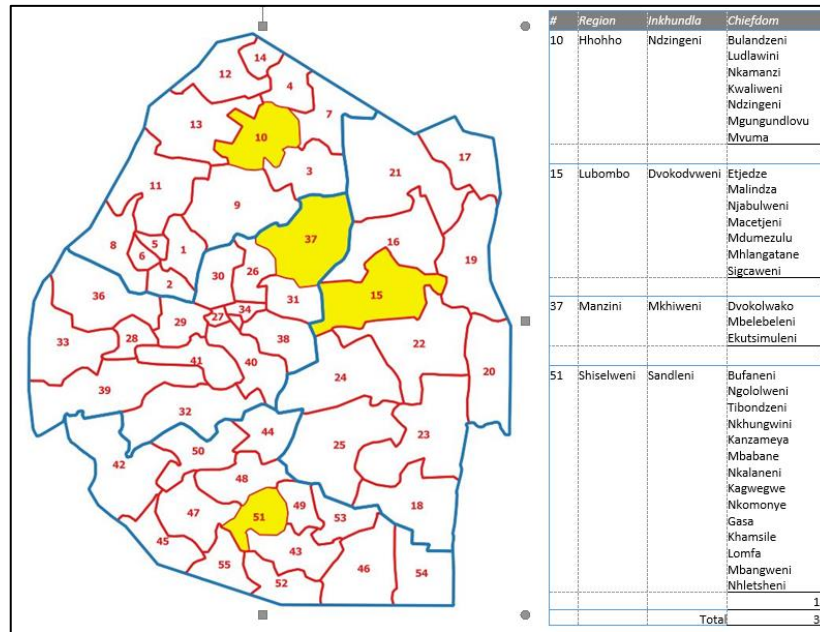


Figure 2: Final pilot area selection

2.1.2 Communication Strategy

The preparatory period was also used to prepare a communications strategy. Although not specified in the TOR, a strategy would help ensure that the right messages were developed for all stakeholder groups, and that the project together with key stakeholder representatives in the MNRE, MOA and MTAD would be consistent in the delivery of information. The message for traditional authorities would be instrumental in securing their support, and the presentation slides shown in Figure 3 below would prove to be most effective.

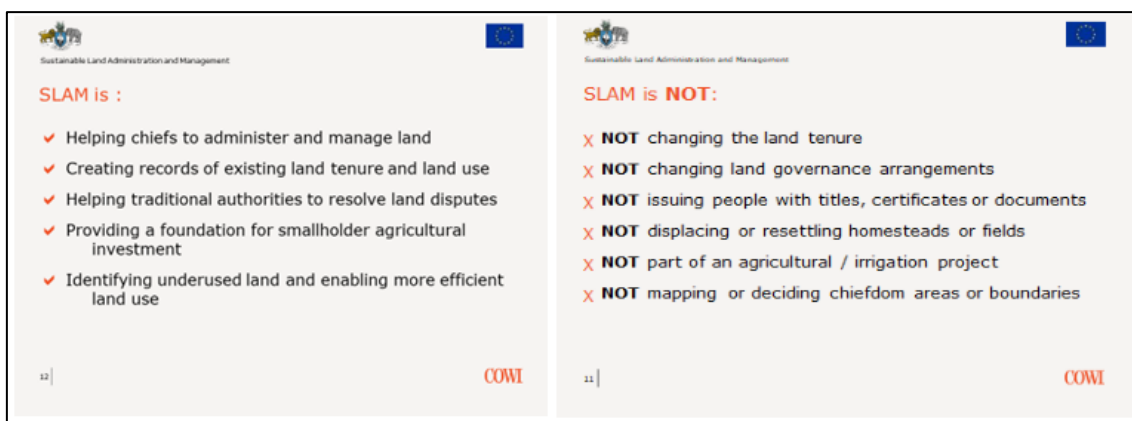


Figure 3: Key messages for communicating with traditional authorities

Similar messages were developed for communicating with chiefdom communities. Communication material, including leaflets in both English and *SiSwati* languages, required minimal updating in the course of the project and numerous meetings.

2.1.3 Gender Strategy

To guide and to keep gender issues in focus, a gender strategy was prepared. This required, for instance, a gender balance in field data collection teams, which was

achieved in the recruitment of local volunteers but fell short in the 10 temporary contract staff who were sourced through the Department of Statistics.

As with the communications strategy, the gender strategy was not specified in the TOR, yet considered valuable enough to prepare and is recommended for future projects. Gender aspects of the project results are highlighted in section 3.1.

2.2 Result Area 1 – Tools are developed and used for more efficient land administration of Swazi Nation Land at National and *Inkhundla* level

'Tools' in this context primarily means data and how this is collected, maintained and provided and used as information for administration and management of SNL. Data are both spatial (base maps, chiefdom areas, landholding areas, homestead locations, etc.) and aspatial (i.e. attribute text about homestead head and spouse names, when and how land allocated/acquired, present land use, incidence of disputes, etc.). Consequently, this result area has two main components:

2.2.1 Cadastral mapping

Instead of ground survey, maps produced from aerial photography provide the spatial framework for chiefdom landholding data.

2.2.1.1 *Review aerial survey needs and design*

Fortunately, aerial photography was taken in 2014 to produce a set of suitable high resolution (0.25 metre) orthophoto maps of the whole country.

2.2.1.2 *Procurement of aerial survey services as needed*

New photography was not needed. In contract addendum no.1 the budget for aerial photography was transferred to procure additional IT/GPS equipment.



Figure 4: Extract of orthophoto map illustrating the high resolution

2.2.1.3 Identify and verify chieftom boundaries on the ground with GPS technology

The TOR states that the “cadastralisation (sic) of chieftom boundaries is the only avenue that can be used effectively in halting chieftom boundary disputes, which have negative impacts on rural development” and consequently includes the activity for demarcation and cadastral surveying of chieftom boundaries according to the Land Survey Act. This would require that neighbouring chiefs/chieftoms agree their common boundaries. The difficulty in getting chiefs to agree their common boundaries is illustrated by the results of the 2017 chieftom area mapping exercise conducted by the Elections and Boundaries Commission where significant and substantial overlaps are evident. This suggests that chieftom area disputes are driven by more than just the lack of boundary demarcation.

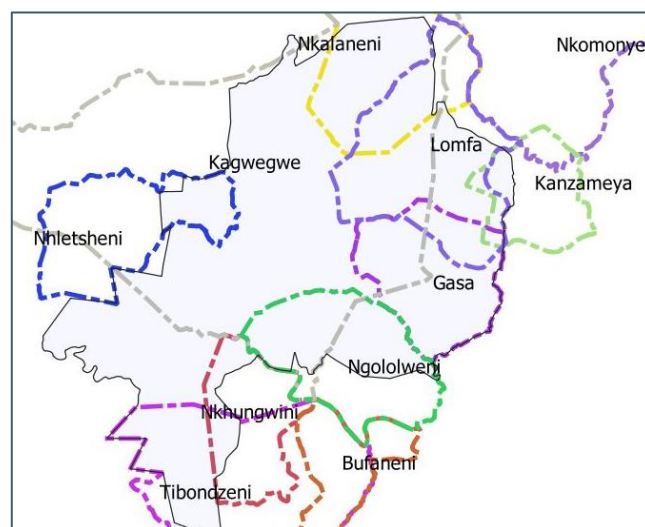


Figure 5: Chieftom area boundaries in one of the pilot areas, as determined by EBC.

The sensitivity of chieftom areas and boundaries with traditional authorities suggested that this issue should not be tackled ‘head-on’. Instead, the approach would be to focus

on homesteads and collect data about their landholdings and chiefdom allegiances. This data would then reveal, from the homestead's perspective, the extent of each chiefdom, and this information may prove helpful in resolving incessant disputes about chiefdom boundaries.

This approach was agreed with key stakeholders and as a result the activities for chiefdom boundary demarcation and cadastral survey were dropped from the pilot project (addendum no.1). They could, however, be reintroduced later or in a scaled-up project after the results of the pilot project have been revealed to traditional authorities and a strategy implemented for adjudicating and fixing the position of chiefdom boundaries.

2.2.1.4 Present map for government endorsement.

Such a map of chiefdom areas and boundaries, when produced, should first be endorsed by traditional authorities and perhaps then by government.

2.2.1.5 Train potential users on how to read and interpret maps

Orthophoto maps would be used extensively in fieldwork for the identification and delimitation of homesteads, landholdings, and community lands. Identification of community lands used a process known as 'participatory mapping' where people would as a group identify points and areas on a printed map. This exercise began by training on how to interpret the orthophoto map. In practice, the training proved to be quite brief as most participants became familiar with the orthophoto very quickly.



Figure 6: Participatory mapping

The project made use of local volunteers for data collection. Training provided to them included map interpretation. Again, training did not take long as most community volunteers were relatively young and generally familiar with maps, image maps (such as Google satellite data) and the use of tablet computers.

2.2.2 Land allocation and registration system

Effective land administration requires data as well as procedures and systems. The starting point, therefore, is the collection of data about past allocations of land and to compile these records into a 'register'.

2.2.2.1 Develop a system of land identification and recording that will be piloted in four Tinkhundla

Identification of land by any means other than using the orthophoto maps would not be cost-effective¹³. The ground resolution of the orthophoto maps, of 0.25m, meant that most features depicting landholdings were clearly visible. Homesteads, fields and field boundaries, even hedgerows and fence lines, are recognisable (Figure 4).

Delineation of each homestead’s fields would be done by inquiry and inspection with the homestead head or family member. The location of the homestead (main family residence) would be identified by a point and given a unique number. The fields or landholding area(s) would be identified either by (a) walking around the boundaries and recording the positions at each corner, or (b) by pointing out boundary features and recognizing them and sketching onto the map.

The next question is whether data collection should be manual or digital? A project objective of computerised systems and procurement of IT equipment suggested that it should be digital. The many advantages of digital data collection reinforced the decision¹⁴. Another question would be, what software to use for data collection? Two free and open source software contenders were shortlisted for field testing: (i) Open Tenure, and (ii) Geo- Open Data Kit (GeoODK). EU land governance programme transversal project support made it possible for UNFAO to demonstrate their Open Tenure software in a field trial alongside GeoODK. Conclusions and a recommendation were quickly reached, and SGD decided that GeoODK was the better tool due to its ease of use and adaptability to the local context and needs.

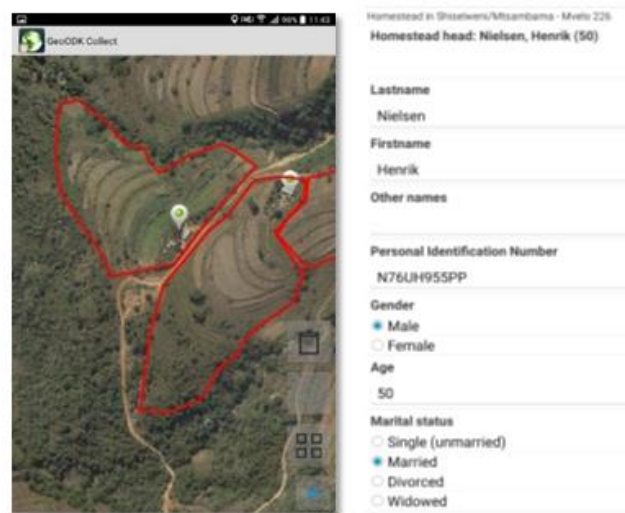


Figure 7: GeoODK software - map view | form view

A data collection form, tested in the first pilot area, collected attributes about the homestead, family members, land use, and allocation details, among other things. Transfer of the homestead landholding polygon(s) and attribute data from the tablet

¹³ An alternative method is by ground survey, which requires considerably more time and cost, especially if conducted to cadastral survey standards (Land Survey Act).

¹⁴ The requirement stated in the TOR that the national land recording system for non-TDL is expected to be a computer-based system, and this strongly suggested that the collection or recording of field data should also be computerised. The benefits of digital data capture in efficiency and quality terms usually outweighs the added cost and complexity involved. This proved to be the case.

computer to the Land Information Management System (LIMS) at SGD was done daily or weekly, and simply at the press of a button. GeoODK software proved to be intuitive to use and SGD and enumerator staff then local volunteer data collectors were trained in a day and then worked with little need for technical support.



Figure 8: Field data collection

The data collection form would be completed by enquiry at each homestead. The respondent is asked to identify the homestead land, by pointing out or walking around the field boundaries. This was done without the presence of adjoining homestead members for two reasons: (i) the boundaries of each homestead landholding were not being agreed or fixed, and (ii) it takes considerable time and effort to get everyone together on site at the same time. By collecting the spatial attributes of each landholding independently, fieldwork progress was unencumbered by absentees and disputes. If there was a dispute about land extents or boundaries, this would become apparent during data processing and could be resolved during the results validation period.



Figure 9: Unprocessed landholding data collected

Prior to the start of fieldwork in any pilot area, a series of meetings are held, first with the chief, then the chief's inner council, then the whole chiefdom community, and if

necessary, with small (focus) groups. The importance of observing customary protocol cannot be over-stressed. The meetings sought support, raised awareness, and encouraged participation. Support was near universal; very few cases of beneficiary resistance were encountered. Participation, in the form of the availability of senior family members on the day of data collection, was less successful. Depending on the area, homestead participation varied between 65%-85%. Proximity to employment centres, absentee landholders, and a lack of awareness are the main causes of why not all homesteads were recorded and shown on landholding maps.

The pilot project depended on community meetings to raise awareness, but not all homesteads respond to these calls to attend. A larger, regional or national project could make use of other communication channels, such as a broadcast or print media, to improve awareness and participation.

Table 3: Data collection key statistics at 26 August 2019.

<i>Indicator</i>	<i>Result</i>
Pilot areas	21 chiefdoms in which data collected in 4 pilot area <i>tinkhundla</i> .
Data collection	12,559 homesteads recorded together with their landholdings, comprising 16,675 separate parcels of land.

Data collection in each chiefdom took between 2-6 weeks depending on the size of the chiefdom, external disruptions, and fieldwork productivity constraints (these are discussed further in section 6 on lessons learned). The size of chiefdoms in the pilot areas varied between 123 and 3,819 homesteads.

Data processing – cleaning, editing, preparation of data – took place at the SGD by a part-time team of 3 to 4 persons¹⁵. Using geographic information system (GIS) software, the task is to edit the field data to (i) eliminate gaps and overlaps between neighbouring landholdings, and (ii) make the landholding polygons consistent with the orthophoto (i.e. landholding boundary lines are coincident with ground features and do not cut through buildings or other polygons). The final result is shown in Figure 10. Lessons learned in data processing are discussed later in section 6.

Homestead landholding data are held and processed in a server-workstation network. This ensures data consistency and security. Processing was aided by the development of software extensions (applications). The pilot project did as much as was possible with limited inputs (senior and junior IT experts). The Land Information Management System (LIMS) is 'open' and therefore can be developed further by anyone with the requisite programming and database management skills to extend its functionality.

¹⁵ SGD staff were provided training, both through a structured external training course, in-house training by TA and continuous mentoring by TA support to 'capacitate' them for this task. The number of staff assigned was sufficient although individuals did not always focus on project work. Greater supervision by SGD management would have helped work productivity.



Figure 10: Processed (edited) landholding data. Overlapping landholdings would be highlighted in red (there are none in this example).

After incorporating all corrections, and any disputes that could be resolved, the data is delivered back to the inner council as 'validated' and final.

An important step in the process is the validation of landholding rights data by chiefdom traditional authorities and communities. Observing protocol, this is a two-stage process, as the data are sent first to the inner council for their input before it is publicly displayed to the whole community for their checks and corrections. The validation objectives are threefold: to correct any mistakes in data collection, to identify any speculative or fraudulent claims, and to reinforce the certainty and finality (validity) of the land use rights information. Initial data-collection results remained with each chiefdom for at least one month on public display, but frequently longer if inner councils insisted on trying to resolve all disputed claims. Chiefdoms were encouraged to focus on ensuring the data are correct; disputes could be resolved in due course and should not delay the overall validation process. If a land claim remained uncontested at the end of the validation period, during which the whole community is encouraged to inspect the maps and lists kept at the *umphakatsi*, then the use rights and landholding details are accepted as correct and legitimate.

Any late additions, later resolutions of disputes, and any ongoing changes, are the responsibility of the chiefdom's inner council, and the person(s) in the inner council designated by the chief as chiefdom land administrator(s). Usually this is the chiefdom secretary. Landholding data is delivered back in two forms – hardcopy and softcopy. A laptop is provided with the chiefdom data available for viewing and customised query software. Table 3 Data cannot be edited, however. Any changes or additions must be recorded on the hardcopy, and a register book and set of printed maps are provided for this purpose. Periodically, data can be transferred to the SGD for inclusion in the LIMS.

Final results were delivered back to each chiefdom in the form of:

- > Homestead landholding register book.

- > Landholding printed map(s).
- > Landholding printed lists and indexes.
- > Laptop computer containing the above data in digital form¹⁶.

Delivery – recorded in Table 4 on page 20¹⁷ – was kept deliberately low key. A media event is planned at some future date for a formal, official handover ceremony, but this cannot take place until after His Majesty is updated on the project and first shown the results. Respecting customary protocol, although delaying, is required to maintain key support.

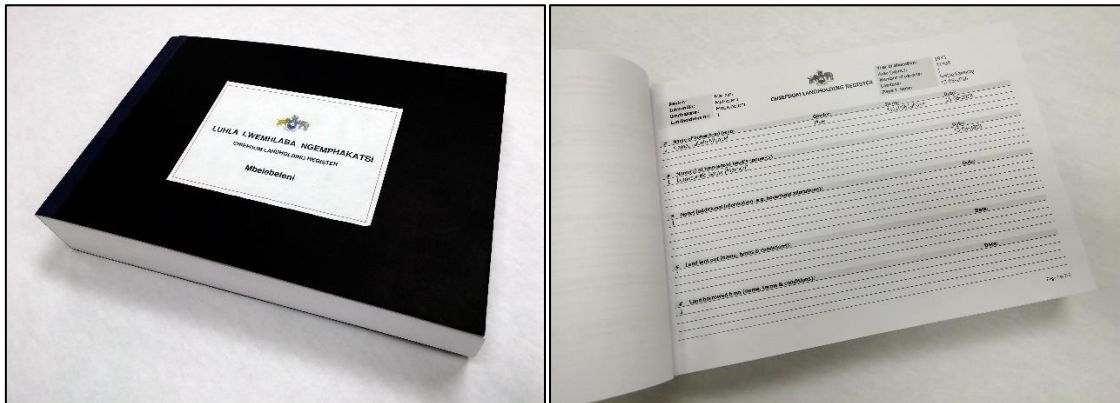


Figure 11: Chiefdom landholding register

The LIMS for maintaining and managing the data has been developed using open source (free) software and customised for project needs and local context. A PostGIS database operates on a server computer to provide data to numerous workstations running QGIS geographic information system software at the SGD. The addition of web-based geo-server would make the LIMS more widely available and accessible for each chiefdom to update their own data, but the pilot project lacked resources for this. For the pilot project, the imperative is to deliver the data – both hardcopy and softcopy – back to the chiefdom for them to ‘own’, maintain and manage.

Development and customisation of the software took place to automate as much as possible all routine functions, and to make the system more robust and sustainable. Within the TA input time available, it was possible to:

- > Design and set up a database holding both spatial and text data for landholdings, homestead persons, and rights, with user security and automated backups.
- > Develop software extensions (‘plugins’) to automate data processing and results production functions for:
 - > Creating specific chiefdom data sub-sets.
 - > Generating results validation lists.
 - > Generating hardcopy (for printing) chiefdom registers.
 - > Creating a colour-coded representation of all landholdings by chiefdom.

¹⁶ ‘Geopackages’ that contain spatial and attribute data accessible using simple GIS software.

¹⁷ And copies of the delivery notes signed by the responsible chiefdom inner council member are attached at Appendix C.

- > Standard reports for quality control, results, key statistics etc.

The overall progress of data capture fieldwork, data processing, public display validation and final delivery is shown in Table 4 below. TA assistance to the project targeted thirteen (13) chiefdoms to work and complete in the contract period. Eight more chiefdoms were added, following receipt of GOE funding support and a 2-month extension of working time.

Table 4: Land tools - systematic landholding recording – pilot areas progress summary¹⁸

	Inkhundla & chiefdom	No. home-steads	Start field work	End field work	End data edit	Start community validation	End community validation	Date data results delivery
	MKHIWENI							
1	Mbelebeleni	379	08-Mar-18	18-Jul-18	18-Jul-18	16-Aug-18	30-Nov-18	23-May-19
2	Dvokolwako	1017	25-May-18	25-Jun-18	17-Aug-18	06-Oct-18	17-Jan-19	9-May-19
3	Ekutsimuleni	1362	19-Jun-18	24-Jul-18	07-Sep-18	07-Dec-18	11-May-19	13-Aug-19
	3	2758						
	SANDLENI							
4	Bufaneni							
5	Gasa	201	04-Jun-18	02-Jul-18	08-Oct-18	17-Oct-19	12-Mar-19	24-Jul-19
6	Kagwegwe							
7	Kanzameya							
8	Khamsile							
9	Lomfa	465	03-Aug-18	13-Sep-18	10-Dec-18	20-Dec-18	17-May-19	21-Aug-19
10	Mbabane	2						
11	Mbangweni	12						
12	Ngololweni	259	22-Jun-18	02-Jul-18	06-Aug-18	31-Oct-18	23-Apr-19	4-Jun-19
13	Nhletsheni	1						
14	Nkhungwini	132	08-Aug-18	23-Aug-18	08-Oct-18	15-Nov-18	23-Apr-19	
15	Nkalaneni	282	01-Oct-18	25-Oct-18	11-Dec-18	18-Dec-18	26-Feb-19	16-Aug-19
16	Nkomonye							
17	Tibondzeni							
	5	1153						
	NDZINGENI							
18	Bulandzeni	764	30-Apr-19	10-Jun-19	31-July-19			
19	Kwaliwani	123	8-Jul-19	19-Jul-19	9-Aug-19			
20	Ludlawini	148	10-Aug-18	28-Aug-18	7-Jan-19	16-Jan-19	23 Mar-19	10-May-19
21	Mgungundlovu	432	03-Apr-19	24-Apr-19	5-Jul-19	12-Jul-19	10-May-19	
22	Mvuma	190	20-Aug-18	07-Sep-18	28-Jan-19	01-Feb-19	30-Mar-19	17-May-19
23	Nkamanzi	713	26-Nov-18	31-Jan-19	19-Feb-19	13-Mar-19	16-Apr-19	19-Jun-19
24	Ndzingeni	574	16-Aug-18	29-Aug-18	7-Jan-19	19 Jan-19	15-Apr-19	16-May-19
	7	2944						
	DVOKODVWENI							
25	Etjedze ¹⁹	4	12-Jun-19	15-Jul-19	15-Mar-19	27-Mar-19	31-May-19	22-Aug-19
26	Macetjeni	925	12-Jun-19	15-Jul-19				
27	Malindza	3819	04-Sep-18	7-Jan-19	15-Mar-19	27-Mar-19	31-May-19	22-Aug-19
28	Mdumezulu	544	19-Feb-19	8-Mar-19	15-Mar-19	10-Jul-19		
29	Mhlangatane ¹⁶	19	12-Jun-19	15-Jul-19	15-Mar-19	27-Mar-19	31-May-19	22-Aug-19
30	Njabulweni							
31	Sigcaweni		19-Jul-19					
	5	5,311						
	Totals	12,166	21	20	19	17	16	14

¹⁸ All chiefdoms in this table with progress dates have received TA support; those chiefdoms with missing or no dates are being and will be completed or commenced and completed with GOE funding. All chiefdoms listed with progress, except Sigcaweni, were provided with TA support. All chiefdom activities commenced after 01 February 2019 received some GOE funding support.

¹⁹ The overwhelming majority of homesteads in these chiefdoms reported themselves to be part of Malindza.

Project results from this activity – the tools, maps, registers, data, manuals – have been delivered to fourteen (14) chiefdoms. Copies of these results are also held and used at national level in the SGD. Results have not been delivered to *tinkhundla* administrations because these offices have no role in land administration (see attachments to TOR at Appendix C). Evidence of the results delivered is provided by the database at SGD, also by a snapshot of key indicators shown in Figure 12, the delivery notes attached at Appendix C, and copies of the data, maps and registers provided to the Contracting Authority in digital form on compact disk.

id	sub	title	unit	unit_amount	remark
1		Homesteads			
1 a		Homesteads collected (edit environment)	total	12485	
1 b		Homesteads holding land	%	99.8	expected: 100 %
1 c		Homesteads average amount land holdings	average	1.3	
1 d		Homesteads borrowing or renting in land	%	3.2	
1 e		Homesteads lending or renting out land	%	2.2	
2		Homestead fields			
2 a		Homestead landholdings collected	total	16593	
2 b		Homesteads landholdings collected area	km2	406	
2 c		Landholdings borrowing or rented in	total	442	
2 d		Landholdings borrowing or rented in	ha	310	
2 e		Landholdings borrowing or rented out	total	306	
2 f		Landholdings borrowing or rented out	ha	280	
3		SLAM			
3 a		Communications effectiveness (% respondents aware of SLAM?)	% yes	45.2	
3 b		Communications effectiveness (how aware of SLAM?)	% community_meeting	29.9	
3 b		Communications effectiveness (how aware of SLAM?)	% community_member	10.1	
3 b		Communications effectiveness (how aware of SLAM?)	% family_member	3.5	
3 b		Communications effectiveness (how aware of SLAM?)	% brochure	1	
3 b		Communications effectiveness (how aware of SLAM?)	% other	0.6	
4		Gender			
4 a		Gender Homestead Head	% male	73.8	
4 b		Gender & Marital Status Homestead Head	% male, married	57.1	
4 b		Gender & Marital Status Homestead Head	% female, widowed	17.1	
4 b		Gender & Marital Status Homestead Head	% male, single	7.7	
4 b		Gender & Marital Status Homestead Head	% male, widowed	5.7	
4 b		Gender & Marital Status Homestead Head	% female, single	4.9	
4 b		Gender & Marital Status Homestead Head	% female, married	3.3	
4 b		Gender & Marital Status Homestead Head	% male, multiple	2.1	
4 b		Gender & Marital Status Homestead Head	% male, divorced	1	
4 b		Gender & Marital Status Homestead Head	% female, divorced	0.7	
4 b		Gender & Marital Status Homestead Head		0.2	
4 b		Gender & Marital Status Homestead Head	% female, multiple	0.1	
5		Disputes			
5 a		Homesteads with chiefdom disputes	total	440	3.52%
5 b		Homesteads with other disputes	total	404	3.24%
5 c		Homestead Disputes	% Homestead without disputes	93.9	
5 c		Homestead Disputes	% Homestead with chiefdom disputes	2.9	
5 c		Homestead Disputes	% Homestead with disputes (not chiefdom)	2.6	
5 c		Homestead Disputes	% Homestead with chiefdom & other disputes	0.7	
5 d		Homestead with disputes (not chiefdom)	% other_homestead	44.1	
5 d		Homestead with disputes (not chiefdom)	% family	2.5	
5 d		Homestead with disputes (not chiefdom)	% umphakatsi	9.2	
5 d		Homestead with disputes (not chiefdom)	% other	1.2	

Figure 12: SLAM database key indicator report (25 July 2019)

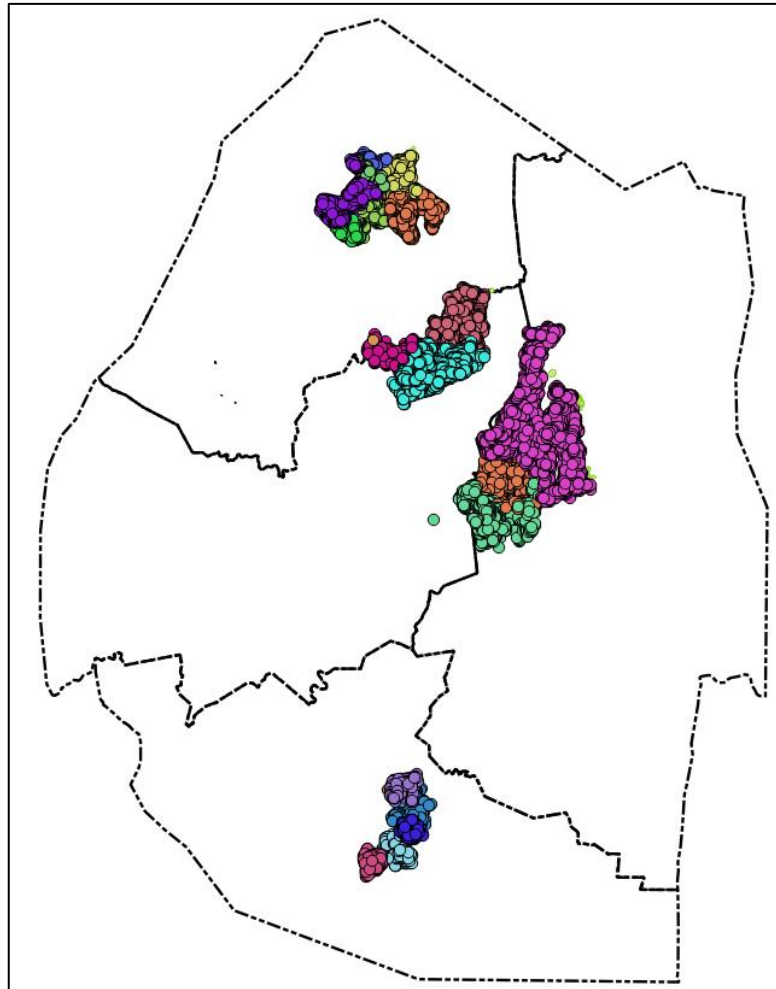


Figure 13: GIS database showing homestead land records collected

2.2.2.2 Develop alternative dispute resolution (ADR) processes

Resolving disputes within chiefdom communities is and always has been the jurisdiction of traditional authorities, and the project task for developing dispute resolution processes commenced by broadening, in a discussion paper, an understanding of customary dispute resolution and identifying the most appropriate and complementary alternative process. The background discussion paper was presented at a workshop at which key stakeholders decided and agreed that the project should focus on introducing mediation as a means to help people resolve their own disputes before they are referred to traditional authorities for adjudication.

Guidelines were prepared on how to conduct dispute mediation and these provide the training material and support for local community land dispute mediators.

The incidence of disputes in the pilot areas is shown in Table 5 below. The percentage is neither unexpectedly large nor small. The relatively high incidence of chieftaincy disputes reported, signifying a detrimental effect on individual homestead tenure security, is also unsurprising given the extent of overlapping chiefdom land claims (see Figure 5 on page 13).

Table 5: Incidence of disputes

Homesteads with chiefdom disputes	% total	3.12
Homesteads with other disputes	% total	2.98
Homestead Disputes	% Homestead without disputes	93.9
Homestead Disputes	% Homestead with chiefdom disputes	2.9
Homestead Disputes	% Homestead with disputes (not chiefdom)	2.6
Homestead Disputes	% Homestead with chiefdom & other disputes	0.7
Homestead with disputes (not chiefdom)	% other_homestead	44.1
Homestead with disputes (not chiefdom)	% family	25
Homestead with disputes (not chiefdom)	% umphakatsi	9.2
Homestead with disputes (not chiefdom)	% other	1.2

2.2.2.3 Integrate (tools) into CDP Methodology

Chiefdom development planning (CDP) “is a participatory process that seeks to empower people within their own chiefdom both educationally and technically to plan their own development holistically”²⁰. CDP activities include “boundary mapping, geo-referencing homesteads, soil survey, census survey, compilation of inventory of current land use; training for transformation; envisioning; development of the sustainable local economic development strategies; presentation of draft plan to traditional authorities for endorsement” among other things. Clearly, there are synergies between CDP and SLAM.

Both CDP and SLAM start with communication and consultation followed by data collection. CDP maps homesteads and land use; so too does SLAM. SLAM does not attempt to map chiefdom boundaries; CDP does not map landholdings. However, what is evident and recognised by stakeholders (confirmed in the pilot project close out workshop) is that homestead and landholding data should be collected, and land records and registers compiled before commencing a chiefdom development planning process.

The Lower Usutu Smallholder Irrigation Projects (LUSIP) continue to implement the CDP process, and CDP is part of MTAD’s strategies, but integration of the methodologies is yet to materialise.

2.2.2.4 Prepare operational guidelines for the recording system

Manuals have been prepared for chiefdoms and the SGD on how to collect, process, maintain, manage, and make available chiefdom landholding data in both manual and computer-based land records systems. These manual and guidelines are:

- > Land Information Management System (LIMS).
- > Systematic landholding recording.
- > Land records maintenance.
- > Chiefdom land information system.

These contract deliverables are listed in Table 8 on page 36 and delivered to the Contracting Authority together with this report.

2.2.2.5 Prepare ongoing training programme

A training needs assessment informed the preparation of a project training plan. The plan proposed training related to the project for key stakeholders in areas such as:

²⁰ ESWADE, 2015. *Chiefdom Development Planning Guidelines*.

- > Land governance and land administration.
- > Land dispute resolution.
- > Landholding data collection, processing, management and use.
- > Information technologies and geographic information systems.
- > Project management.

Guidelines and manuals prepared by TA support cover all areas with the exception of project management. These deliverables are listed in Table 8 on page 36.

2.3 Result Area 2 – Relevant stakeholders capacitated to use the cadastre and manage Swazi Nation Land more efficiently and sustainably.

Indicative activities stated in the TOR included:

2.3.1 National level

2.3.1.1 *Sensitise governance organisations on value of information and evidence for decision-making.*

Project TA briefed the Ministers of the 3 key ministries (MNRE, MOA, MTAD) and the Land Management Board but did not get the opportunity to brief the Swazi National Council about the project and the value of the information it will create for decision-making. Reports were prepared for all meetings²¹.

A comprehensive manual for SNL land administration was prepared, but at a workshop on 20 February 2019, key stakeholders felt that the manual was too directive and detailed for an initial step at encouraging traditional authorities to conform to standard rules and procedures in written form. This manual is still available but a second and less prescriptive version was then prepared about general land governance, administration and management and principles and how people can acquire and protect their land rights.

2.3.1.2 *Prepare manual for decision-making*

The expected outputs from this activity are for training and for the registration system²². The Land Administration Guidelines, in two forms – detailed and outline – have been prepared for both guidance and training. A list of all guidance and training manuals is given in Table 8 on page 36.

2.3.2 Inkhundla level

2.3.2.1 *Secure agreement to work in four tinkhundla*

The agreement to work in the four (4) pilot areas (*tinkhundla*) was secured only in August 2017 after His Majesty the King gave his consent for the project to engage with traditional authorities and to move ahead with the work at chiefdom level. Through the RAs, workshops were held with chiefs in all four regions to introduce the project, its overall objectives and purpose, and intend results. A further round of regional workshops

²¹ These meeting reports and copies of all guidelines, manuals and training materials, as listed in Table 8, submitted to the Contracting Authority along with this Final Report.

²² TOR page 9, footnote 10.

commenced in August 2019 on the land administration guidelines; chiefs expressed their support for the project at the Manzini workshop²³. Questions, comments and feedback captured in reports of these workshop meetings and those with *tinkhundla* and chiefs, provide evidence of support that the project has secured.

From meetings and discussions held with each *inkhundla* and traditional authorities it is evident that *tinkhundla* administration – as district or local government – have no role in land governance and administration matters; for the project to introduce a role would likely cause resistance and reduced support from traditional authorities. Therefore, it was agreed with key stakeholders (and communicated to the Contracting Authority in 6-monthly progress reporting) that the project would not work with *inkhundla*, nor set up offices in each *inkhundla*, but instead work directly with each chiefdom.

2.3.2.2 Set up appropriate office facilities

Work in each chiefdom did not necessitate the setting up of office facilities.

2.3.2.3 Sensitise Chiefdom and Inkhundla staff on constitutional provisions.

Customary protocol, which project TA strictly observed, directs that separate meetings are held for chiefs and chiefdom councils. Sensitisation of chiefs on constitutional, legal and administrative provisions of land would be achieved during regional workshop on the land administration guidelines. These workshops were scheduled for the month of May, but traditional events and the re-appointment of RAs meant a postponement until July 2019, when the workshop in Manzini was held, but this left insufficient time for workshops in the remaining three chiefdoms. Inner council members from three chiefdoms in Manzini region were then sensitised on the land administration guidelines, which includes constitutional provisions, at a training session held on 14 August 2019. The remaining workshops and training will be undertaken by the project and GOE funding.

2.3.2.4 Train and mentor Chiefdom staff in mapping, data collection and record keeping.

Immediately prior to the start of field data collection in each chiefdom, training was provided to chiefdom inner councils and community volunteers in orthophoto map interpretation, participatory mapping, and data collection. Training in record keeping, based on the guidelines/manuals prepared, coincided with the delivery of results (maps, registers, lists) to each chiefdom. A second round of training for chiefdoms commenced at Ekutsimuleni on 13 August 2019 and further post-delivery training sessions is continuing after the end of TA support, made possible by GOE funding.

2.3.2.5 Set up ADR system at appropriate level.

Stakeholders agreed that the most appropriate alternative dispute resolution (ADR) method for SNL is mediation, which is the customary way to resolve disputes. Traditional authorities are already engaged in land dispute resolution, but a gap was identified for mediation of a dispute before it got to chiefdom authorities. A form of chief's court-

²³ Because of delays in initial start-up, which was then compounded by disruption caused by traditional events, national elections in 2018 and appointments of new RAs, it was not possible to hold the second round of regional workshops in Hhohho, Lubombo and Shiselweni regions before the end of TA support; however, the workshops are planned during the project continuation funded by the GOE.

annexed mediation would be conducted by elders or trusted persons in the community who would mediate and encourage the parties to the dispute to find their own resolution.

2.3.2.6 Train personnel in operation of ADR.

Guidelines and training materials on mediation have been prepared for training delivery by the Conciliation, Mediation and Arbitration Commission (CMAC). CMAC were approached because they are already conversant with mediation, and funds became available through the EU Land Governance Transversal Programme, which supports country projects, to contract them through UNFAO (implementors of the transversal programme) to conduct four (4) regional training courses. Issues with the contract documentation and then with the required FAO/GOE agreement has delayed the training.

2.3.2.7 Handover systems at end of project.

ADR by mediation is ready to start, with guidelines and training materials provided by the project, just as soon as mediators are trained.

The landholding records system with data has been delivered to fourteen (14) chiefdoms as shown in Table 4, and the handover to the remaining seven (7) or more chiefdoms is continuing after the end of TA support, made possible with GOE funding.

The LIMS system at SGD is fully operational and now maintained by SGD staff.

2.4 Institutional arrangements for non-Title Deed Land / SNL are accepted by stakeholders.

2.4.1 Carry out stock-take assessing progress of land reforms already initiated.

The report of the stocktake of past and recent reforms and attempted reforms of land institution arrangements states that the reforms seek to address one or more of: duplicate, overlapping and ambiguous institutional and organisational roles and functions on land management and administration; tenure uncertainty and ambiguity perceived to discourage efficient use of and agricultural investment on SNL; long-standing and intractable disputes on SNL between communities and community members; lack of 'bankable' land rights and under-commercialisation of agriculture on SNL; and, lack of sustainable land use planning and effective land use control.

All recent attempts at land law and land institution arrangement reforms have not been enacted perhaps because: "The long delays in approving ... legislation serve to highlight the complexity of the dual governance organisation - modern and traditional - and its current inability to deliver practical solutions to a complex issue.²⁴" Consequently, institutional change in this context has proved difficult to achieve, especially in the absence of firm policy commitments. The draft land policy of 1999 (revised 2009) proposed creating a Ministry responsible for all lands (TDL and SNL), and even though the Land Bill of 2013 avoided organisational re-arrangements it nevertheless proposed significant inroads by government into the jurisdiction of traditional authorities, and consequently both reform efforts have not progressed.

²⁴ SLAM Terms of Reference

The stocktake report²⁵ goes on to conclude that “this complexity is amplified because land, and especially SNL, is central to the political economy question and traditional governance. The registration of SNL agri-business commercial *khonta* certificate with the King's Office as proposed by the SNL Agricultural Commercialization Bill 2016, and not in the Deeds Registry, exemplifies the point that SNL matters may need to be kept close to the *iNgwenyama*. Furthermore, reports highlight the resilience of customary land rules and norms and antipathy to modernisation of tenure and modifications of traditional land governance arrangements.”

At a workshop held in September 2018, key stakeholders agreed on how best to develop the plan for harmonising and rationalising institutional arrangements.

2.4.2 Develop draft plan for harmonising and rationalising institutional arrangements for land governance of non-TDL and present at workshop.

To move any attempt at land institution reform forwards must be carefully considered and take cognisance of political economy questions. Therefore, before a draft plan that may be acceptable to all stakeholders can be prepared, possible options for reform must be identified and tabled. Debate on these options would help to build a broader consensus on the most appropriate reform.

At a workshop held in April 2019, key stakeholders were presented with three viable options, highlighting advantages and disadvantages and an outline cost for implementation of each option. Key stakeholders agreed to add a fourth option, and they are:

- > Maintain the current dual structure of separate administration and management arrangements for SNL and TDL and build a new and separate SNL administration and management agency.
- > Retain separate arrangements but build stronger linkages between government and traditional authority and strengthen government to help support traditional authority administration and management of SNL.
- > Unify SNL and TDL administration in a government agency.
- > Unify SNL and TDL administration in an autonomous body reporting directly to HMK.

Project TA did not make any recommendations beyond that the LMB should have a key role in SNL land administration and suggested that the decision on a preferred option would most likely be a political one.

Key stakeholders concluded that the options should be presented for deliberation by the three project Ministers of MNRE, MOA, and MTAD; this meeting has yet to be convened.

2.4.3 Present revised plan to other stakeholder consultations

Further consultations are envisaged with the Swaziland National Council, Ludzidzini Council, Land Management Board, and Chiefs. The view of key stakeholders (project

²⁵ Delivered to the Contracting Authority with this Final Report.

steering committee members) is that these consultations will follow the consultation with the Ministers.

2.4.4 Develop Final Draft for institutional arrangements for non-TDL for presentation and acceptance by the steering committee.

A final draft plan will follow after all necessary consultations, including with traditional authorities, and a decision made on the preferred option or direction that the reform should take. Therefore it has not been possible to prepare this draft plan during the pilot project period.

2.4.5 Strengthen national, regional and local organisations as per recommendations.

Institutional reform is a significant undertaking that requires first policy direction, policy-maker decision and then legislation. In the absence of policy decision on reforms, the TA could not assist with institutional strengthening.

Without progress on institutional strengthening or the enactment of the Land Bill, which operationalises the LMB, TA support to the LMB was constrained because the board has (a) no clear, statutory functions, and (b) no staff. The LMB comprises only its six members and a secretary; its present role is mainly concerned with *ad hoc* dispute resolution.

3 Outcomes and Impacts

The overall objective of SLAM stated earlier at 1.2, is generally to help improve agricultural livelihoods through better land governance. In addition to land recording, capacity-building and institutional reform, the following are relevant to project purpose.

3.1 Gender Issues

The project outcome aims “to help farmers, especially women, to make a living and feed their families without fear of losing their property” by improving security of tenure. The TOR is not specific about how women can be helped.

The scope for significantly improving women’s land rights might appear to be limited given the inherent conservatism of traditional authorities and rural communities. Overt emphasis on women’s land rights poses a risk of pushback by conservative traditional authorities. Therefore, the approach adopted was evolutionary, and to:

- > Document names of spouses of homestead heads (usually women) and record these in the landholding registers.
- > Emphasise in the land administration guidelines the customary role of women and land and the protection of their rights.

The project has in many instances recorded widows as homestead heads, which is contrary to cultural norms. Some (progressive) *bandlancane* do not question this, but in other (more conservative) instances *bandlancane* insist that the name of the late (deceased) homestead head (male) is shown in the register. The land administration guidelines emphasise that a female or a widow may be a homestead head but also that where, on the death of her husband, a widow does not become the homestead head then she becomes the 'custodian' of the homestead until the family chooses the next head, and that in the interim, all existing rights of all family members remain unchanged and protected.

Although more of a consequence of the 2015 Constitution and also perhaps changing cultural norms, the project is finding instances where women have been allocated land by the *umphakatsi*, not through a male relative, but in their own right.

The project does, however, recognise the customary practice whereby women in a polygamous marriage are assigned their own homestead and agricultural lands. Recording and registration does not lump all the spouses together into one large landholding.

3.2 Chiefdom Boundaries

The draft land policy²⁶ highlights the problem and explains why the project included the chiefdom boundaries question in the original TOR. Soon after the start of the project, the Elections and Boundaries Commission (EBC) embarked on an exercise to identify and map all chiefdom areas. The EBC asked each *umphakatsi* to show them the area of their chiefdom. The results revealed the extent of the problem and how difficult it would be to resolve. For this reason, the project decided not to deal with chiefdom boundaries directly, but instead to do this indirectly by mapping the affiliations of homesteads. What emerges from the data is an indication of the *de facto* chiefdom area; in some cases, it is clear, but in others the dividing line is fuzzier.

²⁶ "The injury and loss of life that has already occurred due to chiefly boundary disputes are a stain on the nation's character. The pressure that led to such occurrences shows no sign of abating, so decisive action is required to avoid further conflicts. It is recommended that...rationalisation of all chiefdom boundaries to reflect current realities. In particular, cadastralising chieftaincy boundaries should be instituted, thereby establishing clearly defined boundaries over all areas."



Figure 14: Chieftdom areas (EBC)

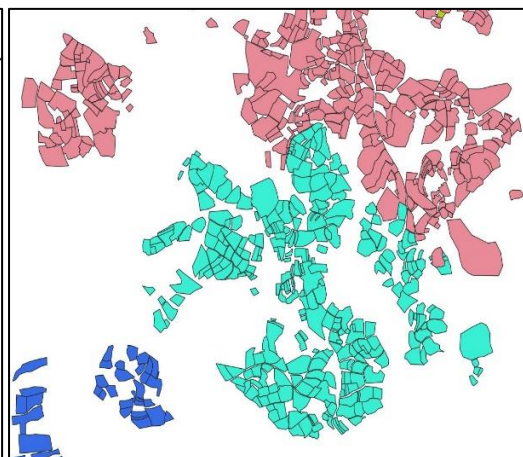


Figure 15: Chieftdom landholdings (SLAM)

Consequently, the activities and outputs for chieftdom boundaries were removed from the TOR in the first addendum to the TA contract, but nevertheless they should be reinserted in the second phase of the project when steps can be taken by an appropriate traditional authority body to use the landholding data to help forge agreements between chieftdoms on their administrative areas²⁷.

3.3 Land Management

The land management component of SLAM relates to chieftdom (land use) development planning (CDP) and to development control. During project inception, clarity was sought, and consensus achieved, that SLAM would not be producing any CDPs or parts thereof. However, land use data collection and landholding maps provide a key input into the planning process.

Land administration may, by definition, include or not the task of development control, which are the procedures to be followed that regulate by consent any change of land use; for example, whether or not the permitted use can be changed from agricultural to residential. Although there is some debate surrounding who has the authority to control land use change on SNL, custom and precedent suggest that it rests with the *umphakatsi*. For this reason, development control procedures are included in the detailed version of the land administration guidelines.

3.4 UN Voluntary Guidelines on Tenure

The SLAM project forms part of the global EU land governance programme supporting country level application of the VGGTs. The project encompasses the following key aspects:

Table 6: VGGT goals and SLAM actions

VGGT	Goal	Action
1.1	Improve governance of tenure of land	Guidelines for local land administration.
1.2	Contribute to policy, improve	Land Information Management System.

²⁷ By defining 'administrative areas' based on the present-day realities, this does not require chieftdoms to give up their historic claims to bigger land areas.

	transparency etc.	Land institution arrangements reform options.
3.1.1	Recognize and respect all legitimate tenure right holders and their rights	Recording of homestead landholding rights, including spouses and third parties (rentals).

The project touches upon many aspects of the VGGTs but is also ambivalent on many. However, in context and cognisance of the conservatism of traditional authorities, the project approaches land tenure and administration reforms in evolutionary rather than revolutionary terms.

3.5 Phase Two – Scale Up to National Implementation

The SLAM project TOR is clear that it is a pilot project and that if successful, and if funding is available, will be scaled-up and rolled-out nationally. On the basis of the independent ROM report and the results achieved, there was an expectation by stakeholders that the project would move into a second phase without losing the momentum and support achieved in the pilot phase. Subsequently it was revealed that funding had not been earmarked for SLAM phase II in either the Brussels-based Food Security Thematic Programme or the locally administered European Development Food (EDF). Therefore, any further EU funding may have to wait for the project to be included in the next National Indicative Plan for 2021-2027 and the 12th EDF.

At a Project Steering Committee meeting held on 22 January 2019, key stakeholders agreed that a second phase would be a continuation and escalation of the first phase with broadly similar purpose, objectives, activities and results. Rolling-out the work to cover all SNL, plus developing the LIMS and institutional reforms, would cost approximately EUR 4.2 million²⁸. As well as continuing the preparation of SNL landholding records, phase II should include the issue of chiefdom boundaries and revision of draft legislation.

4 Project Management

4.1 Management Structure

In design, SLAM was envisaged as being close to ESWADE and its activities related to CDP. In execution, the project became embedded in the SGD, recognising a change of primary responsibility from the MOA to the MNRE, the role of the SG in national land matters, and the data management skills needed for project implementation. The TA team leader worked closely with both the SG and ESWADE-based Project Director in a small project management team with representatives from the MOA, MTAD and the CA, with exemplary organisational cooperation.

The Project Steering Committee met on five occasions. The omission of the Land Management Board from the list of committee members in the TOR was rectified by the third meeting.

²⁸ COWI, 26 May 2019. SLAM Follow-on Project Design

4.2 Timing

Delays in the contracting process resulted in a shortening of project duration from thirty-six (36) to thirty-two (32) months (September 2016 to May 2019) to fit the EU-GOE financing agreement timeframe. Delays early in implementation, caused by the necessity to secure His Majesty's 'blessing', then motivated a request in January 2019 for a 3-month no-cost extension to make full use of TA inputs. At first the EU did not approve the request, on the grounds, or so it is believed, that "a successful pilot project does not need extending", but on review approved a 3-month no cost extension on the grounds that it would enable an increase in the number of outputs completed beyond the originally targeted thirteen (13) chiefdoms. However, delays in processing the request meant the extension commenced only on 27 June 2019, effectively meaning only two (2) extra months, which enabled the addition of one (1) extra chiefdom to the project results for landholding information systems delivered to chiefdoms. The TA contract ended on 26 August 2019, thirty-five (35) months after it commenced, and with thirty-four (34) months of TA support to the SLAM project.

4.3 Procurement

The project includes two related contracts:

- 1) Aerial photography (service contract).
- 2) IT/GPS equipment (supply contract).

Bilateral assistance from another source provided high-resolution orthophotography for the whole country in 2015 and consequently there was no need for more aerial photography. The inclusion of Information Technology (IT) equipment and Global Positioning System (GPS) equipment is for the computerised registry and the chiefdom boundary surveying components of the project, respectively. Although chiefdom boundary surveying was removed by addendum number 1 of February 2018, the procurement processed had commenced and equipment delivered, and the GPS equipment subsequently not get used in the pilot, the equipment remains available at SGD for this activity in the second phase of the project.

An EU requirement that all contracts must be executed 2 years before the end of the project meant that the quantity and specifications for the IT equipment could not be prepared on the basis of assessed need, and therefore a number of assumptions were made in quantifying and specifying the equipment. Furthermore, time constraints and origin rules meant it was sourced by the local supplier from Europe, which subsequently revealed problems due to regional compatibility in consumables and support.

4.4 Staffing

TA provided staff in line with the original TOR and two addendums.

<i>Position - Name</i>	<i>Input days (original TOR)</i>	<i>Input days (contract addendum no.2)</i>	<i>Input days consumed up to 26 Aug 2019</i>	<i>Days remaining unused on 26 Aug 2019</i>
Institutional adviser & team leader - Mr Sean Johnson	600	622	614	8
Surveyor - Mr Albert Mhlanga	160	40	40	0
Senior trainer - Ms Fumani Ndlovu	60	42	42	0
Junior trainer - Ms Sazikazi Ntshalintshali	50	50	45	0
Tinkhundla advisers (2) - Mr Lunga Simelane - Ms Lungile Hlatshwayo	1,200	1,175	1,161	14
Senior experts - Mr Jan van Bennekom-Minnema (IT/GIS expert) - Ms Marianne Buhkral (communications expert)	50	80	80	0
Junior experts - Mr Thokozani Ginindza (IT/GIS)	50	94	94	0

Changes to inputs were made because: the team leader must cover the project extension period; surveyor reduced by removal of chiefdom boundary survey activities; senior trainer reduced because training more effectively covered by tinkhundla advisers, whose days were reduced to redeploy expected unused days; and, senior and junior experts given extra days to strengthen IT development and support tasks.

The role of the tinkhundla advisers were critical to achieving the landholding data results. They led the communication and community liaison activities and organised the data collection field teams. Key stakeholder representatives participated in activities, but with the exception of GIS data editing and logistical support by the SGD, stakeholders did not assign any staff full-time to the project.

With respect to the sufficiency of inputs, the only TA roles lacking in days were for senior and junior experts. Additional days were reassigned for IT inputs but as with any activity involving information systems, resources are always insufficient because of initial under-estimation of level of effort, 'scope creep' and user and support demands. The latter also required substantial inputs by the team leader as well as backstopping support.

The TOR required training in alternative dispute resolution, and although guidelines were prepared by the team leader, training delivery at local level needs to be done in the SiSwati language. The support of the EU Transversal Project was offered and secured for land dispute mediation training by the Conciliation Mediation and Arbitration Commission (CMAC). This enabled the input days for the training activity to be reassigned and more effectively used in other areas of the technical assistance support.

Working with communities necessitates working when it suits the community. In particular, community meetings are best held on days that guarantee a good turnout, which is usually a weekend, and this requires prior approval for each instance. Significant volumes of paperwork could be reduced, and problems avoided from last-minute changes to arrangements, if the TOR included a different mechanism that allowed and controlled weekend working.

4.5 Incidental Expenditure

The TA component of the budget includes costs for supporting the work of advisers and experts, such as vehicles, computers, and communications. The TA budget does not cover the costs of data collection, such as payments for enumerators and fuel, among other things.

A provision for EUR 100,367.22 exists for supplementary and extra costs not covered by TA, and this budget would cover most fieldwork support costs. However, it would not cover the cost of vehicles – purchase or hire – because an explicit provision in the TOR is required for this. Therefore, the GOE had to bear the cost, and the limited budget constrained the number of vehicles and the number of enumerators that could be deployed at any time. A budget provision for fieldwork vehicles would have enabled more data recording and more chiefdoms included in the time available to the pilot project.

Utilisation of the incidental expenditure budget, together with a brief summary of how it was spent, is shown in Table 7 below.

Table 7: Consumption of the project incidental expenditure budget

	<i>Budget item</i>	<i>Spend²⁹</i>	<i>How spent</i>
1	Expert travel & per diems	0	
2	Workshops & training	52,050	15 workshops for stakeholders at national and regional levels; stakeholder participation in 4 EU Transversal Project Capitalisation meetings; 6 formal training courses.
4	Information, education, communication & visibility material & costs	17,065	Printing of information leaflets, maps, lists and registers for each chiefdom, project branded fieldwork workwear and materials.
5	Exhibitions, local promotion of programme events and activities	0	
6	Project fieldwork support	20,203	Fuel for government and government-hired project vehicles (removing constraint of limited government fuel), lunch allowances for local volunteers helping with data collection.
	Totals	89,318	Balance remaining of EUR 10,854 or 10.8% of total.

The budget is underspent mainly because it is a pilot project dealing with a sensitive issue (land) that requires political approval before larger-scale communication and promotion. Although invited to Capitalisation meetings, the Contracting Authority did not approve TA participation.

Incidental expenditure items are stated in general terms in the TOR, which initially did not prove problematic but later became more so because of new interpretations of what are and are not eligible costs. If the test of 'reasonableness' is not sufficient, then in future, the TOR and contract documents must be much more specific with regard to eligibility. This would, of course, narrow the scope for flexibility and responsiveness to changing requirements. Alternatively, some means should be included in the TOR for Contracting Authority approval of small changes that do not require contract addendums and the significant time and effort needed to secure these.

²⁹ Up to 31 July 2019

4.6 Capitalisation

Project stakeholders attended four (4) EU land governance programme transversal project capitalisation meetings in November 2016, May 2017, November 2017, and June 2018. In addition to the knowledge that stakeholders shared with their peers in other countries, the project benefitted by exposing some key people to the broader relevance and imperatives of good land governance and administration, thus motivating their support.

For sharing of information related to the project that would be of interest to other professionals, web pages on the capacity4dev.eu platform³⁰ were created and maintained (Figure 16).

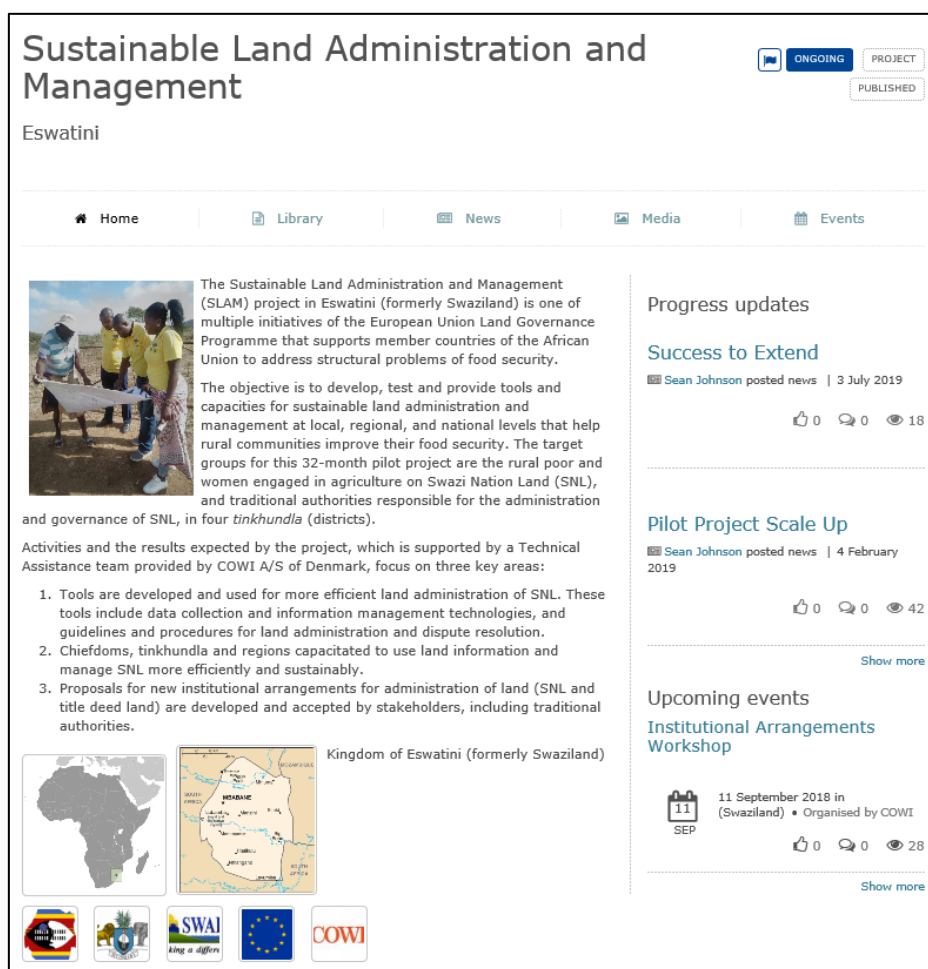


Figure 16: SLAM website

³⁰ <https://europa.eu/capacity4dev/sustainable-land-administration-and-management> (accessed 23 July 2019)

4.7 Reports

Table 8 below summarises all TOR-specified reports and outputs prepared in the course of TA support.

Table 8: TOR outputs / deliverables

#	Deliverable	Ref./page	Documents, guidelines, manuals or reports	Remarks
1	Aerial photography/survey data.	4.2.1, 1.1a, p.8		Aerial photography to be delivered under a separate supply contract, but not needed. Survey data of chiefdom boundaries deleted by project addendum no.1
2	Maps of chiefdom land-holdings and land use.	4.2.1, 1.2a, p.9	Maps produced and delivered to 14 chiefdoms.	Maps also available at SGD; not submitted to CA.
3	Documented landholding recording tools.	4.2.1, 1.2b, p.9	1) Systematic Landholding Recording Manual 2) Chiefdom Land Records Maintenance 3) Chiefdom LIS User Guide 4) Land Information Management System User Guide	
4	Computer-based land records system.	4.2.1, 1.2c, p.9		Land Information Management System installed and operational at Surveyor General's Department. Land Information System installed on laptop computers and delivered to and operational in 13 chiefdoms. Chiefdom council members able to operate computers and LIS after training provided by TA.
5	Documented ADR tools.	4.2.1, 1.2d, p.9	1) Land Dispute Mediation Guidelines	
6	Reports on training/sensitisation of land governance organisations on value of information and evidence for decision-making.	4.2.1, 2.1a, p.9	Individual reports prepared for each training session, workshop and stakeholder meeting, listing all participants.	
7	Manuals (for decision-making – one for training and one for the registration system).	4.2.1, 2.1b, p.9	1) Land Administration Guidelines 2) Land Administration Guidelines (for Chiefdoms) 3) Chiefdom Land Records Maintenance 4) Chiefdom LIS User Guide	
8	Reports on training/sensitisation of Chiefdom and Tinkhundla staff in data collection, mapping and record keeping.	4.2.1, 2.2a, p.9	Individual reports prepared for each training session, workshop and stakeholder meeting, listing all participants.	
9	Documented Dispute Resolution System.	4.2.1, 2.2a, p.9	1) Land Dispute Mediation Guidelines 2) Land Administration Guidelines	

#	Deliverable	Ref./page	Documents, guidelines, manuals or reports	Remarks
10	Reports on training of operation of ADR.	4.2.1, 2.2a, p.9		Training for national stakeholders and for trainers provided on 19 August 2019. Training for local dispute mediators delayed and therefore dispute resolution is not yet operational at local level.
11	Report on Stocktake assessing progress of land reforms already initiated.	4.2.1, 3a, p.10	1) SLAM Institutional Stocktake Assessment Discussion paper (September 2018)	
12	Draft plan for harmonising and rationalising institutional arrangements for land governance of non-TDL land.	4.2.1, 3b, p.10	1) SLAM Institutional Reform Options Report (May 2019)	
13	Final Draft Plan for presentation and acceptance by the steering committee.	4.2.1, 3c, p.10		Unable to prepare final draft plan because first draft has not yet been accepted by the Project Steering Committee. Key stakeholders also agreed that the draft plan must also be reviewed by government (Cabinet) and then by traditional authorities (SNC). See 2.4.2 for reasons.
14	Capitalisation and sharing of knowledge related to the implementation of the project.	4.2.1 p.10	https://europa.eu/capacity4dev/sustainable-land-administration-and-management	
15	Inception Report.	7.1, p.17	Inception Report (Final – March 2017)	Submitted earlier to CA and EUD.
16	6-month Progress Report.	7.1, p.18	1) COWI SLAM Interim Progress Report No1 (Final June 2017) 2) COWI SLAM Interim Progress Report No2 (Final October 2017) 3) COWI SLAM Interim Progress Report No3 (Final April 2017) 4) COWI SLAM Interim Progress Report No4 (Final October 2018) 5) COWI SLAM Interim Progress Report No5 (Final May 2019) 6) COWI SLAM Interim Progress Report No6 (pending)	Submitted earlier to CA and EUD.
17	Draft Final Report	7.1, p.18	Submitted 31 July 2019; comments received 12 September 2019.	
18	Final Report	7.1, p.18	This report	
19	Further follow-on project designed and approved to roll out this pilot.	8.1, p.19	1) SLAM Phase 2 Concept Note (September 2018) 2) SLAM Transition Plan (January 2019) 3) SLAM Exit Strategy (January 2019)	(Log frame, objectively verifiable indicator)

Copies of all the above-listed reports, manuals, and guidelines are submitted to the Contracting Authority together (i.e. at the same time) with this Final Report (but not physically attached to this Final Report).

5 Monitoring and evaluation

A baseline survey did not precede the SLAM project and therefore an impact evaluation on food security and land access is not possible until some future time. However, intervention groups (pilot areas) now exist that enable impact evaluation using adjacent areas as control groups.

An independent ROM mission conducted in November 2017 – initiated by EUD concerns about the slow pace of implementation – reported that all indicators with one exception were assessed as either highly satisfactory or satisfactory. Delays to the start of fieldwork caused by the delays in securing the ‘go ahead’ from HMK is the exception and was the concern.

Scoring overview											
Relevance	1.1	1.2	1.3	1.4	1.5	1.6	1.7 a)	1.7 b)	1.7 c)	1.7 d)	1.7 e)
	●	●	●	●	●	●	●	●	●	●	●
Efficiency	2.1	2.2	2.3 a)	2.3 b)	2.3 c)	2.4 a)	2.4 b)	2.4 c)	2.5	2.6	
	●	●	●	●	●	●	●	●	●	●	
Effectiveness	3.1	3.2	3.3	3.4							
	●	●	●	●							
Sustainability	4.1	4.2	4.3	4.4	4.5	4.6	4.7				
	●	●	●	●	●	●	●				

Regarding the question that the pilot project would be unlikely in the time remaining to cover and complete work in all 31 chiefdoms – i.e. chiefdoms that are wholly³¹ or partly within the pilot area *tinkhundla* – the monitoring consultant reported:

“Although a pilot project and work is planned to cover 4 pilot areas, *de facto* 4 *tinkhundla*, this will target 31 chiefdoms. It is not believed that all those selected will agree to participate but 20 plus would be sufficient to provide the required information on the success or failure of the concept”.

All chiefdoms engaged to participate agreed willingly to participate. The initial and ongoing delays – usually as a result of traditional events – and the slower than anticipated rates of daily data collection, meant that revised workplans targeted only thirteen (13) chiefdoms. However, with additional funding provided by the GOE and a 3-month no-cost extension, work commenced in twenty-one (21) chiefdoms and final results delivered to fourteen (14) chiefdoms before the end of TA support to the project.

³¹ Only 2 chiefdoms are wholly within the 4 pilot areas *tinkhundla*.

TA assistance to the project did not achieve delivery of final results and systems to all thirty-one (31) chiefdoms in the four *tinkhundla* (pilot areas) because of reasons mentioned elsewhere that include:

- > Delays to the start of fieldwork caused by the necessity to secure approval of HMK to the project and to meet with chiefdom traditional authorities. Organising and holding these meetings, following customary protocol, also contributed to the delays.
- > Delays caused by numerous traditional events that prevented the holding of inner council and community meetings.
- > Constraints to fieldwork productivity caused by bad weather making some communities inaccessible.
- > Productivity constraints caused by insufficient project vehicles and insufficient resources for additional vehicles, occasional fuel shortages, fixed public service working hours, and travel distance and time from Mbabane to the pilot areas.
- > Absence of many homestead heads on day of data collection necessitating return visits.
- > Low productivity in data collection³².
- > Chiefdom inner councils attempting to resolve all overlapping land recordings, claims and disputes, thereby delaying the results validation process.
- > Chieftaincy disputes that prevented the project working in some areas, for example, in Kagwegwe.

6 Lessons learned

Implementation of the pilot project has clarified several assumptions and risks, providing lessons and experience that are useful for scaling up the project nationally. These are:

- > The approach adopted in the pilot of conforming to protocol for engaging with traditional authorities, especially on land-related matters, and emphasising the benefits of the project to them in their enhanced role of land administrators, has secured political backing for the project. There has been only one instance by one individual who tried to resist implementation of the project. This occurred at a regional meeting to introduce the project to chiefs and the individual tried to prevent the meeting going ahead; fortunately, there were supportive key stakeholders present who persuaded the individual to allow the Cabinet Minister to open and continue with the meeting. To avoid any repetition of such resistance, the presence at meetings of equally influential but supportive stakeholders is recommended.

³² This is beyond the control of the Contractor, as enumerators are not employed by the Contractor.

- > The willingness of chiefdoms to cooperate is manifest in their input at various stages during the data collection process; however, this does not translate into individuals working full-time for up to a month during data collection without payment. Community members readily volunteer to assist if there is a small allowance to cover the cost of lunch.
- > The pilot project reveals that chiefs do not oppose the principle of open land records. Community members have not been prevented or restricted from inspecting the landholding records collected. However, as a condition precedent, the pilot project declared that its outputs would not include certificates for each homestead, but that the registers and records must be open to inspection by community members.
- > In engaging with traditional authorities, emphasising chiefdom ownership of data, and using community members in the project has allayed fears that government's role and motivation is to undermine the authority of the chieftaincy in land matters. The project continues to stress that the project seeks to strengthen the governance role of traditional authorities and provide them, and not central government, with the necessary tools to administer and manage land.
- > The use of technology has helped efficiency and quality in data collection and helped promote the project as a development initiative in line with Vision 2022. Sustaining the technological achievements will, based on the experience to date, require further investments in technical and human capital within a suitable, and sustainable, institutional framework for the administration and management of SNL.
- > Technical and procedural innovations and reforms can be amplified by complementary management reforms. Capacity building must also embrace organisational and personnel management gaps and needs as well as technical ones.
- > And from each 6-monthly progress report, the following lessons were identified:
 - > Progress report no.1 of June 2017:
 - > The onset of the project has reinforced a key lesson: that land tenure is complex, subject to diverse political economy forces, and difficult to change. Motivation for and implementation of change in land tenure and administration therefore requires a measured and careful approach; and this means that progress has also been measured, if not slow. To avoid the outcome that befell the land policy and is stalling the land bill, it is essential to follow the right approach to land matters as required by Swazi law and custom. Therefore, before engaging with traditional authorities and chiefs and implementing the project in any meaningful way, the sanction of his Majesty the King must be secured and communicated.
 - > The second lesson, observed from the work of the Elections and Boundaries Commission and Surveyor General's Department, is that the mapping and delineation of chiefdom areas is not as difficult as first thought; but only if the work is carried out under the direct sanction of HMK. The resolution of overlapping areas and chieftaincy boundary disputes is however, a different matter, the intractability of which still needs to be assessed.

- > A subsidiary but no less important lesson emerging from the work of the SGD in chiefdom mapping relates to the utility of orthophotomaps and identification by the community of landscape features and land uses on these maps. Younger members of the community are familiar with maps and after a brief induction are able to identify features and objects on orthophotomaps. Then, together with older members of the community, these features and objects are attributed. Thus, it may be feasible using a similar approach to prepare draft land use and land rights maps of community areas mostly by map interpretation and without significant amounts of time-consuming fieldwork except in specific necessary cases.
- > Progress report no.2 of October 2017:
 - > Continuing delays in getting meetings with key stakeholders, exacerbated by the project's multi-institutional dimension, political economy issues, and customary protocols, reinforce one of the conclusions made early in the SLAM project and echoed as a key lesson learned from SWADE's implementation of chiefdom development planning "it is important to recognise the tremendous effort and time required to work with traditional authorities and rural communities with regard to land".
- > Progress report no.3 of June 2018:
 - > Cognisant of the resources needed to systematically collect land rights data on a large scale, and the constraints often arising from insufficient counterpart/government resources, COWI originally proposed that community leaders and members be responsible for and undertake field data collection in their areas. However, the assumption made in this proposition subsequently proved invalid because (a) communities' experience and expectations that donors usually provide material incentives, such as stipends, for participation in or working for the project, and (b) that other recent and ongoing projects collected land use data using contracted enumerators. Pro bono use of community members is unrealistic, and therefore funds are needed for local employment. The conclusion and lesson learned here is that projects that involve large-scale data capture must anticipate, identify and may provision for sufficient resources to support fieldwork.
 - > As technical assistance advisers, COWI supports but does not lead the activity for land records data collection. Moreover, the TA project budget does not provide funding for data collection fieldwork, payment of staff, vehicles, etc.; counterpart agencies, particularly the MNRE and MOA, must do so. However, in the current fiscal environment, securing and releasing government funds is a challenge.
- > Progress report no.4 of October 2018:
 - > During this main implementation phase of the project, the principal lesson learned is that to maximise efficiency and productivity in land data collection

and processing requires the right blend of public and private sector inputs. The public sector is often constrained on the supply side, for example by fuel availability, which does not constrain the private sector who generally operate more flexibly. Flexibility, responsiveness and strong project management are key attributes for efficient data collection and processing.

- > Progress report no.5 of May 2019:
 - > Stakeholder counterparts (learnt that): Allowing data collection after public display raises the risk of land grabbing. Someone seeing that land is unclaimed on the public display map, may seek revised or new data collection (claim) to include that land. Because there is no second public display, the community does not have the opportunity to inspect, query or validate the truth of the information submitted, and it may not come to the rightful landholder, the inner council, community elders or other knowledgeable people that the information submitted and the claim for the land is not valid or justified.
 - > The Contractor (learnt that): Amendments or addendums to a contract take a long time to process and approve. A request to extend a contract, for instance, must be submitted and the approval process started, at least 6 months prior to the end of the present contract.

Lastly, the lessons learned with respect to the project design assumptions and risks as given the TOR, are shown in table below.

Table 9: Lessons learned in project design assumptions and risks

TOR Assumption	TOR Risk ranking	TOR Mitigation measures	Outcome lessons
There is political will and consensus to regularise land management.	High	Awareness-raising at Cabinet level, King’s Councils, Land Management Board, Regional Administrators and all of the other bodies that have an influence on land management and administration.	SNL is vested in the <i>Ngwenyamy</i> in trust for the nation; i.e. the land is owned by the King on behalf of all citizens. To secure political consensus it became necessary to seek the explicit approval and support of HMK. After this was achieved, the political will and consensus of all key stakeholders became aligned with HMK’s approval and direction.
The GOS would endorse the Chiefdom boundaries map.	High	Awareness-raising at Cabinet level, King’s Councils, Land Management Board, Regional Administrators and all of the other bodies that have an influence on land management and administration.	Consultations with key stakeholders and the results of the Elections and Boundaries Commission exercise in 2017 to create chiefdom areas maps, indicated that the creation of a definitive chiefdom boundaries map could only be achieved after the completion of landholding mapping in the pilot areas and the endorsement of these maps by HMK.
There is office space and electricity at pilot Tinkhundla	Low	This will be included in the selection criteria for pilot areas.	Work for landholdings data collection, results validation and then training did not require office space nor electricity at each chiefdom in the pilot area tinkhundla.

<i>TOR Assumption</i>	<i>TOR Risk ranking</i>	<i>TOR Mitigation measures</i>	<i>Outcome lessons</i>
Chiefdoms devote sufficient time to the project (despite no pay).	Medium	Project manager to promote awareness for GOS to make provision for relevant project.	Chiefdom inner councils devoted time without pay or provision of refreshments for meetings in the chiefdom. GOE funding enabled the recruitment of contract enumerators for data collection. Addendum no.1 to the TOR provided that local volunteers were paid a lunch allowance when collecting data. Later, with the release of GOE project funds, local volunteers received lunch allowances from this budget.
There are resources to operate arbitration.	Low		Funding would not be required because (a) dispute resolution by mediation had not been implemented during the project because of delays, outside of the control of the Contractor, in providing training to mediators, and (b) local dispute resolution would operate using volunteer mediators.
The principles of land registration are agreed by stakeholders in particular Chiefdoms.	High	Awareness-raising and piloting of land registration with progressive Chiefs.	Based on a communication strategy prepared by the project, the agreement of key stakeholders, starting with HMK, secured agreement to work, and as results appeared, the support and agreement of all pilot area chiefdoms quickly followed.

7 Sustainability

Sustainability and maintenance of the systems and results over the longer term depends to a great extent on adherence to procedures. This is largely a management issue. Institutional/organisational arrangements for this are not yet in place. Continuous oversight, direction, support and training are necessary. The question is by who? In the interim, the SGD will provide support as best as its resources permit. Chiefdom secretaries / land administrators are not expected to maintain the digital records, but they are required, and guidance is provided for this, to insert changes into space provided on each register page and to add new allocations (blank pages are included) and to sketch these new landholdings onto the printed maps. Periodically, these manual additions are collected and updated in the national dataset that is currently held in the SGD.

The success of the SLAM pilot project has motivated stakeholders and the GOE to take ownership of the project, to continue the work, enlarge and sustain the results and benefits, but this will also require, not only escalating land recording activities to all SNL, but also:

- > Clarity and commitment to land policy.

- > Reform and strengthening of land institutions and arrangements.
- > Removing ambiguity about organisational responsibilities.
- > Building capacity in land administration systems, service delivery and human resources.

But perhaps the most critical issue facing Sustainable Land Administration and Management is the question of securing funding or financial resources for scaling-up in the short term to maintain momentum, motivation and support for scaling up the project.

8 Conclusion

The SLAM pilot project has demonstrated the plausibility of strengthening land governance and improving tenure security on SNL with the support of traditional authorities, which for the first time presents real possibilities for advancing long-delayed land policy, law, governance, management and administration progress, and thus removing or reducing many of the recognised constraints³³ to the development of rural livelihood on SNL.

³³ See, for example, IFAD, 2013, *Land and Natural Resources Tenure Security Learning Initiative for East and Southern Africa: Country Report – Swaziland*.

Appendix A SLAM Terms of Reference

ANNEX II: TERMS OF REFERENCE

Technical Assistance support to the Government of Swaziland in Sustainable Land Administration and Management

EuropeAid/136656/IH/SER/SZ

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1. BACKGROUND INFORMATION

1.1. Partner country

Kingdom of Swaziland

1.2. Contracting Authority

Government of the Kingdom of Swaziland, represented by the Principal Secretary, Ministry of Economic Planning and Development

1.3. Country background

The Kingdom of Swaziland is a small country in Southern Africa with a total geographical area of 17364 square kilometres and a population of about 1.08 million people. Nearly 80% of them reside in rural areas.

Swaziland is classified as a lower-middle income country but this is not a true reflection of the country's broadly-defined development status. Despite a relatively high per capita income of about US\$ 5302¹ giving a ranking of 67 out of 181 countries, 63% of the population is estimated to be living below the income poverty line. Swaziland's UN Human Development Index (HDI) ranking is also low and has fallen from 103 in 1990 to 121 in 2010. This is indicative of the major social problems facing Swaziland.

The Swazi economy is relatively diversified compared to other small economies and economic growth annually averaged 1.3% in the past five years. The Gross Domestic Product (GDP) growth target however was 5%. Nominal GDP in 2012 was E 32.4 billion equivalent to around US\$ 3.6 billion and driven mainly by manufacturing, public administration, agriculture and the wholesale trade and retail trade. The country benefits from trade preferences and exports a range of products including sugar, textiles, soft drink concentrates, canned fruit, citrus fruits and zippers². The Swazi economy is also highly dependent on South Africa. Not only is the Swazi Lilangeni pegged to the South African Rand but South Africa accounts for (i) 90% of Swaziland's imports (ii) 60% of exports and (iii) 60 % of its electricity. Swaziland's Southern African Customs Union (SACU) receipts also account on average for 60% of total government annual revenue but these receipts fell in 2010/11 by 49% resulting in a 32% reduction in overall government revenue for that fiscal year. This in turn led to a 14% budget cut in the line ministries except for those of health and education.

Swaziland has the world's highest HIV/AIDs prevalence rate and tuberculosis incidence rate; this co-epidemic resulted in a life expectancy at birth deterioration from 56 years in 1986 to 43 years in 2007. The introduction and subsequent scaling-up of antiretroviral therapy (ART) has however contributed to an improvement in life expectancy at birth in recent years. Over half of Swaziland's population is below the age 20 years and there are estimated to be some 150,000 orphans and vulnerable children (OVCs). There is evidence that fundamental societal changes are taking place with the majority of children being brought up by their mother only (36%), or with no parent at all (33%). Nuclear families now are the minority (22%). This, coupled with the high unemployment rate (28.5% in 2010), has created grave concern for the future.

Swaziland's progress in achieving the Millennium Development Goals (MDGs) has been mixed. Whilst good progress has been made in the areas of universal primary education (MDG 2), malaria prevention and access to antiretroviral drugs (MDG 6), achieving the goals for reducing poverty, unemployment, maternal mortality and the tuberculosis incidence rate has proven to be very

¹ At purchasing power parity (PPP). IMF World Economic Outlook April 2012.

² The loss in 2014 of trade preferences under the African Growth and Opportunity Act (AGOA) will significantly impact exports to the US.

challenging. The country's diminished resource envelope, along with sluggish economic growth, has served to undermine efforts to meet the MDGs by 2015.

Swaziland's development agenda is guided by the National Development Strategy (NDS) which is the 1999 overarching planning framework. Contained within the NDS is the overall vision that 'by the year 2022, the Kingdom of Swaziland will be in the top 10% of the medium human development countries, founded on sustainable economic development, social justice and political stability'. Swaziland has put in place a Poverty Reduction Strategy and Action Programme (PRSAP) to operationalise the NDS. The PRSAP aims to reduce the country's poverty rate to 30% by 2015 and to totally eradicate poverty by 2022. In response to the global and local economic crisis, the policy agenda was also expanded to address emerging development challenges. A 2010 Fiscal Adjustment roadmap was developed focusing on domestic revenue enhancement, expenditure rationalisation and debt management. An Economic Recovery Strategy (ERS) was also prepared in 2011 to support the removal of long-standing impediments to economic activities, which have so far contributed to sluggish economic growth. Growth on its own, however, is insufficient to reduce poverty and inequality.

1.4. Current situation in the sector

1.4.1. Land Resources

There are two basic land tenure forms in Swaziland namely (i) freehold known as Title Deed Land (TDL) which comprises around 25% of the land; and (ii) Swazi Nation Land (SNL) that accounts for 75% of the land and is held in trust by the King for the Swazi Nation. TDL is mainly used for commercial farming with significant areas under irrigation, whilst SNL is mainly used for rainfed cropping and grazing. SNL cropland is allocated by the chiefs to individual households while SNL grazing land is communal. The vast majority of the poorer rural Swazis live on SNL, which is subject to customary law and administration.

Of the total land area only 11% is used for crops, with the remainder used for communal grazing (48%), commercial ranching (19%) and commercial forests (6%). Around 20% of land is used for residential purposes, natural reserves, reservoirs, orchards and gardens. Agricultural yields on SNL have remained low and little attempt is made to control erosion. Investment in land improvements and commercialisation of agriculture on SNL are constrained by the fact that SNL cannot be used as collateral. The co-existence of a dual land administration and management system causes confusion and difficulty in handling land issue litigation. Under the prevailing duality in the legal system on issues of land administration, there are inherent delays in the land dispute settlement. There is therefore an urgent land reform need which may be pursued through the operationalisation of the National Land Policy and the enactment of the Land Bill.

1.4.2 Policy Environment

Efforts to introduce sustainable land management practice on SNL have met with limited success. This is partly attributable to an inadequate regulatory framework. The constitution established the Land Management Board (LMB) to control land use, but the LMB has never had the enabling legislation to make it effective.

The National Land Policy was drafted in 2000 and improved in 2013 but it remains a draft. Land administration is regulated by various pieces of legislation pertaining to SNL and TDL. The draft policy aims to: (i) improve land access and secure tenure; (ii) encourage rational and sustainable land use; (iii) improve productivity, income and living conditions and reduce poverty; (iv) reduce land-related conflict; (v) develop an efficient and effective land administration system; and (vi) encourage land ownership by Swazi citizens. The draft policy introduces new elements including: (i) removal of gender bias in land tenure; and (ii) compensation for expropriation of land ownership or rights to reflect the extent of economic loss. The policy discourages land underutilisation by stipulating that all available land should be utilised for the production of basic foodstuffs, livestock or cash crops. It also provides for sub-leasing or reallocation of unused SNL.

These initiatives however require legislative backing to become effective. A Land Bill which backs up policy has been drafted and is awaiting parliamentary approval. The lack of an agreed and functional land policy and/or a Land Act has stifled the country's implementation of all of the other land-related policies and legislation.

The long delays in approving these pieces of legislation serve to highlight the complexity of the dual governance organisation - modern and traditional - and its current inability to deliver practical solutions to a complex issue. An approach to improved land governance needs a sound technical basis to enable progress to be made within the context of traditional land management.

The main technical issues are the absence of an effective land management recording system, or Cadastre, that can be used for land administration and management by all land-related organisations as well as the lack of demarcation of chiefdom boundaries.

The whole country in the past was delineated into numbered land blocks that are recorded with defined coordinates by the Surveyor General's Office (SGO) and the Deeds Registry. However, chiefdom boundaries are not cadastralised. Also, the record of land assignment under traditional management rests with the memory of the chief and his council members. When land is allocated, the chief or his representative and the elders of the community walk the boundary and lay markers that delineate the area. Whilst this is normally respected by all of the community members, this system however has limitations in providing tenure security and collateral for enterprise borrowing operations.

This Project seeks to support the Kingdom of Swaziland in addressing these challenges through strengthening the analytical tools and capacity necessary for sustainable land administration and management thus bringing together traditional and modern systems.

Another key aspect of achieving sustainable land administration and management is the strengthening of the capacity of both traditional and formal administrative organisations in charge of land administration and management. The analytical and technical ability to deal with land matters is lacking amongst most stakeholders. There is for instance a need for all of the stakeholders to (i) understand the value of evidence-based information to handle data; (ii) conduct policy analysis; and (iii) engage in informed policy debate.

The *draft* Land Bill intends to operationalise the LMB and a fundamental element of the Project would be to review and strengthen the LMB's operational capacity. As envisaged in the draft Land Act, the LMB is intended to be the critical organisation that brings together the traditional and modern land administration bodies.

1.4.3 Consultation with Traditional Authorities

Chiefs are the traditional land administrators but in the contemporary era lack the capacity in carrying out their full mandate on land management issues. The chiefs' authority has been eroded largely due to weaknesses in the SNL's operative legal framework. Consultation with the country's Chiefs across all of the four regions has proved that there is overwhelming community support for the legal definition of chiefdom boundaries. The chiefs in all of the four Regions have indeed expressed their full support for the legal demarcation of chiefdom boundaries. The Chiefs are of the opinion that this intervention is long overdue. Chiefdom boundaries should be cadastralised and clearly demarcated on maps by the Surveyor General. The process should follow the procedures that are used in Title Deed Farm demarcation.

The 1961 Survey Act empowers the Surveyor General to carry out such an exercise on SNL. The cadastralisation of chiefdom boundaries is the only avenue that can be used effectively in halting chiefdom boundary disputes, which have negative impacts on rural development. While there would not be fencing of chiefdom boundaries, they would be legally defined on the ground. In case of a boundary dispute arising between two neighbouring chiefs, the Surveyor General would be called upon to indicate the legally-established boundary lines between the feuding parties. The Chiefs proposed that an independent Chiefdom Boundaries Commission be established at the earliest opportunity and be fully mandated to execute this national task.

1.5. Related programmes and other donor activities

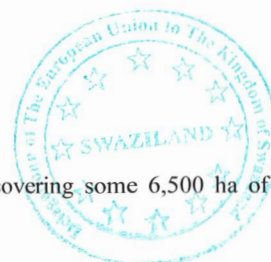
Many efforts have been made to simplify and rationalise land ownership and its administration in Swaziland. These efforts have been well documented in the stocktaking exercise made under the LUSIP³-GEF - Lower Usuthu Sustainable Land Management Project (LUSLM), which is jointly funded by the Government of Swaziland, the Global Environment Facility (GEF) and the International Fund for Agricultural Development (IFAD). LUSLM aims to contribute to reducing land degradation and protect biodiversity through widespread adoption of sustainable land management practices in Swaziland, while also contributing to mitigating and increasing communities' capacity to adapt to the adverse effects of climate change.

The LUSLM project commissioned consultants to draft the above-mentioned Land Bill to consolidate and regularise Swaziland land laws. The road to full political acceptance of such a law involves many stakeholders and may be a long one. The political will and commitment from government ministries to have this policy or legislation finalised has been there over the years. This has been demonstrated by the maintenance of the land policy budget line within the Ministry of Natural Resources and Energy (MNRE).

The present Enhanced capacity for Sustainable Land Administration and Management project forms part of the EU land governance initiative under Food Security Thematic Programme (FSTP) covering ten African countries which was launched in April 2014. The 33 m Euro programme seeks to improve the food and nutrition security of small farmers and vulnerable communities in Sub Saharan Africa, through country level application of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* (VGGT) adopted in 2012 by the Committee of World Food Security (CFS). These guidelines were seen as a major step forward by the international community to improve global land governance. Land governance is a challenge particularly for smallholder farmers who often struggle to gain recognition for a communal area or agricultural investment. Many countries suffer from the lack of a transparent and effective land ownership system with no public registration system. Setting up a clear legislative framework for land registration and governance in this context is crucial. It is recognised that the land ownership issue will become increasingly important as the world population is expected to exceed 9 billion by 2050. Additional pressure is also put on land through (i) food and bio-fuel production and (ii) climate change and the importance of preserving forest basins. The EU land governance initiative is currently rolled out in Angola, Burundi, Côte d'Ivoire, Ethiopia, Kenya, Malawi, Niger, Somalia, South Sudan and Swaziland.

The current EU national programme is the 11th EDF National Indicative Programme (2014-2020) which was signed in 2014. It allocates EUR 40 m to Agriculture with an emphasis on food security and seeks to address the national institutional, production and marketing challenges while promoting environmentally sound agricultural practices that mitigate and adapt to the changing climate. A first project was signed early 2015 (High Value Chain and Horticulture project), a second is approved (Water Harvesting, Small and medium Earth Dam Project) and another one is under preparation (support to livestock and dairy value chain). The NIP foresees under Specific objective 1 that "Regulatory framework for land and water access [be] reviewed and implemented" and under Specific objective 2 that "Access to land and water [be] improved avoiding deforestation and land degradation". The prepared 11th EDF projects do not directly address the land aspects so far beyond the use of the chieftdom development planning (CDP) and consolidation of land models under the first two projects and the range management activities foreseen under the third project.

³ LUSIP - Lower Usuthu Smallholder Irrigation Project. A multi donor funded project covering some 6,500 ha of smallholder irrigation development.



2. OBJECTIVE, PURPOSE & EXPECTED RESULTS

2.1. Overall objective

The overall objective of the project of which this contract will be a part is as follows:

"To improve the security of tenure and access to land for the rural poor, thereby improving food security".

2.2. Purpose

The purpose of the project is as follows:

"To provide tools and capacities for sustainable land administration and management at national, regional and chiefdom level".

The purpose of the Technical Assistance services contract is to support the implementation of the project.

2.3. Results to be achieved by the Contractor

The expected results are as follows:

Result 1: Tools are developed and used for more efficient Land Administration of Swazi Nation Land at National and Inkhundla level.

Result 2: Relevant stakeholders capacitated to use the cadastre and manage Swazi Nation Land more efficiently and sustainably.

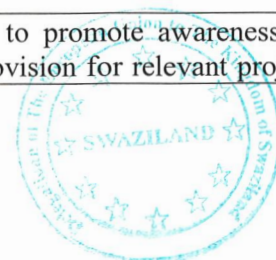
Result 3: Institutional arrangements for non-Title Deed Land⁴ / SNL are reviewed and stakeholders accept the recommended revised arrangements.

3. ASSUMPTIONS & RISKS

1.1. Assumptions underlying the project, Risk Analysis and Mitigation

Assumptions	Risk Ranking	Mitigation Measures/Remarks
There is political will and consensus to regularise land management.	High	Awareness-raising at Cabinet level, King's Councils, Land Management Board, Regional Administrators and all of the other bodies that have an influence on land management and administration.
The GOS would endorse the Chiefdom boundaries map.	High	Awareness-raising at Cabinet level, King's Councils, Land Management Board, Regional Administrators and all of the other bodies that have an influence on land management and administration.
There is office space and electricity at pilot Tinkhundla.	Low	This will be included in the selection criteria for pilot areas.
Chiefdoms devote sufficient time to the project (despite no pay).	Medium	Project manager to promote awareness for GOS to make provision for relevant project-

⁴ Non-TDL includes Swazi Nation Land, Crown and Concession Farms.



There are resources to operate arbitration.	Low	related costs under the Ministry of Tinkhundla budgets for the project as appropriate.
The principles of land registration are agreed by stakeholders in particular Chiefdoms.	High	Awareness-raising and piloting of land registration with progressive Chiefs

4. SCOPE OF THE WORK

4.1. General

4.1.1. Project description

The project is a component of the EU land governance initiative under the Food Security Thematic Programme (FSTP) covering ten African countries, which was launched in April 2014. The Programme aims at: (i) the provision of property rights to the poor and food insecure in general; and (ii) the strengthening of land governance in particular. The FSTP and this project aim specifically to address a key constraint to eradicating poverty i.e. the lack or absence of property rights namely land tenure security. The EU underwrites the premise that land tenure arrangements that recognise farmers' ownership and access rights are essential to (i) achieve efficient, sustainable and inclusive agriculture; and (ii) promote societal human rights and peace.

The project will support the Government to strengthen SNL administration and make land information more widely accessible and utilised. Information on SNL landholdings will inform the process for defining the 385 chiefdom boundaries in Swaziland. Four Tinkhundla⁵ will be selected to pilot a system of recording past land allocations and present-day land use that will provide clarity and greater certainty on landholdings. (result 2). The project will also seek to create awareness and acceptance of the role that the Land Management Board will play in a streamlined sustainable land management system (result 3).

The project also seeks to help farmers, and especially women, to make a living and feed their families without fear of losing their property. It is therefore required to ensure that guidelines and voluntary processes are embedded into local practice and governance, national policies and eventually into legislation. The activities of this new project include as recommended by the VGGT:

- Development of new land registration tools and digital land registry techniques⁶;
- Support to local organisations and civil society in making farmer groups⁷ aware of their land rights so that they are able to be maintained; and
- Putting in place of best-practice measures to make land use legitimate through for example the delineation of landholdings and compilation of land records that help secure land rights.

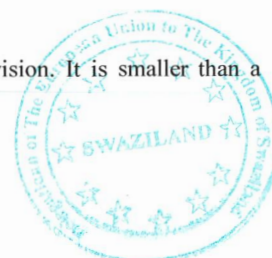
4.1.2. Geographical area to be covered

Whilst the development of Land Administration tools and of institutional arrangements, including capacity building at national level would be nationwide, the piloting and capacity building at inkhundla and local level would by design have a more limited geographical coverage. The four

⁵ In Swaziland, an inkhundla (plural: tinkhundla) is an administrative and political subdivision. It is smaller than a district but larger than an umphakatsi (or "chiefdom"). There are 55 tinkhundla in Swaziland.

⁶ For example through satellite images.

⁷ Particularly women and young people.



pilot areas have not yet been selected. This is a key aspect to be determined during the inception phase of this contract.

4.1.3. Target groups

The target groups or beneficiaries include SNL households, chiefs and chiefdom councils, the Ministry of Economic Planning and Development (MEPD) as the contracting authority, the MNRE, the Ministry of Agriculture (MoA) and the Swaziland Water and Agricultural Development Enterprise (SWADE) as the champion of land consolidation and the chiefdom development planning (CDP) models. MNRE and MoA/SWADE in particular would benefit from capacity building and general assistance under these services.

4.2. Specific work

The objective is to provide a multidisciplinary team of experts to be placed strategically at stakeholder institutions to bolster implementation, build on achievements and assist the combined efforts of all stakeholders to contribute to achieving improved access to land and water in line with the objectives of the 11th EDF NIP.

4.2.1. Activities

Under the direction of the Steering Committee and working closely with the Department of Land Use Planning of the Ministry of Agriculture (MoA), SWADE and the Surveyor General (SG) of the MNRE, the team of experts are required to provide the following services:

Under Result 1: Tools are developed and used for more efficient Land Administration of Swazi Nation Land at National and Inkhundla level.

Indicative activities:

1.1 Cadastral mapping

- 1.1.1 Review aerial survey needs and design.
- 1.1.2 Procurement of aerial survey services as needed⁸.
- 1.1.3 Train potential users on how to read and interpret maps⁹.

1.2 Land allocation and registration system

- 1.2.1 Develop a system of land identification and recording that will be piloted in four Tinkhundla.
- 1.2.2 Develop alternative dispute resolution (ADR) processes.
- 1.2.3 Integrate into CDP Methodology
- 1.2.4 Prepare operational guidelines for the recording system
- 1.2.5 Prepare ongoing training programme.

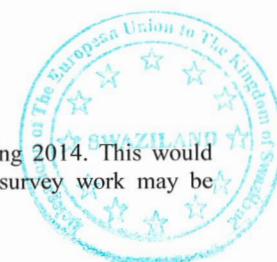
Expected outputs:

1.1 Cadastral mapping

- a) Aerial photography/survey data needs identified
- b)

⁸ Under bi-lateral assistance from the Republic of China, aerial survey work was initiated during 2014. This would enable the Surveyor General to update the cadastre with orthophoto maps. Additional aerial survey work may be required.

⁹ Thereby enabling wider access to them for the general public and relevant institutions.



1.2 National Land Recording System for Non-TDL

- a) Maps of chiefdom landholdings and land use
- b) Documented landholding recording tools
- c) Computer-based land records system
- d) Documented ADR tools

Under Result 2: Relevant stakeholders capacitated to use the cadastre and manage Swazi Nation Land more efficiently and sustainably.

Indicative activities:

2.1 National Level

- 2.1.1 Sensitise governance organisations on value of information and evidence for decision-making.
- 2.1.2 Prepare Manuals¹⁰ for decision-making.

2.2 Inkhundla level (four pilots)

- 2.2.1 Secure agreement to work in 4 Inkhundla.
- 2.2.2 Set up appropriate office facilities
- 2.2.3 Sensitise Chiefdom and Inkhundla staff on constitutional provisions.
- 2.2.4 Train and mentor Chiefdom staff in mapping, data collection and record keeping.
- 2.2.5 Set up ADR system at appropriate level.
- 2.2.6 Train personnel in operation of ADR.
- 2.2.7 Handover systems at end of project.

Expected Outputs:

2.1 National Level

- a) Reports on training/sensitisation of land governance organisations on value of information and evidence for decision-making.
- b) Manuals

2.2 Inkhundla Level

- a) Reports on training/sensitisation of Chiefdom and Inkhundla staff in data collection, mapping and record keeping
- b) Documented Dispute Resolution System.
- c) Reports on training of operation of ADR.

Under Result 3. Institutional arrangements proposed reforms for non-Title Deed Land / SNL are accepted by stakeholders.

Indicative activities:

- 3.1.1 Carry out stock-take assessing progress of land reforms already initiated.
- 3.1.2 Develop draft plan for harmonising and rationalising institutional arrangements for land governance of non-TDL and present at workshop.
- 3.1.3 Present revised Plan to other stakeholder¹¹ consultations.

¹⁰ One for training and one for the registration system.

¹¹ Including the Swaziland National Council, Ludzidzini Council, LMB, Principle Secretaries and Chiefs.



3.1.4 Develop Final Draft for institutional arrangements for non-TDL for presentation and acceptance by the steering committee. Strengthen national¹², regional and local organisations as per recommendations.

Expected Outputs:

- a) Report on Stock-take assessing progress of land reforms already initiated.
- b) Draft plan for harmonising and rationalising institutional arrangements for land governance of non-TDL land¹³.
- c) Final Draft Plan for presentation and acceptance by the steering committee.

The activities under Result 1 will be carried out in close collaboration with the staff of the Surveyor General's Department and the LMB under the MNRE.

The activities under Result 2 will be carried out in close collaboration with the staff of the Department of Land Use Planning of the MoA.

The Team Leader and technical staff must establish these vital working relationships and establish agreed work plans, including budgeting the use of the incidental expenditure budget.

There will also be a separate service contract for the aerial survey, as needed, and a supply contract for the procurement of information technology¹⁴ and global positioning system (GPS) technology, the procurement of which is expected to be supported by the team of experts.

The Contractor shall ensure the capitalisation and sharing of knowledge related to the implementation of the project. It concerns observations of technical and pedagogical value, which are interesting for other professionals, and which do not infringe with the obligations of article 14 of the General Conditions of the Contract. For sharing such information, the Contractor shall use the capacity4dev.eu web platform.

4.3. Project management

4.3.1. Responsible body

The representative of the Contracting Authority for this project is the Principal Secretary of MEPD.

4.3.2. Management structure

The project will be overseen by the MoA through an MOU with SWADE and the SG's Office. The MOU will clearly delineate the responsibilities of the TA team within SWADE for Results 2 and 3 and within SG's Office for Result 1. The services for Results 2 and 3 will mainly be provided at the LUSLM office at Siphofaneni and for Result 1 at the SG's office in MNRE.

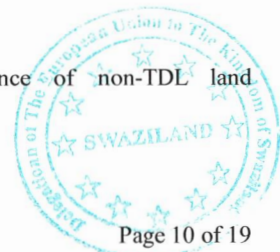
The Principal Secretary of MoA through the CEO of SWADE will ensure proper oversight of the TA team's and the SWADE counterpart team's activities and outputs on a day to day basis. SWADE will in turn appoint its Project Manager of the Lower Usutu Sustainable Land Management Project (LUSLM) to manage and supervise the project supported by the TA services on a day-to-day basis and to report to its CEO.

A Project Steering Committee (PSC), which shall meet at least quarterly, will oversee and validate the overall direction and policy of the project and monitor the project's progress. Its members

¹² Particularly the LMB.

¹³ For harmonising and rationalising institutional arrangements for land governance of non-TDL land presented/validated at workshop.

¹⁴ For inter alia computers, specialised printers and servers.



include:

- The Principal Secretary MNRE or senior representative (Co-chair)
- The Principal Secretary MoA or senior representative (Co-chair)
- The Principal Secretary MEPD or senior representative
- The Principal Secretary Ministry of Tinkhundla Administration and Development (MTAD) or senior representative
- The Surveyor General (SG) or senior representative
- The Chairman of the Land Management Board (LMB) or other board member.
- The Director of the Swaziland Environmental Agency (SEA)
- The Director of the Swaziland National Trust Commission
- Representatives of NSA and Civil Society (to be decided by the Steering Committee)
- Representative of EU Delegation in Swaziland (observer)
- Other Development Partners may be represented as observer, as appropriate.

The Project Manager of the LUSLM will attend all PSC meetings and will provide Secretariat Services to the PSC with the support of the Team Leader and use of incidental expenditure under these services.

The TA under these services will partake in all of the coordination and management structures and be available as advisors to the MoA, SWADE, MNRE, ACMS, and the PSC. The Team Leader is also expected to attend any periodic MNRE planning meetings. The TA Team will have no decision-making power. All of project decisions will be made by the Contracting Authority in consultation with stakeholders and the EU Delegation.

4.3.3. Facilities to be provided by the Contracting Authority and/or other parties

The Contracting Authority will assist the Contractor in obtaining the necessary work permits for its experts and the appropriate exemptions to VAT and customs duty within the limit of the national legislation in force in Swaziland.

5. LOGISTICS AND TIMING

5.1. Location

The project location will be the LUSLM offices at Siphofaneni for Results 2 and 3 and the SGs Office with MNRE in Mbabane.

The services shall involve frequent internal travel by all experts. Swaziland however is a small country and most internal travel for work and meetings may be undertaken as a day trip i.e., it is rarely necessary to overnight away from the main office and lodgings. There may be some limited regional and international travel in the context of attendance at conferences and seminars or in the context of the project stakeholder missions to bench mark against achievements in the sub-region or internationally¹⁵. Such missions shall be provided for under incidental expenditure subject to the Contracting Authority's prior approval. Some of the Project's short-term experts may also be engaged to undertake missions on behalf of the Project in other countries. In all cases involving international travel prior approval from the Contracting Authority will be required.

¹⁵ The project is a component of the EU Land Governance Initiative under Food Security Thematic Programme (FSTP) covering ten African countries.

5.2. Start date & period of implementation

The intended start date is May 2016 and the period of implementation of the contract will be 36 months from this date. Please see Articles 19.1 and 19.2 of the Special Conditions for the actual start date and period of implementation.

The contracting authority may at its own discretion extend the project in duration and/or scope subject to funding availability up to a maximum not exceeding the length and value of the initial contract. Any contract extension would be subject to the contractor's satisfactory performance.

6. REQUIREMENTS

6.1. Staff

Note that civil servants and other staff of the public administration, of the partner country or of international/regional organisations based in the country, shall only be approved to work as experts if well justified. The justification should be submitted with the tender and shall include information on the added value the expert will bring as well as proof that the expert is seconded or on personal leave.

6.1.1. Key experts

Key experts have a crucial role in implementing the contract. These terms of reference contain the required key experts' profiles. The tenderer shall submit CVs and Statements of Exclusivity and Availability for the following key experts:

Key expert 1: Institutional Adviser/Team Leader (600 days over 3 years)

Qualifications and skills

- Post Graduate Degree in a relevant discipline (such as natural resource management, rural development, agriculture, agriculture economics, business administration) or 5 years additional experience above the general professional experience indicated below.
- Excellent analytical, interpersonal and problem-solving skills as well as the ability to bring alternative thinking to an organisation.
- Fluency in both written and spoken English. Fluency in SiSwati or ability to provide efficient translation services will be an advantage.
- Computer literate (word processing, spreadsheets, presentation software).

General professional experience

- At least 10 years experience in the design, management and supervision of rural development projects.
- At least 5 years experience leading multidisciplinary teams and coordinating with public and private sector stakeholders.
- Practical experience with donor-funded projects and programmes.

Specific professional experience

- Previous experience coordinating a national team well versed in land matters and traditional authority structures
- A wealth of experience in Sub-Saharan Africa with particular focus on land policy, land legal issues

Previous experience in organisational development and institutional capacity building

- Knowledge of EU/EDF procedures is desirable.

- Proven experience in capacity building and training for project administration and monitoring and supervision.

Key expert 2: Surveyor (55 days over one year)

Qualifications and skills

- University degree or professional qualification in surveying.
- Excellent analytical skills.
- Fluency in both written and spoken English.
- Computer literate (word processing, spreadsheets, presentation software).
- Good reporting and presentation skills.

General professional experience

- At least 10 years practical work experience relevant to the assignment (surveying).
- Preferably 10 years but no less than 5 years working experience in developing countries.
- Experience in national level cadastre, mapping and other relevant land survey technology.

Specific professional experience

- Experience in the preparation and review of technical designs for surveying.
- Knowledge of land surveying standards and relevant regulations within Swaziland and/or the SADC region would be an asset.

All experts must be independent and free from conflicts of interest in the responsibilities they take on.

6.1.2. Non key experts

CVs for experts other than the key experts are not examined prior to the signature of the contract and therefore shall not be included in tenders.

Expert 3: Senior Trainer (60 days over two years)

Qualifications, skills and professional experience

- Post Graduate Degree in a relevant discipline (such as training, land management and administration) or 5 years additional experience above the general professional experience indicated below.
- Ability to work in and develop team-approach.
- Fluency in both written and spoken English.
- Computer literate (word processing, spreadsheets, presentation software);
- At least 10 years' experience in training, management and institutional development.
- Proven experience in capacity-building and training, with good knowledge of land matters.
- Experience in training or mentoring counterparts in technical and procedural issues of land surveying projects.
- Experience in field level operations and project implementation and knowledge of Swaziland land administration is desirable.

- Previous work and/or consulting experience in Sub-Saharan Africa would be an advantage.

Expert 4 - Junior Trainer (50 days over two years)

Qualifications, skills and experience

- Degree in a relevant discipline (such as training, rural development) or 5 years additional experience above the general professional experience indicated below.
- Ability to work in team-approach.
- Fluency in both written and spoken English and siSwati
- Computer literate (word processing, spreadsheets);
- At least 5 years' experience in training, management and organisational development.
- Proven experience in capacity-building and training with good knowledge of land matters.

Expert 5 - Local Tinkhundla Advisor (2 experts of 1200 days in total over three years)

Qualifications, skills and experience

- Degree in a relevant discipline (such as public administration, agriculture, rural development) or 5 years additional experience above the general professional experience indicated below.
- Ability to work in team-approach.
- Fluency in both written and spoken English and siSwati
- Computer literate (word processing, spreadsheets);
- Professional experience in field level operations and project implementation and knowledge of Swaziland land administration.

Additional Short-term Experts [Senior] (80 days - as required)

Qualifications, skills and professional experience

- Relevant university degree or 5 years' experience additional to below.
- 10 years professional working experience in a field relevant to the assignment.
- Previous consulting experience.
- Fluency in written and spoken English.
- General and specific experience as indicated for the assignment.

Additional Short-term Experts [Junior] (94 days - as required)

Qualifications, skills and professional experience

- Relevant university degree or 5 years' experience additional to below.
- 5 years professional working experience in a field relevant to the assignment.
- Previous consulting experience would be an advantage.
- Fluency in written and spoken English.
- Fluency in SiSwati may be required for some assignments.
- General and specific experience as indicated for the assignment.

CVs for non-key experts should not be submitted in the tender but the tenderer would have to demonstrate in their offer that they have access to experts with the required profiles.

The Contractor must select and hire other than non key experts as required by the project according to the profiles identified in the Organisation & Methodology and/or these Terms of Reference. It must clearly indicate the experts' profile so that the applicable daily fee rate in the

budget breakdown is clear. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

The selection procedures used by the Contractor to select these other experts would be transparent, involve the relevant stakeholders and would be based on pre-defined criteria including professional qualifications, language skills and work experience. The selection panel findings would be recorded and the selected experts would be subject to Contracting Authority approval.

All short-term experts and additional experts would also require a transparent mobilisation involving the stakeholders and prior approval from the Contracting Authority with regard to CVs, the Terms of Reference and duration of assignments. All experts must be independent and free from conflict of interest in the responsibilities they take on.

6.1.3. Support staff & backstopping

The Contractor will provide support facilities to their team of experts (back-stopping) during the implementation of the contract.

Backstopping and support staff costs must be included in the fee rates.

6.2. Office accommodation

Office accommodation of a reasonable standard and of approximately 10 square-metres for each expert working on the contract is to be provided by the institutions where the experts are to be placed.

The experts will be accommodated within their respective counterpart institutions: the Surveyor in the office of the Surveyor General in MNRE, and the other team members in the offices of SWADE in Siphofaneni. The Tinkhundla advisors will be working part of the time in the offices of selected pilot Tinkhundla.

6.3. Facilities to be provided by the Contractor

The Contractor must ensure that experts are adequately supported and equipped. In particular it must ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support their work under the contract and to ensure that its employees are paid regularly and in a timely fashion.

The Contractor shall make adequate provision for team mobility to ensure that the consultants are independently mobile including transport of trainees.

The Contractor within the fee rates shall provide vehicles and vehicle operating costs. The TL would need to have fulltime use of station wagon with off-road capability, whilst each of the two Tinkhundla advisers require a small pick-up. The Surveyor needs to have the full use of a 4-WD double cabin pick-up when on assignment.

Office facilities provided will not necessarily be equipped with furniture, fittings, landline phones or internet connections. The Contractor shall therefore provide office furniture and communication facilities for experts.

Therefore, the Contractor would ensure that all of the experts would be equipped with general office furniture and equipment including desks, bookshelves, filing-cabinets, computers, printers, scanners, fax, projectors, mobile phones, air time allowances and sufficient stationary supplies for training and reporting during the period of the services.

If the Contractor is a consortium, the arrangements shall allow for maximum flexibility in project implementation. Arrangements offering each consortium member a fixed percentage of the work to be undertaken under the contract is to be avoided.

6.4. Equipment

No equipment is to be purchased on behalf of the Contracting Authority / partner country as part of this service contract or transferred to the Contracting Authority / partner country at the end of this contract. Any equipment related to this contract that is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

6.5. Incidental expenditure

The provision for incidental expenditure covers ancillary and exceptional eligible expenditure incurred under this contract. It cannot be used for costs that should be covered by the Contractor as part of its fee rates, as defined above. Its use is governed by the provisions in the General Conditions and the notes in Annex V to the Contract. It covers:

- Travel costs and subsistence allowances for missions, outside the normal place of posting, undertaken as part of this contract. If applicable, indicate whether the provision includes costs for environmental measures, for example CO₂ offsetting.
- Cost arising from workshops and training arrangements for beneficiary stakeholders, if such arrangements cannot be hosted by the beneficiary, including venue rental, catering, transportation, travel costs of guest speakers, logistics and similar expenses.
- Cost of production of information or publication of materials for beneficiaries or stakeholders such as fact-sheets, brochures, information material, advertisements including publication of tenders for EU-funded activities related to the project, production costs of interactive and audio-visual materials or similar expenses. The costs for the required reports, such as inception reports, 6-monthly progress reports, draft final and final reports must be covered by the Consultant within the experts' fee rates.
- Cost relating to exhibitions, local promotion of programme events and activities.
- Other costs relating to supporting stakeholders' fieldwork activities for collecting landholding data, as approved by the Contracting Authority.

The provision for incidental expenditure for this contract is EUR 100,172.98. This amount must be included unchanged in the Budget breakdown.

Daily subsistence costs may be reimbursed for missions foreseen in these terms of reference or approved by the Contracting Authority, and carried out by the contractor's authorised experts, outside the expert's normal place of posting.

The per diem is a flat-rate maximum sum covering daily subsistence costs. These include accommodation, meals, tips and local travel, including travel to and from the airport. Taxi fares are therefore covered by the per diem. Per diem are payable on the basis of the number of hours spent on the mission by the contractor's authorised experts for missions carried out outside the expert's normal place of posting. The per diem is payable if the duration of the mission is 12 hours or more. The per diem may be paid in half or in full, with 12 hours = 50% of the per diem rate and 24 hours = 100% of the per diem rate. Any subsistence allowances to be paid for missions undertaken as part of this contract must not exceed the per diem rates published on the website.

http://ec.europa.eu/europeaid/funding/about-calls-tender/procedures-and-practical-guide-prag/diems_en - at the start of each such mission.

The Contracting Authority reserves the right to reject payment of per diem for time spent travelling if the most direct route and the most economical fare criteria have not been applied.

Prior approval by the Contracting Authority for the use of incidental expenditure is not needed with the exception of expenditure for regional and international travel in the context of attendance at conferences and seminars or in the context of the project stakeholder missions to benchmark against achievements in the sub-region or internationally (see section 5.1 above).

6.6. Lump sums

No lump sums are foreseen in this contract.

6.7. Expenditure verification

The provision for expenditure verification covers the fees of the auditor charged with verifying the expenditure of this contract in order to proceed with the payment of any pre-financing instalments and/or interim payments.

Expenditure verification provision covers the fees of the auditor charged with verifying the expenditure of this contract in order to proceed with the payment of any pre-financing instalments and/or interim payments.

The provision for expenditure verification for this contract is EUR 30,000. This amount must be included unchanged in the Budget breakdown.

This provision cannot be decreased but can be increased during execution of the contract. Expenditure verification provision relates to the fees of the auditor who has been charged with the contract expenditure verification in order to proceed with the payment of further pre-financing instalments if any and/or interim payments if any.

7. REPORTS

7.1. Reporting requirements

Please see Article 26 of the General Conditions. Interim reports must be prepared every six months during the period of implementation of the tasks. There must be a final report, a final invoice and the financial report accompanied by an expenditure verification report at the end of the period of implementation of the tasks. The draft final report must be submitted at least one month before the end of the period of implementation of the tasks. Note that these interim and final reports are additional to any required in Section 4.2 of these Terms of Reference.

Each report must consist of a narrative section and a financial section. The financial section must contain details of the time inputs of the experts, incidental expenditure and expenditure verification.

To summarise, in addition to any documents, reports and output specified under the duties and responsibilities of each key expert above, the Contractor shall provide the following reports:

Name of report	Content	Time of submission
Inception Report	Analysis of existing situation and work plan for the project	No later than 2 months after the start of implementation

6-month Progress Report	Short description of progress (technical and financial) including problems encountered; planned work for the next 6 months.	No later than 1 month after the end of each 6-month implementation period.
Draft Final Report	Short description of achievements including problems encountered and recommendations.	No later than 1 month before the end of the implementation period.
Final Report	Short description of achievements including problems encountered and recommendations;	Within 1 month of receiving comments on the draft final report from the Project Manager identified in the contract.

7.2. Submission & approval of reports

Two (2) copies of the reports referred to above must be submitted to the Contracting Authority. The reports must be written in English. The Contracting Authority is responsible for approving the reports. Two (2) copies each of the reports must also to be submitted to the MoA and the EU Delegation.

8. MONITORING AND EVALUATION

8.1. Definition of indicators

The Logframe Indicators are as follows:

	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Means of verification</i>	<i>Assumptions</i>
Overall Objective	To contribute to improving land use and access for the rural poor thereby improving food security.	Food security improves by 10% in the pilot areas 3 years after the end of the project.	Agricultural census statistics.	No adverse impacts of climate change or other external factors or events.
Specific Objective	To provide tools and capacities for sustainable land administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	Updated land records available to chiefs, communities, traditional authorities, and others by the end of the project. Expected 5% decrease in land conflicts by project end.	Project reports. <i>Tinkhundla</i> and chiefdom records.	Key stakeholders endorse landholding maps and records, and local land administration systems become operational. No adverse effects of climate change or land pressures due to new allocations.



	<i>Intervention logic</i>	<i>Objectively verifiable indicators</i>	<i>Means of verification</i>	<i>Assumptions</i>
Expected Results	Result 1 Tools developed and used for more efficient SNL administration at chiefdom, <i>tinkhundla</i> , regional, and national, levels.	By the end of the project: Pilot area chiefdom landholding maps and records created and available at chiefdom level. Single recognised system for SNL land administration. Land information system in place and operational to guide land allocation, planning and development in pilot areas.	Stakeholder reports. Project reports.	Government and traditional authorities accept land use and landholding maps and records of SNL. Land information collected is then maintained and used effectively.
Expected Results	Result 2 Relevant stakeholders capacitated to use the cadastre and manage SNL more efficiently and sustainably.	By the end of the project: Four <i>tinkhundla</i> with land administration system operating within Chiefdoms. Chiefdoms in four <i>tinkhundla</i> able to operate system in self-sustainable manner. Alternative dispute resolution operating effectively at all levels.	Project reports. Region and <i>tinkhundla</i> reports.	<i>Tinkhundla</i> and chiefdoms agree to pilot scheme.
Expected Results	Result 3 Institutional arrangements for SNL accepted by stakeholders.	Recommendations made and accepted by Project Steering Committee by the end of the project. Further follow-on project designed and approved to roll out this pilot.	Project reports.	Pilot projects are successful.

8.2. Special requirements

The work hours of the experts are those of the Government of Swaziland, which are currently based on a 5-day week, Monday to Friday.

Experts may work on weekends or public holidays only in exceptional duly substantiated cases upon a prior written request, and the prior written approval of the institution where the expert is placed followed by the Contracting Authority.

* * *



Appendix B Implementation Approach and Methodology

At the request of the Contracting Authority in their comments on the draft version of this report, the revised project implementation Approach and Methodology from the Inception Report is included here.

3.1 Approach

68) Discussions held and feedback received during the inception phase suggests that our original proposed approach remains valid and is appropriate. There is strong ownership of the project on the part of key stakeholders, so our role is clearly supportive and advisory. There is also widespread backing for the project and particular aspects of it.

69) A considered and careful engagement with stakeholders remains an important operating principle; land matters are highly sensitive, and protocol must be observed, and all stakeholders must be consulted and in the proper, required order. The intervention approach will build on achievements, such as the delineation and mapping procedures used in chiefdom development planning, and on local and wider lessons learned.

70) Concerns about the project and its objectives do exist, however. For some stakeholders, the sensitivity and political economy of land is a clear disincentive to participation and support, because of either their own conservatism or the likely difficulties. Addressing these concerns requires tenacity and a different, more nuanced approach.

71) In particular, the question of chiefdom boundaries with chiefs themselves is highly sensitive and needs tactical and tactful handling. Although the project deals with chiefdom boundaries, this objective cannot be approached 'head-on'. It must be achieved indirectly, and as a consequence of other activities, such as land use mapping and household data collection done in a similar way to chiefdom development planning, whereby facts are collected, and they culminate in inescapable conclusions about the spatial relationships between chiefdom areas. Boundary delineation is a result but not the object, and therefore the word "boundaries" can be avoided in the initial dialogue with tinkhundla, chiefs, and communities.

72) The intervention approach should differ from the approach to reform used in developing the land policy and in the institutional reforms proposed in the land bill. Both the land policy and land bill may be perceived as top down, central government initiatives that seek to impose change on, and therefore undermine, customary law and tradition. Alternatively, by emphasising a bottom up approach, from the perspective and need of SNL communities, the project may be perceived differently, as strengthening customary institutions and not undermining them.

73) The SLAM project must build linkages with chiefdom development planning through the MTAD and with commercialisation of smallholder agriculture through progressive chiefdoms. The approach requires the support of high traditional authorities. To achieve this and 'grassroots' support, the project intervention must be aligned with customary

practices and promote incremental, evolutionary reforms rather than radical, revolutionary reforms. The proposed methodology and revised work plan adopted this non-prescriptive approach.

3.2 Methodology

74) Result area 1 – a revised approach to the work plan would:

- > Adopt and adapt SWADE's method for delineation of chiefdom boundaries, emphasising data collection, working from the part (sections) to the whole (chiefdom), and be non-interventionist. This means that community or 'crowd-sourced' boundary delineation is not agreed nor demarcated, at least initially. The cadastral survey, in terms of the Land Survey Act and Regulations, will follow later when the community and traditional authorities have validated the map. Where there are disagreements or disputes, these may be resolved using the mediation or alternative dispute resolution mechanisms developed under the project. Unresolvable disputes are referred to higher authorities, and the cadastral survey postponed.
- > A recognised method of participatory mapping identifies and locates homesteads and their arable fields. A record or register of these and all common, community and other uses of land is compiled. Ideally, the register is kept at local, chiefdom level. It is copied and consolidated with other registers at inkhundla and higher administrative levels. Tools and guidance for compiling and maintaining the register are developed, including in computerised format for use at the lowest level possible where practicable.
- > Tools are developed from customary methods, rules and norms for the resolution of boundary, land allocation and other prevalent land related disputes. Principles of mediation are encouraged; more formal process of arbitration or adjudication would be discouraged until later and after less formal methods have been tried.

75) Result area 2 – a revised approach to the work plan would:

- > Prepare communications materials relevant for each stakeholder group (government organisations working in different sectors) highlighting linkages and complementarity of SLAM to their work and advantages of land information. Established protocol will dictate the sequencing and timing of meetings and seminars.
- > Prioritize the views of key stakeholders, foremost the Regional Administrators, in the selection of a pilot inkhundla in each of the four regions. Selection would use a framework of criteria weighted as listed paragraph 25).

On the advice and input of Regional Administrators (RAs), a shortlist of potential tinkhundla in each region is prepared. Meetings are then held with each inkhundla council and an assessment made using the selection criteria. This assessment is taken back to the RA and a decision is made on the pilot area.

- > Development of a dispute resolution system should combine elements of both Swazi law and custom and 'western' forms. Mediation (agreement) rather than arbitration or adjudication (compulsion) should be preferred.

76) Result area 3 – a revised approach to the work plan would:

- > Emphasise an evolution and not radical transformation of institutions. Swazi law and custom is a strong socio-political foundation on which functional structures can be built, together with linkages to statutory law and formal government that then becomes more accessible and relevant to rural communities. A holistic approach to incremental reform brings traditional and modern systems closer together, identifying and incorporating the strengths of both, building a unitary institutional system of land administrative law and management. This would require, however, complementary actions to reform formal land administration systems, which may fall outside the scope of the SLAM project.

Principal Secretary
Aid Coordination Management Section (ACMS)
Ministry of Economic Planning and Development
Annex Building, Hospital Hill, P. O. Box 602
Mbabane, Swaziland

ADDRESS COWI A/S
Parallevej 2
2800 Kongens Lyngby
Denmark

TEL +45 56 40 00 00
FAX +45 56 40 99 99
WWW cowi.com

For attention of: Project Manager (Mr Lwazi Mkhabela)

DATE 09 February 2018

PAGE 1/2

Your reference: EuropeAid/136656/IH/SER/SZ
Contract no: DCI-FOOD/2016/377-327

REF LBNI/sejn

PROJECT NO A083105

Dear Sir,

Technical Assistance Support to the Government of Swaziland in Sustainable Land Administration and Management

The project Results Oriented Monitoring (ROM) mission of 20-28 November 2017 and draft report of 04 January 2018 recommended a number of changes to the log frame and consequently the project and service contract terms of reference.

Briefly, the proposed amendments and reasons for them are:

- 1 Result 1 (tools are developed and used for more efficient Land Administration of Swazi Nation Land at National and Inkhundla level): The Inception Report¹ noted that the question of chiefdom boundaries is a controversial one and cannot be addressed by the project directly. The view of most stakeholders is that the identification, demarcation and delineation of chiefdom boundaries for the purpose of preparing cadastral records is not a realistic objective in the timeframe of the project and should be de-emphasised as an activity. Moreover, the recent work undertaken by the Elections and Boundaries Commission duplicated the activity and demonstrated the difficulty and impracticality of the task. For this reason, it is proposed to amend the TOR to delete references to chiefdom boundaries and to substitute this with the preparation of chiefdom maps that delineate homestead landholdings, communal lands and other land use areas.

This proposed change to remove activities directly related to demarcation and delineation of chiefdom boundaries impacts on and reduces the role and requirement for the key expert 2 (surveyor) to support the Surveyor General's Department in cadastral surveying and registration of chiefdom diagrams. Consequently, it is proposed to reduce the number of days for key expert 2 (surveyor) from 160 to 55 and to correspondingly increase the number of inputs days for senior short-term experts from 50 to 80 days and for junior short term experts from 50 to 94 days, principally in the role of support to the introduction of information technologies in the collection, storage, maintenance and dissemination of digital land records data. The proposed reallocation of input days is kept within the maximum service contract budget amount.

¹ Inception Report, version 1 dated 15 March 2017, page 17 paragraph 72.

- 2 Result 3 (institutional arrangements for non-Title Deed Land/SNL): Recognising the current overlapping institutional responsibilities, the diversity of opinions on the question of roles and responsibilities for land administration and management, and the legal and administrative pluralism of land tenure, the prospect that stakeholders will endorse² and adopt a plan for rationalising institutional arrangements for the administration of land may not be a realistically achievable objective in the timeframe of the project. This is more so given that consultations and decisions would be needed at higher and highest levels of government and traditional authority. Therefore, it is proposed, and recommended in the ROM report, that the word 'endorsed' is deleted and replaced with the less categorical word 'accepted'³ in respect of the plan for institutional reforms.
- 3 Various changes to wording and emphasis to align project activities and outputs with achievable objectives are proposed. Currently, in the tinkhundla system of local government, the inkhundla has no role in land administration matters and performs no activities with respect to land dispute resolution. Furthermore, there is a consensus among stakeholders that the traditional roles of chiefs in land matters and dispute resolution should be upheld. For these reasons, references in the TOR to establishing or building capacity for land administration and land dispute resolution at tinkhundla level should be deleted and replaced with the same activities and results but at chiefdom level.
- 4 As recommended by the ROM consultant, the log frame in the TOR is substituted with the log frame in the approved version of the Inception Report with some additional minor adjustments to ensure consistency with the changes proposed above.
- 5 Subject to EUD approval, the eligibility of incidental expenditure is expanded to include reimbursable costs related to the logistics of fieldwork for fuel, water/food, etc., payable for mobilising government counterpart staff and participating chiefdom leadership.

These amendments in the form of tracked changes are shown the attached draft version B of the project terms of reference.

Yours truly,



Lars Bagge Hommel-Nielsen
Account & Project Manager

² *Endorse* – means to declare one's public approval or support of something.

³ *Accepted* – means to consent to receive (a thing offered).

Principal Secretary
Sustainable Land Administration and Management Project
Aid Coordination Management Section (ACMS)
Ministry of Economic Planning and Development
Annex Building
Hospital Hill
P. O. Box 602
Mbabane
Swaziland

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Parallevej 2
2800 Kongens Lyngby
Denmark

TEL +45 56 40 00 00
FAX +45 56 40 99 99
WWW cowi.com

DATE 25 April 2018
PAGE 1/1
REF LBNI/sejn
PROJECT NO A083105

Your reference: EuropeAid/136656/IH/SER/SZ – Contract no: DCI-FOOD/2016/377-327
Attention Mr Lwazi Mkhabela

Dear Sir,

**Re: Technical Assistance Support to the Government of Swaziland
in Sustainable Land Administration and Management –
Contract Addendum No.1**

Your letter of 06 April 2018 and attached Addendum to the Service Contract DCI-FOOD/2016/377-327, received on 10 April 2018 with thanks.

We have reviewed the addendum and note that at Annex II (Terms of Reference) there are material differences to the Terms of Reference that we discussed and agreed earlier. In particular, there is an inconsistency at §2.3 on page 6 that raises an ambiguity with respect to the activities and outputs expected of the Contractor. For this reason, we are unable to sign the Contract Addendum No.1 as requested, and therefore we return it unsigned.

A copy of the Terms of Reference that we believe constitutes the agreed basis of this contract amendment is also attached, and we would welcome the return of the Contract Addendum No.1 with this Terms for Reference.

Yours truly,



Lars Green Lauridsen
Senior Vice President

SWAZILAND



GOVERNMENT

MINISTRY OF ECONOMIC PLANNING AND DEVELOPMENT

P.O. Box 602, Mbabane H100
Tel: (+268) 2404 3765/6/7/8
Fax: (+268) 2404 2157
Email: ps@eplanning.gov.sz

Finance Building
4TH Floor
Mbabane H100
Swaziland

30th April 2018

Mr. Lars Bagge Hommel-Nielsen
COWI A/S
Parallelvej
2800 Kongens Lyngby
Denmark

Dear Mr. Hommel-Nielsen,

CONTRACT: TECHNICAL ASSISTANCE SUPPORT TO THE GOVERNMENT OF SWAZILAND IN SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT - CONTRACT NO. DCI-FOOD/2016/377-327

SUBJECT: ADDENDUM No. 1

Your letter of 25th April 2018 returning the unsigned Contract Addendum No.1 to the above service contract refers.

I note the inconsistency and possible ambiguity to which you refer. In the event of any questions arising from this inconsistency with regard to the expected activities, outputs and results to be achieved by the Contractor, please be advised that, notwithstanding any inference from the scope of work described in result area 1, the activities and outputs of the Contractor expected by the Contracting Authority are those listed under the subheadings Indicative activities and Expected Outputs. Under result 1: Tools are developed and used for more efficient Land Administration of Swazi Nation Land not National and Inkhundla level so as to align it with the activities, outputs and results of the project. For added clarification, the Contracting Authority expects that the tools to which result area 1 refer are to be developed and used at the appropriate levels and as specified in the indicative activities and expected outputs, and not exclusively at national and Inkhundla levels as currently stated.

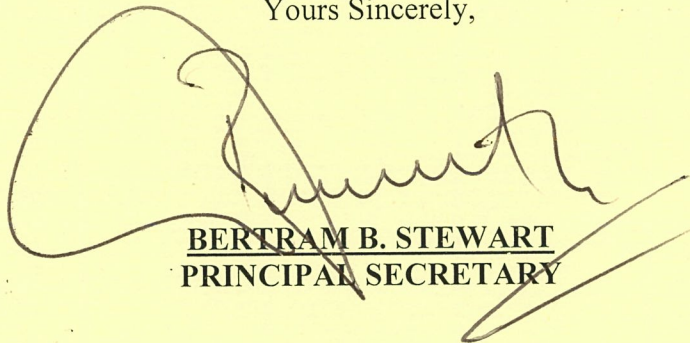
Should and when a further contract addendum be prepared, the Contracting Authority will amend the apparent inconsistency in the Terms of Reference so that the activities and expected outputs of the Contractor are unambiguously identified.

I hereby enclose three (3) originals of addendum No. 1 to the service contract mentioned above. I would be grateful if you could sign and date all three originals, retain one for your records and return the other two to the following address:

*The National Authorising Officer of the EDF
Aid Coordination Management Section (ACMS)
Ministry of Economic Planning and Development
Annex Building
Hospital Hill
Mbabane
Swaziland
Telephone: (+268) 2404 6512 / 9551 / 6154.*













Thanking you in advance for your cooperation.

Yours Sincerely,



BERTRAM B. STEWART
PRINCIPAL SECRETARY

Appendix C Project Result Area 1 Deliverables

<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 20%;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> <div style="width: 20%; text-align: right;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> </div> <p style="text-align: center;">Our Ref: SG 50. 18th September, 2019.</p> <p>The Chiefdom Leadership, Nkalaneni Umphakatsi, Sandleni Inkhundla, Shiselweni Region.</p> <p>Dear Sir,</p> <p>RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.</p> <p>The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP21 to the Nkalaneni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.</p> <p>The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.</p> <p style="text-align: center;">Yours faithfully,</p> <div style="text-align: center;">  WINNIE T. STEWART (MRS.) PRINCIPAL SECRETARY. </div> <p>Received by: <u>Nhema Suvu</u> Chiefdom Representative</p> <p>Signature: <u>[Signature]</u></p>	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 20%;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> <div style="width: 20%; text-align: right;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> </div> <p style="text-align: center;">Our Ref: SG 50. 18th September, 2019.</p> <p>The Chiefdom Leadership, Ndzingeni Umphakatsi, Ndzingeni Inkhundla, Hhohho Region.</p> <p>Dear Sir,</p> <p>RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.</p> <p>The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP06 to the Ludlawini Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.</p> <p>The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.</p> <p style="text-align: center;">Yours faithfully,</p> <div style="text-align: center;">  WINNIE T. STEWART (MRS.) PRINCIPAL SECRETARY. </div> <p>Received by: <u>S.M. Malaza</u> Chiefdom Representative</p> <p>Signature: <u>[Signature]</u> 76043158/ 79449644</p>
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 20%;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> <div style="width: 20%; text-align: right;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> </div> <p style="text-align: center;">Our Ref: SG 50. 18th September, 2019.</p> <p>The Chiefdom Leadership, Mvuma Umphakatsi, Ndzingeni Inkhundla, Hhohho Region.</p> <p>Dear Sir,</p> <p>RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.</p> <p>The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP09 to the Mvuma Umphakatsi Leadership in compliance with the deliverables of the SLAM project Phase 1.</p> <p>The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.</p> <p style="text-align: center;">Yours faithfully,</p> <div style="text-align: center;">  WINNIE T. STEWART (MRS.) PRINCIPAL SECRETARY. </div> <p>Received by: <u>Nzuzuzi yibhat</u> Chiefdom Representative</p> <p>Signature: <u>[Signature]</u> 76404933</p>	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 20%;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> <div style="width: 20%; text-align: right;"> <p>ESWATINI Telephone: (00266) 4046244 (5) LINES Fac: (00266) 4043436/4047252 E-mail: esr@esmail.net</p> </div> <div style="width: 20%; text-align: center;">  </div> <div style="width: 20%;"> <p>GOVERNMENT Ministry of Natural Resources and Energy P. O. Box 57, Mbabane, Eswatini</p> </div> </div> <p style="text-align: center;">Our Ref: SG 50. 18th September, 2019.</p> <p>The Chiefdom Leadership, Nkalaneni Umphakatsi, Sandleni Inkhundla, Shiselweni Region.</p> <p>Dear Sir,</p> <p>RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.</p> <p>The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP21 to the Nkalaneni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.</p> <p>The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.</p> <p style="text-align: center;">Yours faithfully,</p> <div style="text-align: center;">  WINNIE T. STEWART (MRS.) PRINCIPAL SECRETARY. </div> <p>Received by: <u>Nhema Suvu</u> Chiefdom Representative</p> <p>Signature: <u>[Signature]</u></p>

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Mbebebeni Umphakatsi,
 Mkhweni Inkhundla,
 Manzini Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP46 to the Mbebebeni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: SAMUEL KOKOSHE Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
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 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Ekutsimleni Umphakatsi,
 Mkhweni Inkhundla,
 Manzini Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP11 to the Ekutsimleni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: STEPHEN TIBENI Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini

Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Ekutsimleni Umphakatsi,
 Mkhweni Inkhundla,
 Manzini Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP12 to the Ekutsimleni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: Nkanyane Mfandi Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Drokobawo Umphakatsi,
 Mkhweni Inkhundla,
 Manzini Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP47 to the Drokobawo Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: Valentine Thumani Mhoso Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Mbebebeni (Lomfa) Umphakatsi,
 Sandleni Inkhundla,
 Sisebweni Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP23 to the Mbebebeni (Lomfa) Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: Arwen Sibanzwe Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Malindza Umphakatsi,
 Drokodweni Inkhundla,
 Lubombo Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP01 to the Malindza Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: SIPHO DLAMINI Chiefdom Representative
 Signature: [Signature] 17/09/19

ESWATINI GOVERNMENT
 Telephone: (026) 404244
 (3) LINES
 Fax: (026) 404243/4047252
 E-mail: info@esmail.net
 Ministry of Natural Resources and Energy
 P. O. Box 57,
 Mbabane,
 Eswatini


Our Ref: **SG 50.** 18th September, 2019.

The Chiefdom Leadership,
 Ngqolweni Umphakatsi,
 Sandleni Inkhundla,
 Shiselweni Region.

Dear Sir,
RE: DELIVERY OF DATA AND LAPTOP FOR THE SUSTAINABLE LAND ADMINISTRATION AND MANAGEMENT (SLAM) PROJECT TO THE UMPHAKATSI.

The Ministry of Natural Resources and Energy takes great pleasure in presenting laptop No. LAP22 to the Ngqolweni Umphakatsi Leadership in compliance with the deliverables of the SLAM Project Phase 1.

The Ministry sincerely hopes that the laptop will be helpful in performing the duties of the Umphakatsi's land administration activities. The Ministry also assures the Umphakatsi of continued support in the same regard and therefore expects the Umphakatsi to take good care of the equipment.

Yours faithfully,

WINNIE T. STEWART (MRS).
 PRINCIPAL SECRETARY.

Received by: Zablon Luthoh Chiefdom Representative
 Signature: [Signature] 17/09/19

(pending)

(pending)

