



CICAD XXXVII Comisión Interamericana para el Control del Abuso de Drogas
Inter-American Drug Abuse Control Commission

EVALUATION OF LAND TITLING IN THE NORTH YUNGAS OF LA PAZ, BOLIVIA

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ALTERNATIVE DEVELOPMENT UNIT



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OVERVIEW OF LAND TITLING PROJECT EVALUATION

- ↳ Brief background review
- ↳ Objectives of the Evaluation
- ↳ Principle Findings and Conclusions
- ↳ Principle Recommendations



PROJECT BACKGROUND

- ↳ Project in zone with high concentration of coca; strategic for implementation of agrarian property titling.

- ↳ Vice-ministry for Alternative Development and National Agrarian Reform Institute: land titling is important for rural development and poverty reduction within context of regional development policy.

- ↳ OAS/CICAD believes program is key to establishing legal basis for legitimate economic development in coca growing areas.



EVALUATION STUDY OBJECTIVES

- ↳ Management: Evaluate factors at CICAD and INRA that may have impacted project outcome

- ↳ Technical: Evaluate technical design, sufficient support, feasibility of achieving objectives

- ↳ Financial: Review available records, indicate any irregularities or deviations from original budget



GENERAL OBJECTIVES

- ↳ Execute integrated cadastre and land titling of Arapata and Coripata Cantons, North Yungas
 - Implement technical and legal methodology for rural cadastre
 - Reconcile conflicts of rural property ownership
 - Title, certify and inscribe property owner's rights
 - Contribute to policy of rural development and poverty reduction



SPECIFIC OBJECTIVES (PHASE 1 FINAL REPORT)

- ↳ Achieve acceptance of "Saneamiento" process in project areas of the Yungas
- ↳ Deliver 1000 titles according to agreement between OAS and INRA
- ↳ Implement "Saneamiento Interno"
- ↳ Demonstrate "Saneamiento": flexible process; established legal procedures; comfortable to beneficiaries; speed, transparency, participation.



LEGAL FRAMEWORK

- ⌋ Law of the National Agrarian Reform Institute
 - Law 1715 of October 1996;
 - Regulations of May 2000
 - Modifications of March 2002; Administrative Resolutions of May 2003)

- ⌋ Law 1715 created INRA
 - Article 69 recognizes three modalities; CAT-SAN applies to project area.
 - "Saneamiento Interno"- fundamental tool and legal instrument applied within CAT-SAN modality



LEGAL FRAMEWORK

- ⌋ Within this general framework of objectives, INRA proposed to issue land titles to 1000 beneficiaries, and corresponding registration of property rights, following legal and field procedures and precedents established by INRA



SUMMARY OF PROJECT ACTIVITIES

- ↳ Compile information on file
- ↳ Informative meetings; local committees
- ↳ Publicity Campaigns; Training of local committees
- ↳ Cadastral Survey and Measurement
- ↳ Public Expositions, corrections and verifications
- ↳ Verification of Results in “Acta de Saneamiento Interno”
- ↳ Final Technical-Legal Report
- ↳ Final Resolutions / issuance of land titles



SUMMARY OF PROJECT ACTIVITIES

- ↳ INRA began project in February 2003
 - Planned execution period—10 months
 - Financing by OAS/CICAD-\$262,590; Counterpart financing by INRA - \$157,740; Total project budget - \$420,330
- ↳ At end of 10 months, November 2003:
Project badly delayed; politically influenced opposition; procurement delays; social conflicts; deliverables and objectives not satisfactorily reached.
- ↳ Extension granted for 3 months, \$41,998 additional funding.



EVALUATION FINDINGS AND CONCLUSIONS

- ⌋ Ambiguity on Project Design and Objectives
 - OAS/CICAD: objectives suggested indispensable economic goals; would provide security to beneficiaries and invigorate productive infrastructure
 - OAS/CICAD interpreted project area of 60,000 hectares to be mapped and regularized for land titling
 - INRA argued that Law 1715's "saneamiento" process does not apply to individual parcels within communities
 - Neither OAS/CICAD nor INRA fully understood current social and demographic dynamics in project areas



EVALUATION FINDINGS AND CONCLUSIONS (cont)

- ⌋ Secretariat concerned that INRA has not performed in a timely or acceptable manner and project objectives have not been met
- ⌋ Management deficiencies at INRA
 - Progress reports contained insufficient information
 - INRA management is characterized by lack of efficiency and poor support or respect for implementing team of specialists in the field
- ⌋ Project Team appears consistently well focused despite impacts by INRA and civil conflicts in the field.



EVALUATION FINDINGS AND CONCLUSIONS (cont)

- ⌋ Application of “Saneamiento Interno”
 - Project Team implemented “saneamiento” process
 - Project Team concluded Public Exposition steps in Communities of Umamarca and Coscoma; results approved by INRA La Paz in July 2004
 - Final “Saneamiento” Resolutions: delayed approvals
- ⌋ INRA appears to be holding up the process; explanations from INRA are conflicting and inadequate



EVALUATION FINDINGS AND CONCLUSIONS (cont)

- ⌋ Lack of Sufficient Financial Reporting or Accountability
 - OAS/CICAD records provide complete documentation of disbursements and procurements, comply with original Agreement and Budget
 - INRA has not provided clear reporting and accounting of project expenditures



PROJECT RESULTS TO DATE 2005

- ↳ INRA has produced NO tangible results. No land titles have been issued.
- ↳ INRA bottle-neck for Community of Coscoma holding up 1155 individual titles,
 - Actions contradict documentation and previous approvals
 - Actions contradict approved procedures, lack factual information and basis
- 29 Communal titles delayed by INRA.
- 219 individual titles awaiting presidential signature since December 2004.



RECOMMENDATIONS

- ↳ Title Evaluation step proposed by INRA not necessary
- ↳ OAS should pay contracted technicians directly
- ↳ INRA should pay outstanding vender accounts
- ↳ In short term, 219 completed titles should be signed
- ↳ INRA should send remaining titles to President for signature



RECOMMENDATIONS

- ⌋ Disbursement schedules should be coordinated with technical and financial reporting compliance
- ⌋ Viable technologies are available to facilitate and expedite the land titling modalities
- ⌋ INRA should document Lessons Learned
- ⌋ INRA should provide detailed accounting reports of the use of project funds