

LAND-at-scale

Programme document for direct support to strengthening land governance as a prerequisite for just, sustainable and inclusive development in developing countries.

Ministry of Foreign Affairs of the Netherlands (NL MoFA) and the Netherlands Enterprise Agency (RVO.nl), February 2019

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1. Introduction

1.1 LAND-at-scale: enhancing the Dutch support to strengthening just, inclusive and sustainable land governance

The 2018 Dutch government policy note 'Investing in Global Prospects'¹ makes it clear that if you do not solve land issues, you cannot achieve most of the Sustainable Development Goals of the United Nations² (SDGs). Therefore, a sustained and comprehensive effort into inclusive land governance and sustainable land use is a key priority to achieve a better and more sustainable future for all. In this, both formal and informal land rights are acknowledged as is the dependence of vulnerable groups on access and control over land and its resources.

This ambition clearly builds further on a long and solid track record of the Dutch government and many other stakeholders in strengthening just, inclusive and sustainable land governance.

Box 1: Past Dutch contributions to land governance 2002 - 2004.

The Netherlands Ministry of Foreign Affairs in The Hague (NL MoFA) started in 2002 to explore how best to support strengthening land tenure security in developing countries. A major trigger for this was the fact that in the context of the implementation of the 2001 policy note '**In business against poverty**' a large number of embassies had indicated that lack of land(use) rights and failing land tenure systems were one of the major bottlenecks in supporting pro-poor growth. Efforts started by teaming up with Dutch Kadaster in participating in the EU Task Force on Land and a regional World Bank consultative meeting for Africa. In this way NL MoFA contributed to the publication of both the '**EU Guidelines to support land policy design and reform processes in developing countries**' (endorsed by the European Parliament in November 2004 under the Dutch Presidency of the EU) and the 2003 World Bank publication '**Land policies for growth and poverty reduction**' which were both landmarks in changing thinking on the role of land governance for sustainable development.

<https://ec.europa.eu/europeaid/sites/devco/files/communication-support-land-policy-design-and-reform-com2004686-20040119en.pdf>

http://documents.worldbank.org/curated/en/485171468309336484/310436360_20050007001644/additional/multi0page.pdf).

With the new LAND-at-scale program, NL MoFA wants to significantly increase its efforts to directly support promising local initiatives in improving just, inclusive and sustainable land governance and implementation. LAND-at-scale therefore complements and adds value to the ongoing support and engagement in for instance LANDac, LANDdialogue and **Strategic Partnerships with Kadaster International and NGO's and makes it in principle possible**, among others, for members and partners of the Netherlands-supported International Land Coalition (ILC) and Global Land Tool Network (GLTN) to receive direct support in using acquired tools, knowledge and skills in their actual work in improving the land tenure security for as many men, women and youth as possible (see Box 2).

The Ministry of Foreign Affairs of the Netherlands (NL MoFA) has presented LAND-at-scale to the European Commission for co-financing as the principles of its approach and proposed way of working is in line with the 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Forests and Fisheries (VGGT) and the principles of the Global Working Group on Land of which NL MoFA is an active member since its

¹ <https://www.government.nl/documents/policy-notes/2018/05/18/investing-in-global-prospects>

² <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

establishment in 2013. When possible cooperation and co-funding will be sought with other (multilateral) donors at programme level.

Box 2: Past contributions to land governance 2002 - 2014.

Whereas Dutch embassies (e.g. in Mozambique, Burundi, Rwanda, Bangladesh, Benin, and Uganda) largely have been contributing to programs that directly strengthen land tenure security of people, NL MoFA in The Hague has so far merely provided support to international and national networks and partnerships that aim at improving the implementation capacity of their member and partner organisations.

In 2004, NL MoFA started to support the International Land Coalition (ILC) in facilitating more inclusive local policy processes addressing land tenure issues in selected countries. From 2007 onwards, NL MoFA has steadily been supporting multi-annual ILC **strategies as one of ILC's key strategic partners** (www.landcoalition.org).

In 2010, the Netherlands Academy for inclusive and sustainable land governance (LANDac) was established (www.landgovernance.org). LANDac has greatly been contributing to increasing the importance of land governance in Dutch policy development and facilitated far more coherence amongst Dutch stakeholders in implementing policies.

In 2013, the Dutch minister on Foreign Trade and Development Cooperation forwarded several policy notes to Dutch Parliament on Dutch governmental efforts against land grabbing and on Dutch financial institutions and land grabbing. This resulted among others in NL MoFA becoming the largest donor of the Global Land Tool Network (www.gltn.net). **Next to this, it was decided with Dutch NGO's and Dutch banks and pension funds to organize in The Netherlands annual High Level Multi-stakeholder Land Governance Dialogues** (www.landgovernance.org/landdialogue/).

From 2014 onwards, many activities by numerous stakeholders have been implemented in order to work towards the application of the VGGT principles. The fact that land governance issues are prioritized in the action plans of a number of Responsible Business Agreements between NL government, business sector organisations, corporates, trade unions and NGOs is an example as is the **LAND partnership between NL MoFA and Dutch Kadaster on igniting the 'fit-for-purpose' methodology in coming up with far faster, cheaper and feasible land registration practices, a number of Strategic Partnerships geared to improve the capacity of local NGO's in influencing and improving local land governance policies and a Women Land Rights in Africa program with local grassroots organisations.**

1.2 LAND-at-scale objectives

The policy note 'Investing in Global Prospects' has clearly boosted a process in which (a) it is increasingly important that Dutch investments in strengthening just, sustainable and inclusive land governance will directly obtain substantive results in line with the NL MoFA results frameworks; (b) clearer links and pathways are becoming explicit between improved land governance and thematic result areas linked to relevant SDGs; and (c) synergy between interventions of NL embassies and NL MoFA Head Quarters is explicitly strengthened.

The main objective of the LAND-at-scale programme will be **to directly strengthen essential land governance components for men, women and youth that have the potential to contribute to structural, just, sustainable and inclusive change at scale in lower and middle income countries/regions/landscapes.**

LAND-at-scale will realise this objective by fostering a comprehensive, integrated and tailor-made approach. LAND-at-scale will therein focus on support to upscaling of successful pilots, providing support to innovative interventions with upscaling potential, integrating tested and new initiatives, and investing in increased knowledge and learning. LAND-at-scale will hereby enhance all types of legitimate land rights of men, women and youth and assist structural development in many thematic areas, such as food and nutrition security, economic development, conflict management, rule of law, integrated water resource management, city development, gender and climate change.

LAND-at-scale explicitly aims at promoting the application of the VGGT principles. LAND-at-scale underscores therefore the importance of human rights, women empowerment and the protection and transformation of vulnerable people.

Geographically, supported interventions will preferably be located in the focus regions of the Ministry of Foreign Affairs: Sahel, Horn of Africa and Middle-East & North-Africa. Next to this, LAND-at-scale can support partnerships in a limited number of low and middle income countries where local institutions make a strong case that they can benefit from support by multi-stakeholder consortia of experts in order to make an appropriate, innovative and structural change on identified binding constraints for responsible land governance in legal, organizational, regulatory and/or (digital) technical (often administrative) domains.

Land governance links directly to human rights like an adequate standard of living, to continuous improvement in living conditions, to food, to housing, to participation, to property, to self-determination and the principle of equal rights for women and men. In order to enhance land governance, governments, businesses, financial institutions, NGOs/CBOs and knowledge institutes have to assist each other in not only developing appropriate policies or adhering to international standards, but also improve the actual practices on the ground in a just, inclusive and sustainable manner.

All in all, LAND-at-scale aims at contributing to the achievement of the UN Sustainable Development Goals with a specific emphasis on SDG 1, 2, 5, 11 and 15, indirectly to SDG 8, 9, 10, 13, 16 and 17 and could additionally embrace the other SDGs when such opportunities arise.

Table 1: Sustainable Development Goals.



2. Intervention logic of LAND-at-scale

2.1 Background

Good land governance policies and practices can positively contribute to achieving SDGs **and people's livelihoods whilst poor land governance policies and practices have severe risks of adversely affecting just, sustainable and inclusive development of especially vulnerable people.**

Strengthening land governance, however, is a delicate and complex challenge that requires different approaches per country, region or even intervention. In this, it is essential that there is an intrinsic urge and political will of locally-mandated actors to carefully and adequately address land governance problems. The specific roles of CSOs, NGOs, financial institutions, businesses and knowledge institutions in advocating for political will and urging local and/or national governments to take action in favour of just, sustainable and inclusive development are therefore all very important. Such actions can for instance be triggered by lack of recognition of customary rights, human rights violations or planning processes on the expansion of urban residential areas, building or improving of large (public) infrastructure (roads, water management, airports, harbours, dams, mines), agro-industrial areas, plantations, etc.

Despite the fact that there is a global consensus that good land governance is a clear means to contribute to sustainable livelihoods, food security, human rights, social justice and sustainable use of natural resources and ecosystem services (see VGGT and SDGs), many countries all over Asia, Africa and Latin America still show many problems varying from a regulatory and institutional framework that hampers the recognition of ownership and user rights, limited capacity and inefficient implementation practices resulting in limited access to land tenure services and tenure security, lack of stakeholder engagement, unfair evictions and discrimination of vulnerable people. There are gaps between the VGGT principles, the UN Guiding Principles on Business and Human Rights and the reality on the ground. These gaps need to be addressed in an integral manner via a multi-stakeholder, multi-level and multi-sectoral approach that at least recognizes and respects the concerns and rights of vulnerable people.

2.2 LAND-at-scale principles

The five – often interlinked - guiding principles of responsible tenure governance from the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries (VGGT) serve to understand properly the **meaning of 'secure tenure rights' mentioned in the SDGs or the term 'good land governance' in the LAND-at-scale program document.**

These five principles that predominantly focus on governments are:

1. **Recognize and respect all legitimate tenure right holders and their rights.** Governments should take reasonable measures to identify, record and respect legitimate tenure right holders and their rights whether formally recorded or not, to refrain from infringement of tenure rights of others; and to meet the duties associated with tenure rights.
2. **Safeguard legitimate tenure rights against threats and infringements.** Governments should protect tenure right holders against the arbitrary loss of their rights, including forced evictions that are inconsistent with their existing obligations under national and international law.
3. **Promote and facilitate the enjoyment of legitimate tenure rights.** Governments should take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with all rights, such as ensuring that services are accessible to all.

4. **Provide access to justice to deal with infringements of legitimate tenure rights.** Governments should provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights, and to provide affordable and prompt enforcement of outcomes. States should provide prompt, just compensation where tenure rights are taken for public purposes.
5. **Prevent tenure disputes, violent conflicts and corruption.** Governments should take active measures to prevent tenure disputes from arising and from escalating into violent conflicts. They should endeavour to prevent corruption in all forms, at all levels, and in all setting. Appropriate grievance systems, accessible to all, should be in place.

Besides setting (voluntary) standards for governments, the VGGT also sets standards for non-state actors including business enterprises. Standards include that non-state actors have a responsibility to respect human rights and legitimate tenure rights, act with due diligence to avoid infringements, include appropriate risk management systems and provide for and cooperate in non-judicial mechanisms to provide remedy, including effective operational-level grievance mechanisms, where appropriate, where they have caused or contributed to adverse impacts on human rights and legitimate tenure rights.

Where transnational parties are involved, their home governments also have roles to play to ensure that the former are not involved in abuse of human rights and legitimate tenure rights. As such, governments should take additional steps to protect against abuses of human rights and legitimate tenure rights by transnational parties even though these abuses occur in another country.

2.3 Envisaged long-term contribution of LAND-at-scale

In order to reach structural change towards good land governance, LAND-at-scale will provide support to (1) upscaling successful pilots, (2) innovative interventions with upscaling potential and (3) increased knowledge and learning. This can be achieved by different interventions, including:

- Strengthening (capacity for) legislation and/or implementation of inclusive, transparent and affordable procedures for financially and institutionally sustainable land registration, land administration and information systems (including on transfers), land use planning, taxation, valuation etc.
- Capacity development in a wide range of land related organisations like legislative bodies (law drafting in support of fair, inclusive and sustainable land governance) and formal and informal judicial bodies (dispute arbitration), administration (transactions, recording, service delivery, transparency), governmental and professional implementation bodies in the broadest sense (including for instance district land bureaus, ministries of land, cadastres, land valuers, notaries etc.), civil society **organisations, farmers' organisations, chambers of commerce, women's rights organisations**, indigenous peoples (advice, legal support, FPIC, transparency, rights holders participation in decision making processes)
- Supporting just, inclusive and sustainable land governance projects that have an broadly supported developmental impact at various levels (households, communities, regions, nations) through early engagement in decision processes, joint learning, experimenting, practicing and expert advisory support
- Awareness raising, support to advocacy, policy dialogue, and specific assessments and research on the position of vulnerable groups, women, squatters etc. in land governance and how to effectively strengthen their rights to land.
- (International) network support and events in which policy makers, institutional stakeholders, practitioners, academia, civil society organisations, advocates etc. can learn and get inspired by latest developments, pilots and innovations.

Through the focus on land governance and specifically the explicit recognition of the importance of access to, and control over land rights by women, LAND-at-scale will explicitly contribute to the objective of women empowerment. By integrally taking effects associated

to climate change into consideration, LAND-at-scale will also create demand for related long term solutions. This is enhanced by facilitating dialogues between governmental and non- governmental parties and linking them with appropriate knowledge institutes and financial institutions or companies to address regional, national and/or subnational bottlenecks for just, inclusive and sustainable development.

Annex 1 provides a Theory of Change for LAND-at-scale that aims at exemplifying possible strategies, immediate outcomes, long-term outcomes and impact areas that are addressing various types of land governance bottlenecks and in various ways contributing to one or more SDGs.

This Theory of Change includes land governance related output and short term outcome indicators which are presently part of NL MoFA Results Frameworks.

2.4 Envisaged Inputs and Direct Outputs of LAND-at-scale

LAND-at-scale is a vehicle for implementation through partnerships within a country-specific or case-specific context. Therefore, it is important that adjustments can be made in the choices and focus that are necessary to make decisions on what to support or not. Proposals for changes in focus will be laid down in annual strategic plans, taking into account the Dutch policy priorities, monitoring outcomes and lessons learned that aim for maximizing the effectiveness and efficiency of achieving the overall LAND-at-scale objective.

The Ministry of Foreign Affairs will provide an initial EUR 32 million for a period of 6 years, and will consider additional commitments during the implementation of the programme³. The programme will be open for other donors (E.g. European Commission, bilaterals, and foundations) to contribute.

To avoid fragmentation of resources, most of the available resources will be focused on supporting a limited series of (between two and four) different but mutually reinforcing land governance interventions in around six countries/regions/landscapes over a period of six years. Next to this, LAND-at-scale will also support smaller though crucial interventions in similar or other countries. In total, this will lead to a portfolio that consists with the confirmed available resources of about:

- Six sets (work streams) of two to four interventions that jointly per set will structurally scale/ connect existing successful pilots at subnational and/or national levels in six countries/regions/landscapes and achieve results that are part of applicable NL MoFA Result Frameworks such as those for food and nutrition security, rule of law, private sector development and gender (see annex 1);
- Ten innovative interventions in at least five other countries/regions/landscapes that will either ignite increased efficiency and effectiveness of existing land governance methods and procedures or support activities in countries without sufficient local public/civic/corporate organisations with the necessary relevant knowhow. These interventions can for instance promote the use of digital tools or social innovation that are suitable for further scaling at subnational and/or national levels and where possible achieve results in applicable NL MoFA result frameworks.

Next to providing support to the implementation of this portfolio with scaling and innovative objectives, LAND-at-scale will also provide technical assistance where needed in the design and/or implementation of the selected interventions and facilitate synthesis and dissemination of results and lessons learned together with existing knowledge platforms and therefore contribute to sustainable knowledge management.

³ IGG/VZ will make EUR 30 million available for 6 years. DSH/RV will make EUR 2 million available for 2019 and decide at the end of 2019 how much it will commit in the years beyond 2019. DDE and DSO contributions are foreseen but not yet committed.

The primary focus of the LAND-at-scale interventions will be on the attainment of the land governance related output and short term outcome indicators that are part of the existing NL MoFA Results Frameworks. To-be-supported LAND-at-scale partnerships will be requested to identify in advance to which of the selected thematic result areas (outputs) the proposed interventions are supposed to contribute in what way.

3. The LAND-at-scale Implementation Approach

3.1 General

LAND-at-scale uses a programmatic, demand driven approach for scaling and innovation whereby all interventions should contribute clearly to the LAND-at-scale objectives and meet in principle criteria that are specific for the following five phases: 1) project identification,

2) project formulation, 3) project development, 4) project management and 5) monitoring and evaluation. The required effort per phase depends on the scale, complexity of the intervention (idea) and country context.

Annual strategic plans will provide for a well-balanced portfolio that matches the objectives of LAND-at-scale over the years. These plans will be based on the inputs received from embassies, monitoring visits, project monitoring systems, multi-annual country strategies, the existing LAND-at-scale portfolio, policy priorities of (potential) financiers, developments in the context of other Dutch programs and activities.

3.2 Programmatic approach

Land governance is related to many other themes and affects people directly and indirectly in various ways. Furthermore, changes in land governance require a sustained effort over time. Hence, just, inclusive and sustainable solutions require a series of interrelated interventions over time (work streams). LAND-at-scale therefore will follow a programmatic approach fostering flexibility with respect to the choice of to-be-supported interventions over time. The combination of interventions (some focused on a specific project or area and some broader on local, regional or national governments) and the mix of grants, technical assistance, practical guidance and institutional strengthening, delivers important additional value of the LAND-at-scale programme and thus achieving impact that will be measured through the SDGs. The aim of this approach is to build the capacity of individuals, communities and institutions that will work across areas of interventions and pierce across layers of intervention levels (**micro to meso to macro... macro to meso to micro**), thus maximizing synergy for real impact. This is crucial for development projects to realize significant outcomes and realise structural change that contributes to just, inclusive and sustainable development as a whole.

3.3 Demand driven focus

LAND-at-scale is a demand driven programme. Initiatives are expected a.o. to emerge through partnerships that have gained an initial experience with land governance, and are willing to further collaborate to scale these up. The Embassy will provide the leads for such initiatives. The programme will set clear assessment criteria for the evaluation of the leads, such that promising leads can be identified as early as possible. In order to increase access to the programme, efforts will be put in dissemination and awareness raising through professional networks and country-specific networks. Initial scoping shows that we can be confident that a good supply of leads will be generated.

3.4 Governance, characteristics and criteria

3.4.1 Programme management

LAND-at-scale is a collaboration between MoFA and the Netherlands Enterprise Agency (RVO.nl). The programme will be placed under the framework covenant between the two partners. The funds for the programme will be provided by MoFA, whereas RVO.nl will act as programme and fund manager.

LAND-at-scale (on behalf of the Minister both RVO and IGG) will be supported by a LAND-at-scale Committee. This Committee will be composed of (senior) officials from the Ministry of Foreign Affairs representing the different thematic and geographic priorities (IGG, DSH, DDE, DSO and regional departments), and independent international/national advisors (land governance experts). The Committee will:

- Select and approve all leads for investment by LAND-at-scale;
- Advise on the formulation of the intervention.
- Advice on the (annual) strategic plan and evaluations of the programme;
- Advice on changes in the programme design (for example the selection criteria);
- Approve financial contributions by third parties to the programme.

RVO.nl will act as the Permanent Secretary to the Committee.

RVO.nl will manage LAND-at-scale. Responsibilities include:

- Maintain proper fund and financial management according to Dutch government standards;
- Facilitation and brokering of fundable effective country-specific partnerships between locally mandated land-related organisations and multi-sectoral expert consortia that foster implementation and innovation at scale;
- Monitor the effective country-specific partnerships between locally mandated land-related organisations and multi-sectoral expert consortia that foster implementation and innovation at scale;
- Share knowledge and enlarge impact of land governance activities that are of relevance to LAND-at-scale;
- Provision of all documents that require by the LAND-at-scale Committee;
- Operationalise the leads after approval by the LAND-at-scale committee
- Act as contracting partner for implementing partners;
- Act as contracting partner for other programme donors (if applicable)

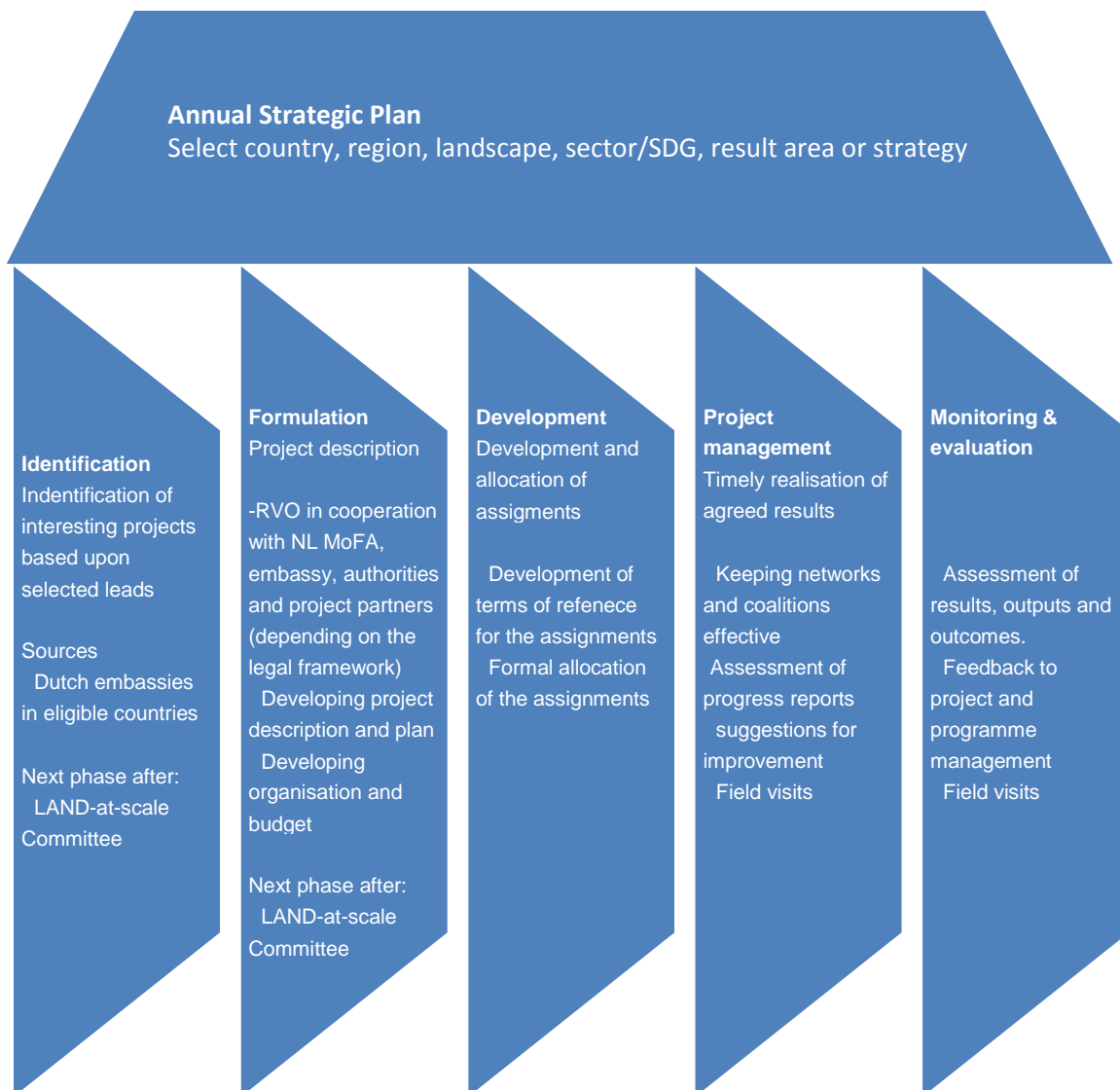
NL MoFA departments and embassies have the following responsibilities:

- Provide timely and adequate funding for the programme (HQ departments);
- Provide leads, advise during the identification, and formulation (embassies);
- Support LAND-at-scale (RVO.nl as programme and fund manager) were needed with the in-country implementation (), for example by supporting in donor coordination and acting as a linking pin with host governments (Embassies).

3.4.2 Intervention phases

Project realisation will be adaptive and flexible but also aiming for some quick results to build interest and prepare long-term interventions. Several interventions can over time lead to an integral approach (per country/region/landscape and/or theme). Embassies can provide leads to RVO.nl. RVO.nl will assess the ideas with the appropriate embassy and consult organisations with specific expertise when needed. Promising ideas are presented by RVO.nl to the LAND-at-scale Committee. When approved the ideas will be further explored by RVO.nl and laid down in a formulation plan and ToR. Formulation includes consultation with stakeholders, considering the broader landscape of initiatives, and identifying best practice. The formulated projects will again be presented to the LAND-at-scale Committee. When approved by the LAND-at-scale Committee, RVO.nl will allocate related assignments and manage the projects.

Figure 1: Intervention phases



3.4.3 Identification of Interventions

RVO.nl will solicit leads from Dutch embassies in eligible countries for both scaling and innovation. **Leads are not proposals, but “project briefs” that explain the type of land governance assignment and whether the lead relates to scaling or to innovation.** Embassies can send leads to RVO.nl by using a guidance form with a set of standardized questions. The identification phase is finished when the LAND-at-scale Committee has given its assessment based on an identification form prepared by RVO.nl. **The assessment can either be “promising” or “not promising”.** To facilitate this process, experts on the L@s committee will be actively approached and informed on the LAND-at-scale program. Hence, there will be no call for proposals. Leads qualified as ‘**promising**’ will be explored by RVO.nl and are categorized per result areas and/or SDG.

3.4.4 Formulation of Interventions

RVO.nl will manage the formulation of an intervention based on a promising lead and present the final result (formulation plan) to the LAND-at-scale Committee. The formulation

phase is finished when the LAND-at-scale Committee has provided an advice on the formulation plan. RVO.nl will develop the formulation plan in close cooperation with the organisations mentioned in the lead (which are in most cases the prime drivers of the to-be-developed intervention), the embassy and other relevant national or international organisations with required specific knowhow. The formulation plan will entail the context of the project, the problem to be solved, the proposed solution(s), required organisations, the to-be-achieved results, related indicators and the budget. After receiving an advice from the LAND-at-scale committee, RVO.nl will initiate the project development phase.

3.4.5 Development of Interventions

Intervention development entails the drafting and financing of interventions that are needed to work out the approved formulation plan. For this RVO.nl will work out the necessary terms of references and select suitable implementing partners through either direct procurement, individual subsidies or tenders. The formal acceptance of the assignments by the implementing partner organisations marks the end of the development phase in which all implementation details are arranged. When formally approved by RVO.nl, project partners can proceed with the implementation.

3.4.6 Management of Interventions

While the implementing partners will be responsible for the actual execution of the agreed works, RVO.nl will monitor and when possible support achieving good quality progress. For this it is essential that assessments will be based on a solid monitoring system, progress reports and field visits. RVO.nl and the Embassy agree on the level of involvement of the latter in the monitoring. Where relevant and possible NL MoFA might decide in close cooperation with involved embassies to make complementary efforts (e.g. through EU-HoMs and/or national sector working groups) lift the supported interventions to higher (often political) levels.

Although the implementation will differ per project, in general, management largely entails ensuring stakeholders are aligned, assessing progress reports, assessing progress on the ground. Verifying the quality of deliverables as defined in the formulation plan and terms of reference and providing disbursements as agreed upon. As rule of thumb interventions should be visited before presentation of the formulation plan to the LAND-at-scale Committee, on an annual basis during implementation and before final closure of the intervention. Disbursements are preferably directly to the lead institution in the partnerships that implement the approved intervention(s).

3.4.7 Monitoring, Learning and Evaluation

M&E of the LAND-at-scale programme focuses on the strategies, outputs and outcomes for as far as relevant during the intervention cycle. As LAND-at-scale contributes to the successful development as well as implementation of land governance interventions to achieve relevant results on at least one or more of the agreed NL MoFA result areas, it is important to monitor the aspects that are within the sphere of influence of LAND-at-scale. This provides insight into the effectiveness of the programme, how the programme functions and the overall process.

M&E at programme level will involve at least an external evaluation that commences within the year the programme ends. Depending on the proceedings of the programme and the programme needs for evaluation there may also be a midterm review and/or an evaluation for insight in the long term contributions of the programme on the livelihoods of local stakeholders. Specific attention will be given to the mainstreamed themes gender and climate. Progress will be made public by RVO.nl through IATI. Please refer to the M&E plan for further details.

M&E at project level will involve a set of existing monitoring criteria already used by partners involved as well as monitoring criteria linked to the relevant result frameworks and when possible SDGs to which the project seeks to contribute to. The monitoring criteria will be an integrated part of the project, the project related assignments and project related progress reports.

Next to the M&E on intervention level, explicit investments will be made to maximally learn and derive insights from the interventions and to add value and scale by effective disseminations of findings and lessons learned. These investments will include elements such as annual briefs for the programme partners and mutual learning events in selected countries for programme partners and/or involved local stakeholders on specific themes. Whether mutual learning events will be part of the formulated interventions or be developed separately is to be determined on a case by case basis.

RVO.nl will provide the secretariat and programme management capacity to this activity as it will be responsible for all the Technical Assistance and external and internal communication. RVO.nl will cooperate herein intensively with existing knowledge networks.

3.5 Assessment Criteria

3.5.1 Threshold criteria

The first step in project identification is to check whether the proposed leads comply with the threshold criteria. Only interventions that meet all threshold criteria will be presented to the LAND-at-scale Committee. Threshold criteria are (indicative):

1. Leads shall take place in an eligible country (or region).
2. Leads will be in line with the prevailing Multi Annual Country Strategy (MACS) or the Annual Plan of the Embassy (including plans of the Agricultural Counsellor, when present).
3. Leads shall make clear that they explicitly want to contribute to the VGGT principles.
4. Leads shall be in line with the approved LAND-at-scale annual strategic plans;
5. Leads shall be additional to the market or other NL MoFA-supported programs;
6. Leads shall not include any activities listed in the exclusion list of the Dutch Entrepreneurial Development Bank (FMO)
7. Leads shall not include essential involvement of parties that are mentioned on **The World Bank's list of ineligible firms and individuals**
8. Leads shall not include essential involvement of companies from OECD member states that are not able to present current and operational International Corporate Social Responsibility (ICSR) policies in line with the OECD MNE or just not willing to realise this before the end of the project as project condition;
9. Leads shall not include essential involvement of companies from outside the OECD member states that are not able to provide record of good conduct in relation to legislation and social and environmental performance

3.5.2 Selection criteria

When potential interventions have met the threshold criteria an assessment based on selection criteria will take place. The selection criteria are (indicative):

1. The degree of ownership by (local) key players
2. The quality of the track record of (local) key players
3. The added value/uniqueness of the potential intervention in relation to ongoing land governance related interventions in the proposed geography;
4. The degree in which the potential intervention can contribute to structural change
5. The degree in which the potential intervention can help to apply international standards like VGGT, UNGP, FFP a.o. proposal

6. The degree in which the potential intervention contributes to gender equality and the empowerment of women and girls
7. The degree in which the potential intervention contributes to improved adaptation to climate change
8. The degree in which youth will benefit from the potential intervention
9. The degree in which the potential intervention will contribute to selected land governance related output and outcome indicators
10. The degree in which the potential intervention is explicit in dealing with the political situation and power dimensions around land governance

The LAND-at-scale Committee will approve the final set of threshold and selection criteria and changes thereof in the course of the programme.

3.6 Financing Interventions

The to-be-supported intervention plans entail a wide range of activities. In order to accommodate this, RVO.nl will employ all possible financial instruments it has. These are ranging from direct assignments, to grants and, if needed, international tenders.

4. Risk analysis

The implementation of a programmatic demand driven programme on land governance that aims for structural change in developing countries poses risks related to the context, programme design and to the individual or clustered interventions supported by it. Stakeholders that can be directly or indirectly positively or adversely be affected are the central and local governments, people that directly or indirectly depend on land governance related aspects for their livelihood and quality of life and companies that provide services to the people and or (partially) depend land governance aspects and ecosystem services generated by land (or water).

4.1 Context risks

Land is an asset that represents financial, social, cultural and geo-political power and status whilst providing direct and indirect income, a livelihood and human rights to many. A stable government, political system and conducive regulations are needed to adequately address land governance and related issues. Many lower and middle income countries, however, have limited capacity regarding land governance and related aspects, opposing interests regarding solving land governance and related issues and a strong non-inclusive political agenda on land governance, no institutional systems that meet international standards, weak local informal governance structures and a relative high score and low rank on the corruption perceptions index⁴. Also, formal aspects related to land governance often involve several Ministries and direct and indirect stakeholders. These should, but normally do not, work together for synergy and to prevent addressing only part of the problem. Moreover, informal aspects related to land governance are often based on local cultures and past events and most often are not documented whilst respecting these are of great importance for a sustainable solution. A different contextual risk is addressing the fact that various NL MoFA departments are involved. For many of them, this is a new field and approach that requires commitment and flexibility in capacity from all involved.

Risk	Influence on results of activity	Mitigating measures
Lower and Middle Income Countries often have unstable governments systems and a strong non-	Unstable project environment factors may lead to unsafe situations.	Country risks and the state of the government, political system and regulations will be assessed in relation to the project with the

⁴ <https://www.transparency.org/country>

inclusive political agenda on land governance.	Risks are medium/high.	embassy during identification and with adequate other parties during formulation. In case risks are too high, project proposals will be rejected.
Lower and Middle Income Countries have often limited institutional capacity and uncondusive regulations regarding land governance and related issues that do not meet international standards and have uncondusive regulations, and application thereof.	Delays, none inclusive solutions and local conflict. Risks are medium/ high	RVO will provide programme management and has a vast experience in project related gap analysis, subsequent capacity building and bringing the right parties at the right time together. A cautious approach will be applied whereby risks will be continuously assessed and decisions will be made in a transparent manner with broad consultation and mutual consent. In case risks are too high, project proposals will be rejected.
Lower and Middle Income Countries have often relative high scores and low ranks on the corruption perceptions index.	Fraud and corruption in land governance is generally wide spread. Risks are medium/high	Country risks regarding fraud and corruption in relation to land governance will be assessed in relation to the project with the embassy during identification and with adequate other parties during formulation. Best practice in discouraging and prevention will be applied based on past experiences.
Land governance is a niche in which adequate parties may not be readily available.	Delays in obtaining the right party or reduced quality when working with an alternative party. Risks are low.	RVO and NL MoFA have a vast network and experience in obtaining the right parties at the right time and with mitigating risks through programme and project management.
Addressing a wide range of NL MoFA result frameworks	Obtaining consensus and capacity may cause delays. Risks are low	All participating departments have been involved from the beginning in the design of LAND-at-scale. All departments can bring in external experts. Where needed, crash courses can be provided by LANDac partners.

4.2 Programme risks

Programme risks are related to the programme design and approach. In general, the more specific the programme, the more focus can be built in the design and approach and the lesser risks. LAND-at-scale has a programmatic demand driven modular approach for inclusive change of which the results are to be realised on the ground through a series of interventions. Though a programmatic approach enhances flexibility, it poses challenges regarding synergy, effectiveness and procurement. Other parties that strive for institutional change regarding land governance often address a part of the problem. This can take up to three to four years and a budget of three to four million Euro. Setting up or enhancing a cadastre and formalising informal governance structures are examples thereof. An inclusive solution may involve in the case of a cadastre in addition for instance elements addressing synergies between government structures, regulation and application as well as altering formal compensation, grievance systems, financing mechanisms and formalising informal rights whilst preventing land speculation and conflicts. This may therefore take longer and be more costly. Assigning such a task to a consortium of parties

(in cases even with IFI/UN organisations) with adequate know how and representation could reduce risks (and costs). Contrary, having to procure different parties over time whereby a party that has been assigned before may be excluded as an option as a result of the procurement rules, may increase risks and the total project time and costs.

Demand driven poses an additional risk in obtaining sufficient projects of sufficient quality in time whilst a larger number of focus countries or regions defuses capacity. Other risks may derive directly form the contextual risks and will for efficiency reasons not be elaborated upon in this paragraph.

Risk	Influence on results of activity	Mitigating measures
Procurement means not fully in line with programmatic approach and programme objective may result in more lengthy processes, delays and loss of quality of projects.	Delays, fragmentation, loss of quality. Risks are low	RVO and NL MoFA shall guide the embassies in such a way that the leads will be presented in line with available procurement means; this includes adherence to the anticipated clustering of leads in a limited number of countries; LAND-at-scale shall further more apply intense project management.
Obtaining insufficient high quality leads in time	Quality and time of staff at embassies can be a factor negatively affects quality and/or quantity of leads. Risks are low/medium	Embassies and NL-based partners have actively been involved in the design of LAND-at-scale. If embassies, however, will decide not to send in leads without a proper explanation, NL MoFA can decide to indicate alternative routes (e.g. via multilaterals or national governments). RVO shall anyhow provide embassies with adequate programme information sheets for potential leads.
Geographic fragmentation of resources	Especially when there are very many good leads from very many different countries Risks are low/medium	The LAND-at-scale annual strategic plan shall provide specific focus on countries/regions where need be.
Personnel-related fraud	Abuse of allowance schemes, falsified time sheets and fictitious staff on the payroll (ghost staff); Liquid assets, stock and inventory can be stolen or embezzled. Risks are low/medium	Transparency within partnerships, close monitoring and experience of RVO staff will help to mitigate risks; checking track records of contract parties and obtaining second opinions via e.g. embassies are also important
Procurement fraud	Collusion between procurement staff and an outside supplier; receipt of bribes by procurement staff. This can lead to products and services being supplied that are not in accordance with specifications or procurement at non-market prices. Quality and price checks are essential in such cases. Risks are low/medium	Close monitoring, transparency within partnerships and experience of RVO staff will help to mitigate risks; checking track records of contract parties and obtaining second opinions via e.g. embassies are also important

4.3 Project risks

Project risks vary depending on local conditions and to what extent the project is related to ongoing processes or projects. Important local aspects relate to the support in countries to achieve desired institutional change, capacity to cover the entire wider formal and informal project surroundings and CSR related risks. Formal land governance is laid down in law and legislation and executed by central and local governments. Changes in laws, legislation or application therefore always require support at governmental level. As land governance is highly political, changes will draw exposure that may result in reluctance to support such a change. Moreover changes will have to go through the constitutional decision making processes which are lengthy and often unpredictable. In some cases it may out length the time given to this programme. Project risks may involve risks associated with physical interventions such as developing land for crops, infrastructural development or reforestation. In such a case the approaches provided in IFC performance standards (IFC PS) two to seven, the principles of the VGGT and the UN Guiding Principles on Business and Human Rights are important to mitigate risks. In case the projects involve setting up a new or enhanced governance structure risks may include: Government financing, leakage of knowledge as trained people may leave and maintaining changes rather than falling back to what people are used to do over time. Also the project definition can become very wide with inclusion of indirect stakeholders or when ecosystem services are affected that are used by stakeholders elsewhere. Associated work and costs may be discouraging whilst downgrading may result in the risk of excluding people. Other risks may derive directly from the contextual and programme risks and will for efficiency reasons not be elaborated upon in this paragraph.

Risk	Influence on results of activity	Mitigating measures
Lack of institutional support and lengthy unpredictable decision making processes	Delays, low quality interventions, lack of anticipated results. Risks are medium/high.	Embassies will only forward leads if they anticipate that there will be sufficient support for realizing the anticipated changes; in the case of upscaling, previous evaluations of pilots should have confirmed this.
Leakage of know-how and changes not enough institutionalised to remain over time	Unsustainable investments that are not resilient to changes; Risks are medium.	LAND-at-scale will actively support governments and affected people to promote mutual beneficial outcomes of the intervention. This should stimulate involved stakeholders to make the investment sustainable.
Excluding people (women/youth/marginalised people and others) or not sufficiently addressing their concerns, interests or rights	Conflicts, sabotage, delays, lack of support. Risks are medium/high.	LAND-at-scale recognizes that land governance is a delicate and often highly emotional subject that requires a cautious approach. All interventions will therefore be adequately screened and monitored on issues like <ul style="list-style-type: none"> - Fair and representative stakeholder consultation with specific attention to vulnerable people - expectation management - clarity in process and execution in time - presence and accessibility of grievance systems - gender specific monitoring and evaluation

CSR infringements	As legislation in Lower and Middle Income Countries is often relatively weak, risks of infringements of applicable international standards is medium/high (especially in infrastructural investments and large scale land acquisitions).	Potential project partners will undergo a due diligence on CSR related aspects and governance. Project plans will be screened on the OECD MNE, IFC PS, and UN Guiding Principles on Business and Human Rights and the VGGT. RVO will conduct annual site visits and be strict on cases that indicate violation of international standards.
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