Note to Task Teams: The following sections are system generated and can only be edited online in the Portal.

Project Information Document/Integrated Safeguards Data Sheet (PID/ISDS)

Concept Stage | Date Prepared/Updated: 23-Nov-2016 | Report No: PIDISDSC18809
BASIC INFORMATION

A. Basic Project Data

<table>
<thead>
<tr>
<th>Country</th>
<th>Project ID</th>
<th>Parent Project ID (if any)</th>
<th>Project Name</th>
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<tbody>
<tr>
<td>Afghanistan</td>
<td>P160588</td>
<td></td>
<td>Technical Assistance for Afghanistan Independent Land Authority (ARAZI) (P160588)</td>
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</table>

<table>
<thead>
<tr>
<th>Region</th>
<th>Estimated Appraisal Date</th>
<th>Estimated Board Date</th>
<th>Practice Area (Lead)</th>
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<tbody>
<tr>
<td>SOUTH ASIA</td>
<td>May 15, 2017</td>
<td>Aug 14, 2017</td>
<td>Social, Urban, Rural and Resilience Global Practice</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lending Instrument</th>
<th>Borrower(s)</th>
<th>Implementing Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment Project Financing</td>
<td>Ministry of Finance, Afghanistan</td>
<td>Afghanistan Independent Land Authority-- ARAZI</td>
</tr>
</tbody>
</table>

Proposed Development Objective(s)

A. Proposed Development Objective(s)

The Project Development Objective (PDO) is to support the Afghan Government to develop the policy and regulatory framework and build capacity to deliver transparent, pro-poor land services.

The project aims to support:

a. the establishment of an affordable and accessible land registration system;
b. raising public awareness, knowledge and understanding about laws and regulations governing the land sector;
c. developing processes and service standards for Arazí’s core functions;
d. improving the implementation capacity of the Afghan Government to deliver its services;
e. the effective and efficient use of state land for equitable socio-economic development.

Financing (in USD Million)

<table>
<thead>
<tr>
<th>Financing Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>IDA Grant</td>
<td>30.00</td>
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</tbody>
</table>

Total Project Cost 30.00

Environmental Assessment Category  
B-Partial Assessment

Concept Review Decision  
B-Partial Assessment

Have the Safeguards oversight and clearance functions been transferred to the Practice Manager? (Will not be disclosed)
B. Introduction and Context

Country Context

1. Afghanistan continues to struggle to overcome almost four decades of war and civil strife. Its political context remains complex and dominated by the Taliban insurgency, narcotics production, and weak governance and rule of law. After fifteen years of state building Afghanistan remains a fragile state. Elections in 2014 have resulted in a new President and a government committed to address the country’s political and economic challenges.

2. Afghanistan’s development depends to a large extent on the efficient use of its land resources. Demand for agriculture land and for commercial development is high, while at the same time, the Government puts a lot of efforts into developing Afghanistan’s physical infrastructure. Natural resources and agriculture are the only sectors with the potential to drive the required growth to cope with fiscal and demographic pressures. In 2015, the economy grew at only 0.8 percent, with a decline of 5.7 percent in agricultural production. In 2016, the growth rate is expected to reach only 1.2 percent. This is significantly lower than the population growth and, therefore, a poverty increase is expected for 2016. This weak growth reflects the deteriorating security environment and weak agricultural performance. While economic growth is expected to pick up by 2019 to 3.6 percent, this is predicated on improvements in security, political stability, successful reform progress and high levels of aid.

3. The delivery and accountability of basic government services, especially for land administration and management including land registration and dispute resolution, has not met the expectations of citizens. The Government of the Islamic Republic of Afghanistan's (GoIRA) strategic vision for the Afghanistan Independent Land Authority (Arazi) is to achieve this through the provision of a balanced approach between (a) pro-poor land administration services in support of tenure security through land registration, and (b) land allocation and the provision of land to support private sector investment.

Sectoral and Institutional Context

4. Nearly 75 percent of the Afghan population is living in rural areas, and with agriculture accounting for 56 percent of the employment, this sector plays a key role in poverty reduction. Investments and growth in agriculture and agriculture-based industries heavily depend on a transparent policy and regulatory framework. Equitable growth and employment generation in the agriculture sector, agribusinesses and extractive industries depend on clear and secure land rights that protect the resource access of the poor, prevents land grabbing, and balances the interests of investors and in particular small landholders. The current institutional framework for land management and administration is not conducive to an inclusive, pro-poor economic development. Outdated systems, overlapping responsibilities, lack of capacity at local levels, conflicting systems for land ownership, and uncertain or incomplete legal frameworks,
compounded by decades of conflict and widespread displacement, result in competing claims to land and conflicts

5. Conflict, vulnerability, and land disputes have been heightened by the massive population displacement that has occurred in Afghanistan. Millions of refugees and displaced Afghans have returned to their homes since 2002 with thousands still arriving annually, and many citizens remain displaced within the country. United Nation’s High Commission for Refugees (UNHCR) reported (in 2011) that 74.3 percent of returnees did not have access to farmland and there is a definitive link between displacement and increase in land disputes.

6. Afghanistan lacks an effective, transparent, accessible administrative system of land registration. The judicial system of land administration is widely acknowledged as being corrupt, favoring the powerful and being not pro-poor. International good practice is to move to administrative systems for land registration and this is the model preferred by Arazi, its cadastral department and is reflected in the proposed amendments to the Law on Managing Land Affairs now rechristened the “ARAZI law”.

7. A National Land Policy was approved by the Cabinet in 2007, but the main land related laws are neither fully aligned with the National Land Policy, nor are they supported by proper regulatory frameworks. In addition, the land cadaster is limited and outdated, covering only around one-third of total land. The prevalence of customary claims, and communal land rights pose further obstacles to efficient land administration.

8. There is no country specific resettlement policy in Afghanistan, and both the draft Law on Managing Land Affairs and the draft Law on Land Expropriation are yet to be approved and fully operationalized in terms of requisite implementing rules and regulations.

9. In 2013, Arazi was designated as the independent government entity for land administration and management in accordance with the Cabinet Resolution # 11 dated 27 May 2013. Arazi has formulated an Operational Strategy that envisages improvements in governance and service delivery by establishing a transparent policy and regulatory framework building on the National Land Policy, moving to an administrative land registration system, and revising the Law on Managing Land Affairs and the draft Law on Land Expropriation to be more explicitly pro-poor.

Relationship to CPF

10. The Arazi Support Project supports all three strategic pillars of the CPF (2017-20): (i) building strong and accountable institutions; (ii) supporting inclusive growth; and, (iii) social inclusion.

11. The proposed project directly addresses the First pillar through its support in strengthening and developing Arazi as an effective institution for land administration. Arazi currently has about 1,100 civil service staff, plus 200 contract staff. 300 are employed in the Kabul Central Office, 1,000 in 34 provincial offices. Capacity building to increase their technical knowledge and performance, and improve the quality of service delivery, will be key to the success of the proposed project. The proposed project especially addresses the
Second and Third CPF Pillars by supporting the tenure security of rural landowners and assisting with the formulation of a pro-poor land allocation policy.

12. The project will also support the Second CPF Pillar, by facilitating access to land for private sector investment through the development of transparent procedures and monitoring land leasing. Promotion of land access for private investment will provide for growth and development of mineral resources, infrastructure, manufacturing, communities and employment-creating sectors, viz. agriculture, construction and enterprise development.

**Rationale for Bank Engagement and Choice of Financial Instrument**

13. The proposed Project will build upon the learnings from previous Bank projects as well as the results and processes of the Land Governance Assessment Framework (LGAF). In addition, the Bank has provided technical assistance for the review of policies and laws. All past and ongoing assistance has laid the ground for a comprehensive support project to address the institutional constraints of ARAZI, which will subsequently further facilitate the implementation of other infrastructure and economic development projects as well. The Bank will be able to bring leading international experts in land, from within and outside the Bank, including the partnership with Food and Agricultural Organization of the United Nations (FAO), to inform the design and support the implementation of the proposed operation.

**C. Proposed Development Objective(s)**

| Note to Task Teams: The PDO has been pre-populated from the datasheet for the first time for your convenience. Please keep it up to date whenever it is changed in the datasheet. |

A. Proposed Development Objective(s)
The Project Development Objective (PDO) is to support the Afghan Government to develop the policy and regulatory framework and build capacity to deliver transparent, pro-poor land services.

The project aims to support:

a. the establishment of an affordable and accessible land registration system;
b. raising public awareness, knowledge and understanding about laws and regulations governing the land sector;
c. developing processes and service standards for Arazi’s core functions;
d. improving the implementation capacity of the Afghan Government to deliver its services;
e. the effective and efficient use of state land for equitable socio-economic development.

**Key Results (From PCN)**

14. Key results are:

a. Administrative land registration system designed and approved. This will include the registration of informal/customary claims and communal land rights

b. Land information system (LIS) developed and under implementation.

c. Administrative dispute resolution system operational and monitored. This will include the development
and official recognition of community-based systems for land disputes resolution.

d. Land access system and procedures for gender sensitive, pro-poor land allocations and investment developed and operational with monitoring.

e. Arazi is strengthened and with improved capacity to deliver its public sector functions in the land sector.

15. The key beneficiaries of the project will be: (i) individuals, families and communities who will receive secure tenure rights and better, affordable access to land administration services; (ii) landless people who receive secure access to land for their homes and livelihoods; (iii) private investors who receive allocations of land for investment purposes; (iv) Arazi.; and (v) citizens and businesses who will be able to access independent, accountable administrative procedures for land dispute resolution.

D. Concept Description

16. The project is designed as primarily a technical assistance (TA) project that will prepare and strengthen the newly independent Arazi for its tasks as a transparent and responsive service provider in the land sector.

17. The proposed project is envisaged as a the first phase of a longer engagement in the Afghan land sector, initially focusing on institutional strengthening, capacity building and policy development of Arazi in support of land sector reform. The project will build upon the lessons and experiences of the USAID supported Land Reform in Afghanistan (LARA) project and its predecessor, the Land Tenure and Economic Restructuring Activity (LTERA) (2004-09). This project will also support the implementation of Arazi’s operational strategy to become a modern public land services institution.

18. Specifically, the proposed project will consist of four components focused on institutional strengthening and capacity building of Arazi through the development of an administrative system of land registration, policy and land access, which are further described below.

Component 1: Development of a Modern Land Registration System (US$ 13 million)

19. This component will support the development of an administrative land registration system that draws upon relevant international good practice and modern technology and delivers affordable accessible services to individuals, the community and business in accordance with accountable, transparent services standards.

Subcomponent 1.1: Land Registration System Development

20. This subcomponent will finance the necessary technical advice to develop an administrative land registration system and build capacity of Arazi personnel in the areas of surveying, mapping, adjudication, land registration, service delivery and land records management. It will review and revise the procedures for surveying and land clearance (Tasfiya, i.e. the collection and validation of evidence of land ownership and rights) and establish a more efficient and effective process through participatory community involvement.
21. The subcomponent will also finance the further development of the national LIS and secure land records management system based on open-systems technology and train Arazi in the operation and maintenance of the system, including the necessary TA and advisors. The subcomponent will develop effective and efficient service delivery procedures, including manuals and also service delivery standards and tools for monitoring compliance with these standards. Further, some small pilots over several selected areas using satellite and/or aerial imagery will be undertaken to test alternative approaches to field surveying.

Subcomponent 1.2: Institutional Strengthening and Capacity Building

22. This subcomponent will finance the establishment of a Land Administration and Management Training Center under Arazi. Under this, technical advice will be provided to develop training courses, syllabi and training materials, which will be independently evaluated. The training center will be provided with the necessary office equipment, and adequate equipment, including IT and software for surveying and geographic information systems. Opportunities to strengthen the center with linkages to leading international technical training universities will also be explored. In addition, opportunities for South-South cooperation and training would be supported through the centers in South Asia established with World Bank support under the Management of Land Acquisition, Resettlement and Rehabilitation (MLARR) Program. Specific cooperation possibilities could also exist with the Turkish Cadaster Agency. Support could also be provided by the FAO’s Land Tenure Service to strengthen overall Arazi capacity.

Sub-component 1.3: Public Awareness Raising

23. This subcomponent will finance TA to develop procedures and IEC materials for raising public awareness and will provide training to Arazi staff. The subcomponent would also train local community facilitators to support the outreach of knowledge of Arazi’s services. It will include raising public awareness about people’s rights in land issues. Particular emphasis will be on reaching out to women and other marginalized groups.

Component 2: Strengthening Land Policy and Regulatory Framework (US$ 5 million)

24. This component would support the review, and where applicable, the revision of the land policies and laws, including laws and implementing regulations to enable Arazi to implement its mandate under the Law on Managing Land Affairs and other laws, including the Land Expropriation Law. Afghanistan’s current Land Policy was approved by Cabinet on 3rd September 2007. This policy document is still relevant and provides the guidance for the institutions acting in the land sector. However, it is in need of update, and reflecting Arazi’s new role and plans in the land sector. The project’s policy program will draw upon priorities agreed under the Land Governance Assessment Framework (LGAF). Assistance in operationalizing the 2007 Land Policy (and Forest Law) and the recommendations of the LGAF results are expected to provide the basis for improved process and gender-sensitive outcomes of community-based natural resource management, including climate change adaptations and climate smart (agriculture) resource management techniques.

Subcomponent 2.1: Land Policy Development

25. This subcomponent would support the policy development, specifically in: (i) administrative system of land registration; (ii) administrative dispute resolution; (iii) fair and just compensation for compulsory land acquisition; (iv) private sector land surveying; (v) land use planning and land classification.
Gender-sensitive policy formulation will be complemented by support to the legal process of drafting of laws, regulation and implementation procedures. This would include support for the strengthening High Council for Land and Water, as envisaged in Arazi’s Operational Strategy.

**Subcomponent 2.2: Land Dispute Resolution**

26. In accordance with international good practice, this component would develop administrative dispute resolution procedures. The sub-component will assess the multitude of dispute resolution pilots of the last 10 years in Afghanistan, including the recent Arazi/USIP pilots in Khost and Kunduz, and the procedures prepared under LARA, develop procedures that will build on good practices and the consideration of local customs and traditions and train local facilitators and Arazi officials.

**Component 3: Land Access (US$ 2 million)**

This component will support the formulation of a policy and the establishment of transparent and accountable procedures for the allocation of state land for (a) landless individuals and families to provide for secure tenure; and (b) the allocation of land to support private sector investment through land distribution, land leasing and establishment of industrial parks.

**Subcomponent 3.1: Land Allocation to Landless Poor**

27. This subcomponent would evaluate past and current experiences in Afghanistan with land allocation approaches, including the experiences with returnees and IDP. Based on this, support will be provided for the development of: (i) procedures for the identification of available lands for allocation; (ii) the eligibility criteria and processes for the selection of potential recipients; and (iii) supporting instruments and conditions for land allocation.

**Subcomponent 3.2: Land Access for Private Sector Investment**

28. This subcomponent would support the development of more transparent procedures for the allocation of land for private sector investment through state land identification and land leasing. In addition, this subcomponent would support the development and implementation of a monitoring system and procedures to ensure that all land allocated to private sector investment comply with prescribed conditions and covenants.

**Component 4: Project Management (US$ 10 million)**

29. This component will support overall project management through: (i) providing necessary key contract staff in the Project Implementation Unit (PIU) to assist Arazi in managing project implementation including procurement and financial management; and coordination with other projects including the Afghan Resources Corridor Project; and (ii) monitoring and evaluation (M&E) of project implementation and impacts. As part of the advisory role on institutional strengthening, Arazi will be assisted in complying with Capacity Building for Results (CBR) principles and integrating into the CBR\(^1\) program.

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1 The Capacity Building for Results Facility (CBR) supports capacity and performance improvements of core line ministries. It helps finance the costs associated with technical assistance for preparation and implementation of capacity building programs: recruitment of managerial, common function and professional staff for key positions in selected line ministries; a management internship program; and training of civil servants.
Subcomponent 4.1. Project Management
30. Under the project, a PIU would be established with staffing to support project management, planning, financial management, procurement and specific technical staff. The operation of the PIU would also serve the purpose of strengthening Arazi’s own administrative requirements as a government authority. Training will be provided in project management, reporting, planning, financial management and procurement.

Subcomponent 4.2. Monitoring and Evaluation
31. Effective implementation of this project will require the early implementation of an M&E system at all levels (central and regional). This subcomponent would also finance training, and systems development for the implementation of the M&E system.

Note to Task Teams: The following sections are system generated and can only be edited online in the Portal.

SAFEGUARDS

A. Project location and salient physical characteristics relevant to the safeguard analysis (if known)

The project is designed as primarily a technical assistance (TA) project that will prepare and strengthen the newly independent Arazi for its tasks as a transparent and responsive service provider in the land sector. Specifically, the proposed project will consist of four components focused on institutional strengthening and capacity building of Arazi through the development of an administrative system of land registration, policy and land access. These interventions will be consistent with the Government’s and World Bank’s safeguards policies and guidelines and consultants’ Terms of References (ToRs) will be drafted accordingly.

As the proposed activities under this project will mainly involve technical and analytical assistance, advisory services, and building capacity of Arazi to deliver its services to support the land administration and management, there will be very limited civil work, such as renovation of AILA’s office facilities under the PPG activities, for which a site-specific EMP is prepared / cleared.

B. Borrower’s Institutional Capacity for Safeguard Policies

The institutional responsibilities for preparing the various environmental and social safeguards instruments would lie with the Afghanistan Independent Land Authority (Arazi). The capacity of Arazi, the newly independent land authority, to implement this category B project is limited, but will be reinforced by the recruitment of an environmental and social consultant. The safeguards team will work closely not only with the National Environment Protection Agency (NEPA) and Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAM), but also with civil society and other stakeholders. In addition, under component 1, the TA project will consider sufficient capacity building for NEPA and other relevant stakeholders.

Furthermore, the Arazi team members have already attended a number of trainings such as training in Management of Land Acquisition, Resettlement and Rehabilitation organized by BRAC University/World Bank, additional support will be provided during project preparation and implementation.

C. Environmental and Social Safeguards Specialists on the Team
Mohammad Yasin Noori, Obaidullah Hidayat

### D. Policies that might apply

<table>
<thead>
<tr>
<th>Safeguard Policies</th>
<th>Triggered?</th>
<th>Explanation (Optional)</th>
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</thead>
<tbody>
<tr>
<td>Environmental Assessment OP/BP 4.01</td>
<td>Yes</td>
<td>The Environmental Assessment policy is triggered as component 3: Land Access will comprise drafting of eligibility criteria and policies and procedures for land allocation to poor and landless people as well for Private Sector Investment. All legal amendments, regulations and procedures under the project will be subject to an Environmental and Social Assessment (ESA) to assess downstream potential impacts. The ToR of the ESA will include environmental and social elements which will be informed by policy requirements of OP 4.01 and other relevant applicable Bank safeguard policies. The relevant ToR will be cleared by the Bank. To ensure holistic safeguard approach, the project will coordinate with NEPA, MoLSAMD and other relevant line ministries. Also under component 4: Project Management, there will be limited civil work, mainly renovation of the existing AILA’s office facilities, for which an EMP had been prepared by AILA and approved prior to the approval of the grant agreement for PPG. The EMP was disclosed both in country on AILA’s website and WB’s Info shop on August 1st, 2016, in local and English Languages accordingly.</td>
</tr>
<tr>
<td>Natural Habitats OP/BP 4.04</td>
<td>No</td>
<td>This policy is not triggered, the policy and guidelines developed and laws adopted by Arazi under this TA project will not entail implication to Natural Habitats. The prevailing Environmental Law includes a negative list where all identifies Natural Habitats are listed and are declared as preserved area.</td>
</tr>
<tr>
<td>Forests OP/BP 4.36</td>
<td>No</td>
<td>OP/BP 4.36 (Forests Policy) is not triggered since, policies and procedures that are ultimately adopted by Arazi will have no applicability with the land under forest. The country has a Forest Law and clear guidelines and procedures are already applicable and in place, and under the mandate of Ministry of Agriculture and Livestock.</td>
</tr>
<tr>
<td>Pest Management OP 4.09</td>
<td>No</td>
<td>OP 4.09 (Pest Management) policy is not triggered because Project activities will not involve purchase, use or storage of pesticides, nor will it support the</td>
</tr>
<tr>
<td>Safeguard Category</td>
<td>Classification</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>----------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Physical Cultural Resources</td>
<td>No</td>
<td>The Arazi Support Project activities will not affect any physical cultural resources and the renovation activities will be strictly limited to upgradation of existing AILA building</td>
</tr>
<tr>
<td>Indigenous Peoples</td>
<td>No</td>
<td>The Arazi Support Project does not have any activity in any area of indigenous people</td>
</tr>
<tr>
<td>Involuntary Resettlement</td>
<td>Yes</td>
<td>Although the Project will not involve any relocation or involuntary resettlement per se, the Involuntary Resettlement Policy is triggered due to the potential downstream impacts that could arise from any laws, policies, procedures and guidelines on Involuntary Resettlement that are ultimately adopted by the government. Component 2 (strengthening Land Policy and Regulatory Framework) would support the review and where applicable the revision of the land policies and laws, including laws and implementing regulations to enable Arazi to implement its mandate under the Law on Land Management Affairs and other laws, including the Land Expropriation Law, in a consistent framework and in accordance with pro-poor land policies and good land governance. All legal amendments, regulations and procedures developed under the Project will be subject to an Environment and Social Assessment to assess potential downstream impacts. The Project will facilitate future Bank and other partner operations by having commonly accepted standards in place. Broad consensus on these issues will be sought through inter-ministerial cooperation, in particular through the High Council of Land.</td>
</tr>
<tr>
<td>Safety of Dams</td>
<td>No</td>
<td>The Project does not have any activity involving dams.</td>
</tr>
<tr>
<td>Projects on International Waterways</td>
<td>No</td>
<td>The Project does not involve any activity that will affect international waterways.</td>
</tr>
<tr>
<td>Projects in Disputed Areas</td>
<td>No</td>
<td>The Project does not involve any activity in any known disputed area.</td>
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**E. Safeguard Preparation Plan**

Tentative target date for preparing the Appraisal Stage PID/ISDS

**Apr 17, 2017**
Time frame for launching and completing the safeguard-related studies that may be needed. The specific studies and their timing should be specified in the Appraisal Stage PID/ISDS.

The appraisal-stage ISDS will include timeframe for preparing the safeguards-related studies, (i.e. Social Assessment, Environmental Assessment) and related documents.

CONTACT POINT

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Senior Social Development Specialist

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Dr. Mohammad Mustafa Mastoor
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Jawad Peikar
Chief Executive Officer
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APPROVAL

Task Team Leader(s):
Shankar Narayanan
**Approved By**

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<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>Safeguards Advisor:</td>
<td>Takeaki Sato</td>
<td>08-Nov-2016</td>
</tr>
<tr>
<td>Practice Manager/Manager:</td>
<td>Anna C. O'Donnell</td>
<td>08-Nov-2016</td>
</tr>
<tr>
<td>Country Director:</td>
<td>Stephen N. Ndegwa</td>
<td>14-Nov-2016</td>
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**Note to Task Teams:** End of system generated content, document is editable from here.