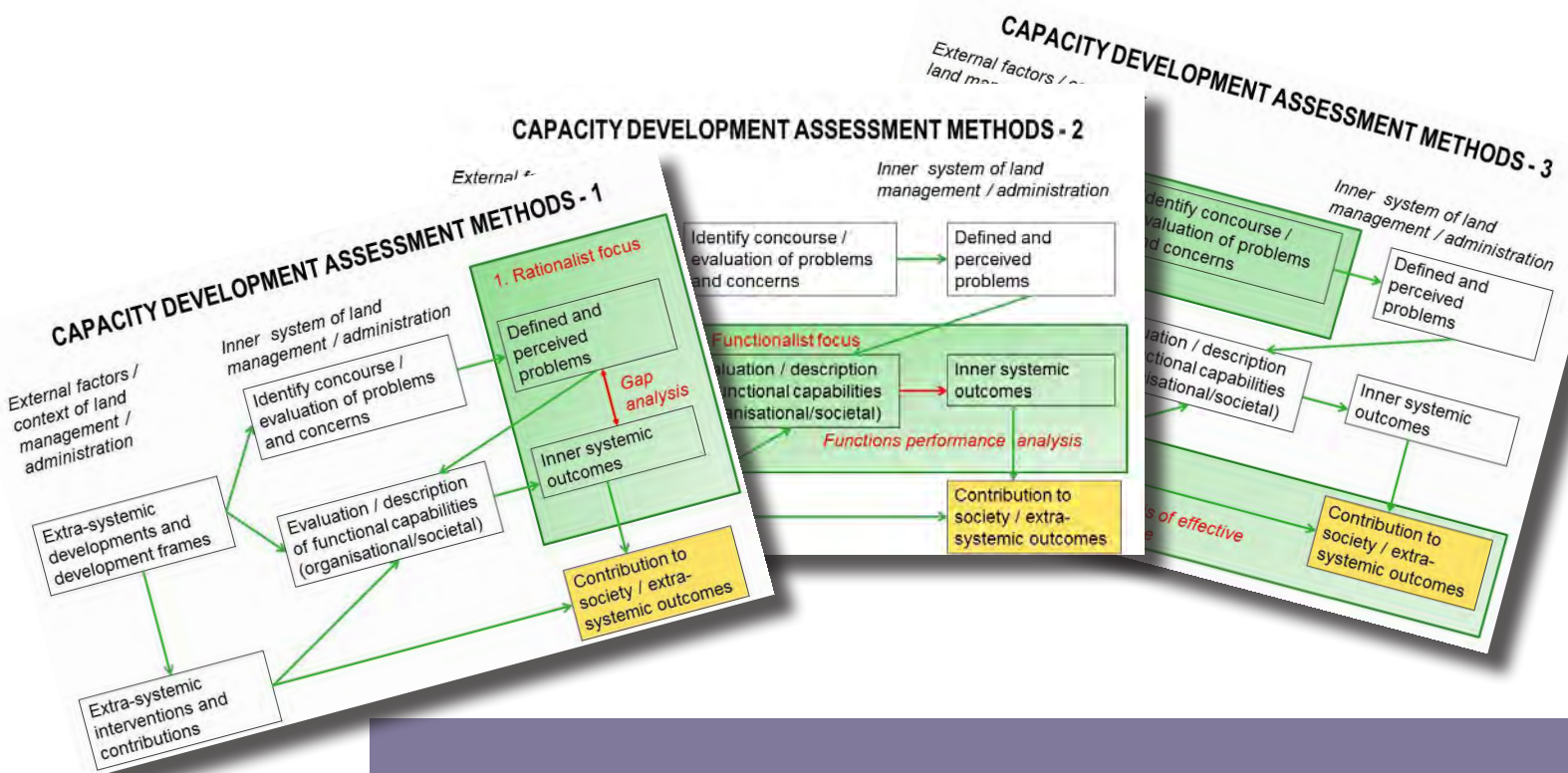# CAPACITY ASSESSMENT FOR LAND POLICY IMPLEMENTATION

Developing existing capacity throughout the learning cycle

CAPACITY ASSESSMENT

THE NEED FOR CAPACITY ASSESSMENT

A wide spectrum of recent policy, scientific and advocacy documents call for more effective implementation of land policies. This approach underlies GLTN objectives, thus the need to develop and strengthen implementation capacity. Examples of these documents include the 2009 Declaration on Land Issues and Challenges in Africa, Framework and Guidelines on Land Policy in Africa, European Union's Guidelines for support to land policy design and land policy reform processes in developing countries and others. All these documents identify capacity as a crucial challenge in land reform processes. The common approach is to emphasise isolated and piece-meal capacity building and training interventions, leading to capacity which is either insufficient or inappropriate.

As a response to this situation, GLTN has formulated a Capacity Development Strategy, which emphasises the importance of identifying, understanding and then developing existing capacity through a comprehensive approach, involving all stages of a good practice learning cycle. To do this successfully would inter alia require a good tool to assess the existing, context-specific capacity levels and the relevant capacity development needs. The Ministry of Lands in Kenya, supported by UN-Habitat and Sida, undertook a Training Needs Assessment of the Land Sector in Kenya in order to strategize around the capacity enhancements required for implementing land reform programme defined by the National Land Policy and the National Constitution. The outcomes of these processes all highlight the need for systematic approaches to capacity assessment.

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CAPACITY ASSESSMENT

In order to realize a systematic approach, GLTN engaged the University of Twente (ITC), a long time capacity developer and GL TN partner, to develop an innovative holistic tool for capacity assessment in land policy implementation that is suitable in the context of developing countries. The tool development was partly based on an analysis of previous assessment attempts to draw on lessons learnt. Contemporary capacity assessment methodologies normally focus on individuals in the organizations, are project driven and disciplinary in nature. On the contrary, the development of the assessment tool focuses on the individual, the organization, and the broad institutional and policy environment in which land is managed. While it recognizes the need for initial intensive human and organizational capacity development of land agencies ('catch-up'), it also aims at assessing the needs for

continuous professional development and strengthening the organizational learning capacity of land agencies. This is in line with GLTN's *Capacity Development Strategy* which promotes a paradigm shift for the recognition of the *Continuum of Land Rights*, and a comprehensive approach to the development of existing capacity for implementing this shift. The assessment tool will take into account the typical trans-disciplinary and multi-institutional nature of land policy development and implementation. Its design will integrate previous capacity assessment attempts from which to learn and build on. An additional aspect of the capacity assessment tool will be the identification and assessment of local institutions capable of supporting capacity development and offering good practice training, with the potential of testing, improving and rolling out the tool.

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PROGRESS TO DATE

The tool development process consisted of a co-construction process of professional land administrators, land policy makers and international research and training institutions. This included a combination of surveys, internet and social media surveys, and a synthesis of relevant literature. The desk research emphasised capacity assessment studies undertaken at country levels; interactions with relevant stakeholders to assess the impact of capacity assessment studies and recommendations. The development of the capacity assessment tool was based on the recognition that developing and implementing land policy is both

technically complex and politically sensitive. The process, thus, requires new and innovative human and organizational capacity and approaches to address these challenges. The tool development led to testing with a cyclic hermeneutic approach and field visits to Kenya and Mozambique, where stakeholders reviewed the draft and contributed to refining the approaches. The development culminated in Capacity Assessment tool validation in partnership with Makerere University and with stakeholders in Uganda. The next steps will involve piloting in at least two countries and refinements based on practical experiences before the tool is published.

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