

FIG

FIG WORKING WEEK 2017

Helsinki Finland

29 May - 2 June 2017

Presented at the FIG Working Week 2017,
May 29 - June 2, 2017 in Helsinki, Finland

Implementing Innovative Land Tenure Tools In East-Africa: SWOT-Analysis Of Land Governance

Ine BUNTINX, Joep CROMPVOETS, Serene HO, Bruno BROUCKER
1st June 2017



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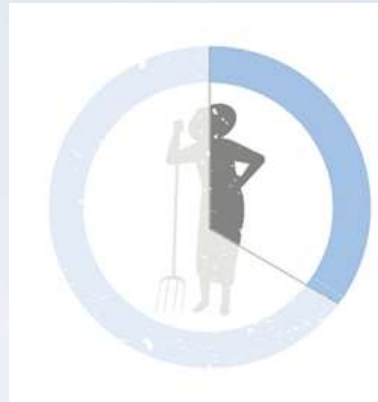
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32% of farms are held by women, compared with **68%** for men



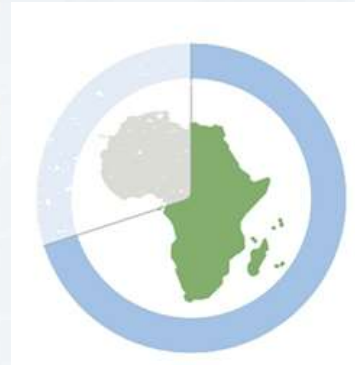
50% of forest in developing world have insecure tenure



Land issues have played a major role in **27** conflicts in Africa since 1990



70% of land in developing countries is unregistered



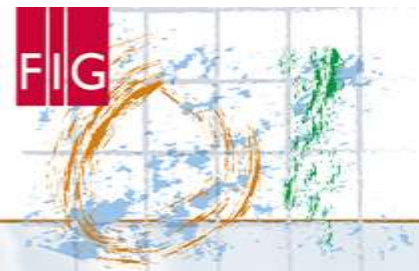


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Introduction

Conventional systematic survey and mapping approaches have been found to be of limited value to deliver appropriate and adequate land tenure recordations in developing countries (East-Africa).

- too slow and too expensive
- Inability to fully accommodate existing conditions



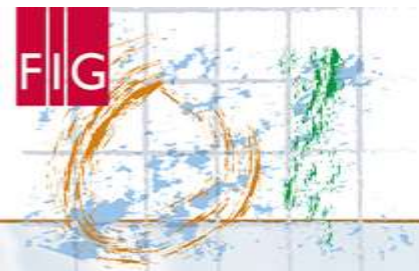


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Introduction

Creating new tools to make land rights mapping faster, cheaper, easier, and more responsible.



Draw and
Make



Fly and
Create



Automate it



Publish
and Share



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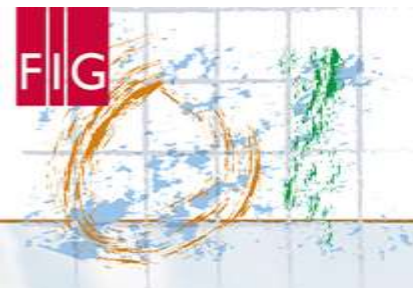


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Technical solution x Social solution



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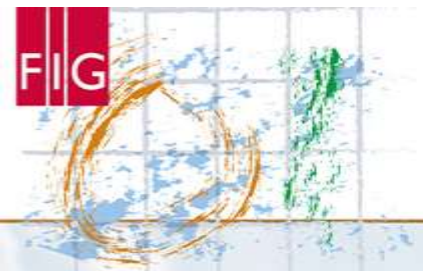


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Land Governance

- **1980s**: Governance is initiated as a concept a consequence of organizational and management debates in the context of public sector reforms.

‘Governance’ ↔ ‘Government’

- **During the past decades**: becoming a broad concept that is used in different ways and has a variety of meanings.
- **Land Governance** = *“the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are made, implemented and enforced and the way the competing interests are managed.”*



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Land governance

Socio-economic context for land

describes the broad socio-economic and political context from a land perspective

Institutions

focusses on the institutions who are engaged with the regulation on tenure and markets.

The land tenure systems

discusses the contemporary existing land rights

Land reform content

describes the content and objectives of the proposed reform

Land market

clarifies the operation of the land markets, including the main constraints



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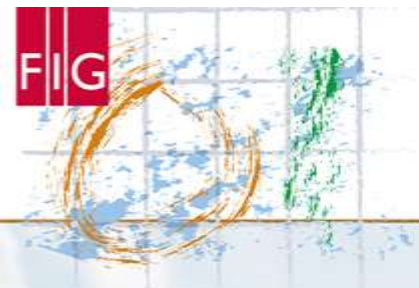


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Ethiopia

<i>Socio-economic context for land</i>	Economic growth (poverty rate 2000: 55,2% vs 2011: 35,5%) 2 waves of decentralisation: improving local governance/regional self-rule
<i>Institutions</i>	Ministry of Agriculture → land coordinating responsibilities Regional governments → administration and regulation of land Every regional government has their own institutional arrangements for LA
<i>The land tenure systems</i>	All land is owned by the state (Ethiopia separates rural and urban land administration) → urban areas (leasehold) vs rural areas (user rights) → Land tenure system is not transparent (Who benefits?)
<i>Land reform content</i>	2005-2015: millions of certificates were delivered on a participatory manner (fit-for-purpose approach) Challenges: lack of information access, poor local facilities, maintenance...
<i>Land market</i>	Land delivery is planned by the government → restriction laws ↑ informal housing



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Kenya

<p><i>Socio-economic context for land</i></p>	<p>Most advanced economy of SSA (still a poverty rate of 38%) 2010: New Constitution → devolved : national/local</p>
<p><i>Institutions</i></p>	<p>Ministry of Lands → mismanagement (redistribution land to rich) National land commission → politically independent / power struggle</p>
<p><i>The land tenure systems</i></p>	<p>Land is designed as private (<10%), public (public domain: forests, rivers, land occupied by the government >10%) or customary land (>70%)</p>
<p><i>Land reform content</i></p>	<p>The 2010 Constitution guarantees equal access to land → land is used to the benefit of local communities as well as prohibiting the misappropriation of public land. Challenges: lack of formal titling → fraudulent land sales, mismanagement</p>
<p><i>Land market</i></p>	<p>Access to land in Kenya can be associated to access of power → state land is allocated to powerful people with strong political or socio-economic networks. formal land registration is expensive → ↑ informality</p>



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Rwanda

<i>Socio-economic context for land</i>	Substantial economic progress after 1994 genocide (poverty rate 39%) Highly decentralised
<i>Institutions</i>	National government → LA, management and cadaster maintenance Local government → support NG, land recordation
<i>The land tenure systems</i>	Land ownership has evolved from customary law to a system of state of individual ownership.
<i>Land reform content</i>	Since 2009: policy and legal land reform → all existing land is regularised and registered Challenges: maintenance → lack of local infrastructure and trained staff, recording must be done at district level but the database is managed centrally in Kigali
<i>Land market</i>	Land registration is mandatory Challenge: high transaction fees (↑ informality)

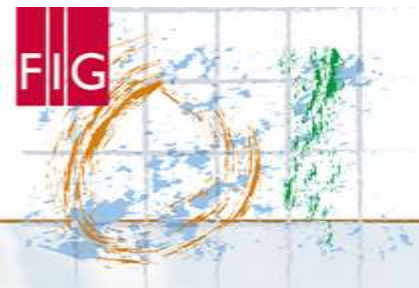


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STRENGTHS

- Ethiopia: long tradition in LA + efforts
- Kenya: economically strong + open to innovation
- Rwanda: catching up fast
e.g. registration program LTR

WEAKNESSES

- Decentralization challenges and constraints
- Maintenance
- Informality
- Mismanagement

SWOT

OPPORTUNITIES

- Broaden the scope
e.g. vegetation monitoring
- Transferability to other contexts

THREATS

- Political fluctuations
e.g. elections
- Environmental fluctuations
e.g. climatic change



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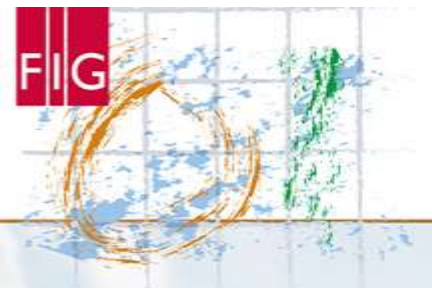


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Conclusions

- Decent understanding of lang governance is crucial for the implementation of innovative geospatial tools.
 - **Socio-economic related factor:** overall country context
 - **Land related factors:** land barriers to sustainably use and implement the tools
 - **Institution factor:** national government as important stakeholder, decentralisation challenges



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