SECURING RIGHTS TO LAND AT SCALE

Lessons and guiding principles from DFID land tenure regularisation and land sector support programmes

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UKaid
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OVERVIEW

DFID's tenure regularisation and land administration support programmes have contributed towards:

- Social outcomes: promoting peace, stability, preventing disputes and conflicts over land rights and empowering vulnerable groups, especially women

- Broad-based economic growth: starting with positive effects of tenure security on increasing investment at the household-level

- Lasting institutional change: financially sustainable land administrations that clarify land ownership and use information for local and national planning

However, there is a need to incorporate lessons from past projects into future programming and implementation.

Aim of the report: What are the…

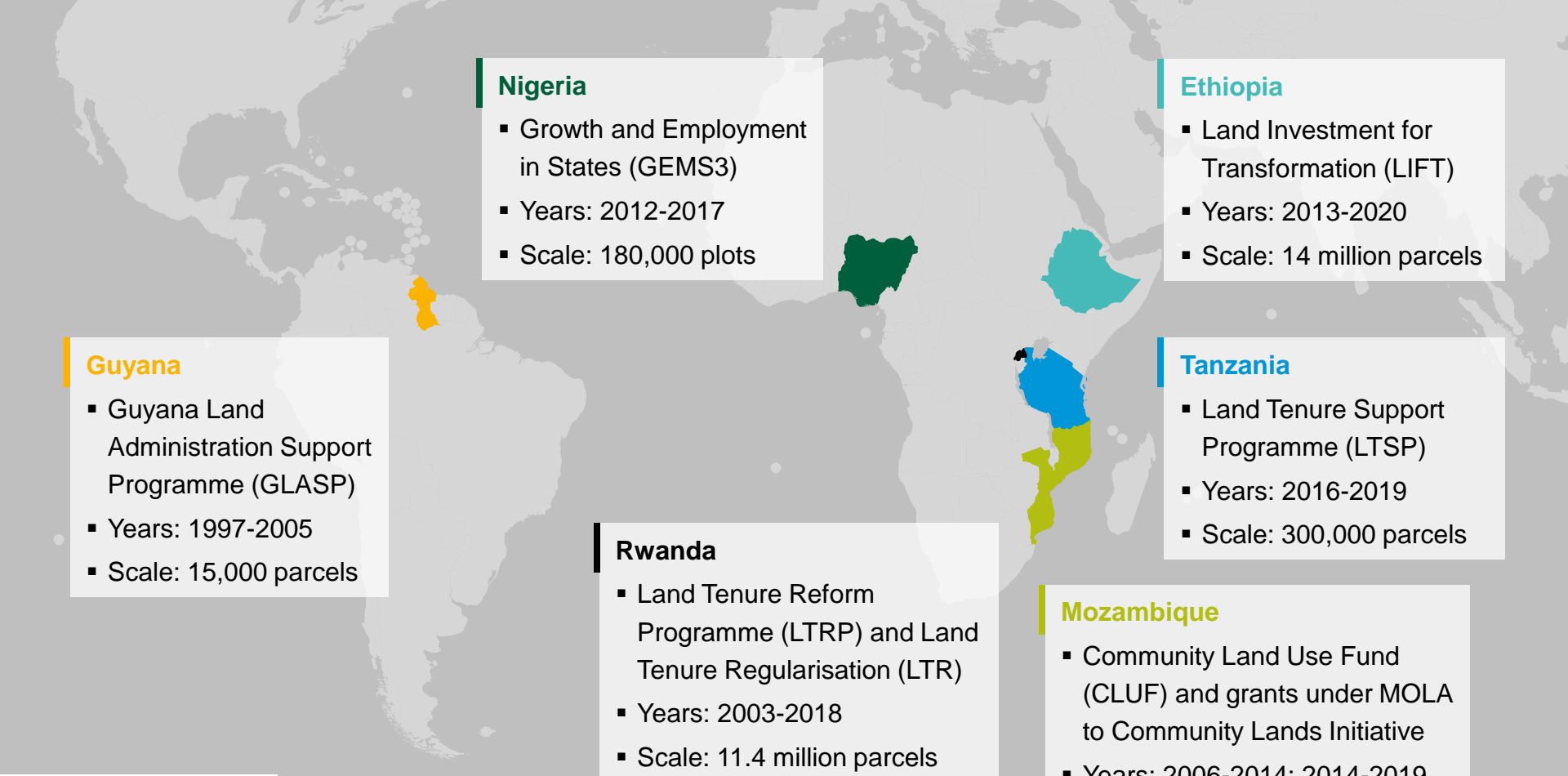|	
1. Benefits?	a) inclusive economic development; b) better social outcomes; c) greater institutional capacity.
2. Achievements?	a) improved credit access; b) increased gender equity; c) sustainable tax-base and LVC.
3. Potential risks?	a) promoting vested interests; b) marginalising vulnerable groups; c) overstretched land administration.
4. Other consequences?	a) responsible land investment b) peace and stability c) donor coordination

…of LTR and related programmes?

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Nigeria
- Growth and Employment in States (GEMS3)
- Years: 2012-2017
- Scale: 180,000 plots

Ethiopia
- Land Investment for Transformation (LIFT)
- Years: 2013-2020
- Scale: 14 million parcels

Guyana
- Guyana Land Administration Support Programme (GLASP)
- Years: 1997-2005
- Scale: 15,000 parcels

Tanzania
- Land Tenure Support Programme (LTSP)
- Years: 2016-2019
- Scale: 300,000 parcels

Rwanda
- Land Tenure Reform Programme (LTRP) and Land Tenure Regularisation (LTR)
- Years: 2003-2018
- Scale: 11.4 million parcels

Mozambique
- Community Land Use Fund (CLUF) and grants under MOLA to Community Lands Initiative
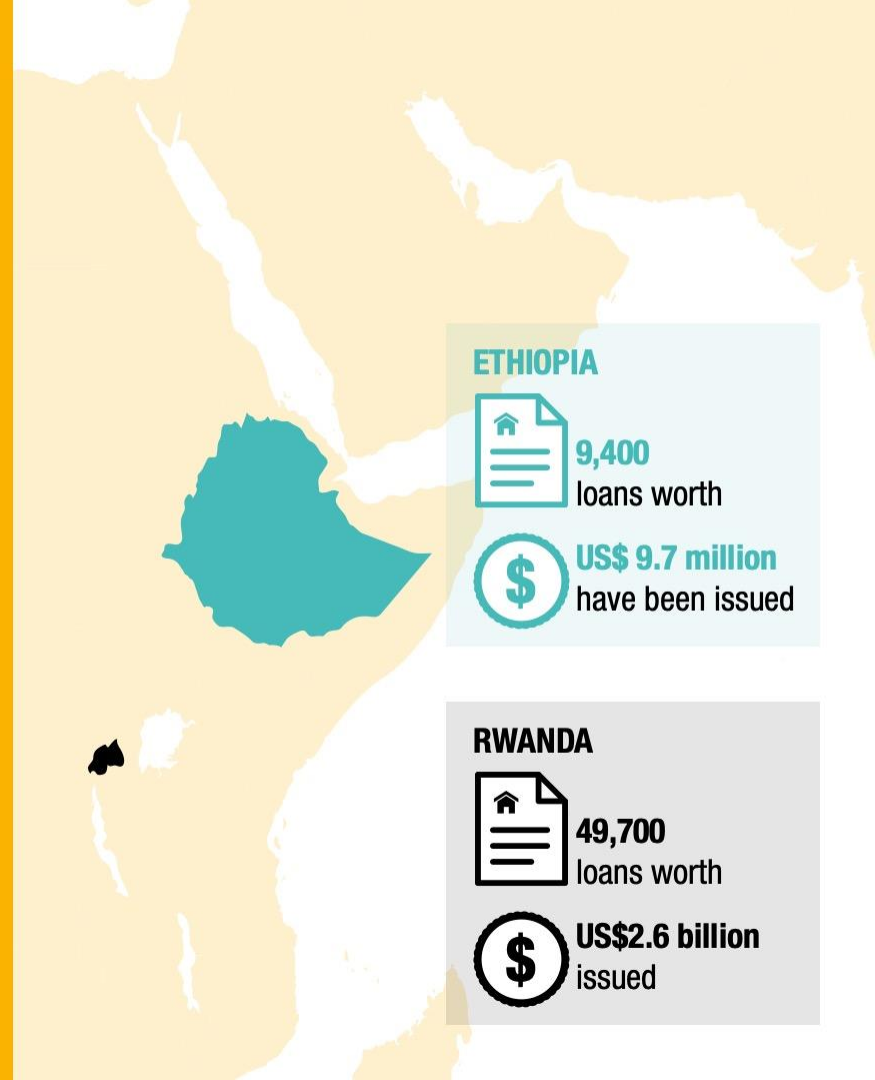- Years: 2006-2014; 2014-2019
- Scale: 1,400 community titles

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Successful LTR:
8 LESSONS

1 LTR is necessary but **not sufficient** to sustain benefits

LTR needs be **included as a component of a wider programme to reform and strengthen legal, policy and institutional frameworks related to land**.

While important in many contexts, mass clarification and registration of land rights is not sufficient by itself to deliver long-term, sustainable outcomes related to economic development, transformation and overcoming poverty. To achieve such aims, LTR needs to be complemented by measures to enable access to finance and market opportunities, legal empowerment and promotion of an enabling business environment.

Example: Ethiopia's LIFT programme with its dual focus on land certification and access to financial services.

ETHIOPIA

9,400 loans worth

US$ 9.7 million have been issued

RWANDA

49,700 loans worth

US$2.6 billion issued

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2 Sustainable **land administration** is central

LTR interventions need to be integral to programmes **reforming and strengthening land governance**.

Functional, service-oriented land institutions and ongoing development of accurate, comprehensive digital land information systems are required to deliver sustainable outcomes.

Examples: in Rwanda, recent developments suggest government revenues from national land registration may be enough to recoup the full costs of the programme by 2025. However, institutional capacity to register changing rights and capture the resulting revenues needs to develop further.

Fee income and total transactions are projected to rise

**$25 million
600,000**

**$3.4 million
250,000**

2017-18   2023-25

RWANDA
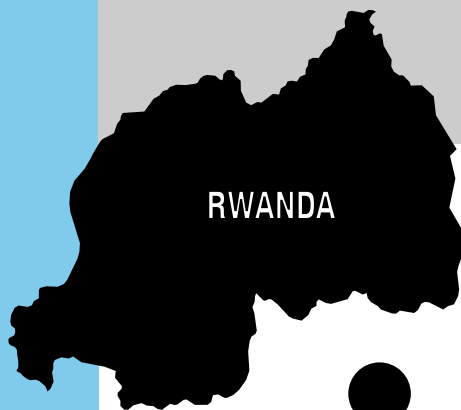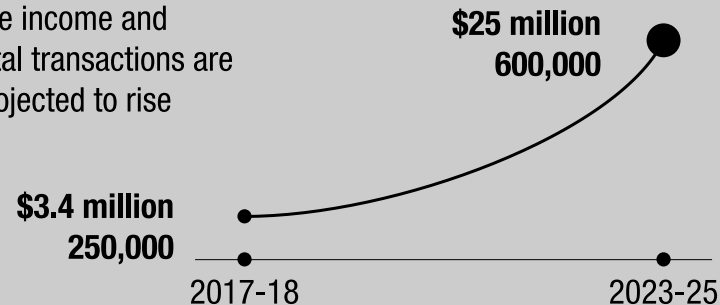
82%
of women

74%
of men

interviewed reported that they were satisfied with land administration services.

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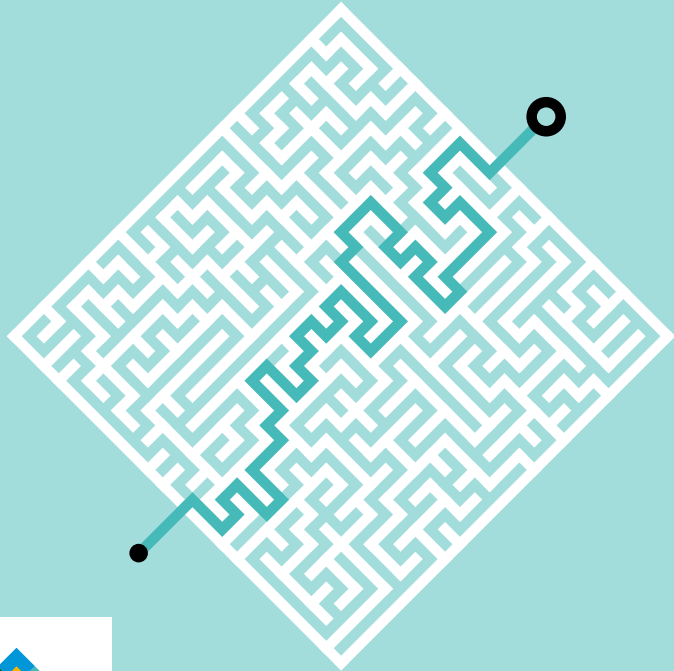# **3** LTR does not have to be the same in every **context**

Large-scale, individual titling **may not be the most appropriate approach in all contexts**. Formal land registration and titling (with underpinning land administration) may only be useful under certain contexts, such as when land markets are evolving rapidly and land-users require evidence to protect their land rights against urban encroachment, infrastructure development and private investment.

Example: in other circumstances, it may be more appropriate to strengthen customary, collective management systems through issuing titles to whole communities or producer associations, as in Mozambique.

The Continuum of Land Rights Approach (GLTN)

Informal land rights → Formal land rights

Customary

Alternatives to eviction

Group tenure

Registered freehold

Perceived tenure approaches

Occupancy

Adverse possession

Leases

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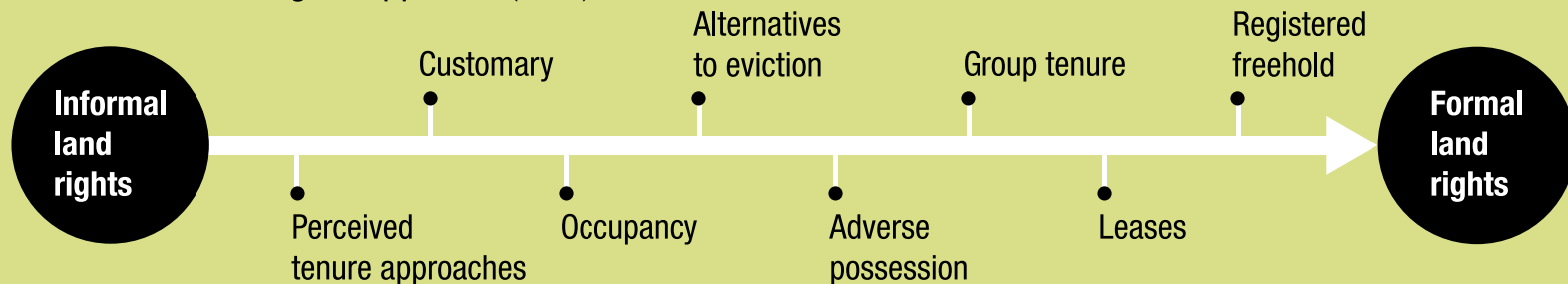
4 LTR requires sustained **political will** and a politically smart approach

LTR and land administration reform can only succeed when supported by **strong government commitment and ownership**.

Political enthusiasm is essential to sustain a programme over the longer term needed to achieve LTR objectives. A long-term strategic view is needed from the start, including:

- Feasible overall timescale and pace of LTR implementation to scale up delivery and strengthen land administration;

- Capacity building for a broad group of stakeholders to support design and implementation;

- Promote political commitment in land agencies and national government;

- Where not present, look further afield for support and construct a wider alliance of interests in and outside government.

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5 Social **inclusiveness** is crucial

Social inclusiveness is vital for achieving the broad-based benefits of LTR and land administration reform. **Public support and consent for the processes and procedures of LTR lies at the heart of clarifying land rights**.

Programme designers must therefore ensure that those affected by LTR and related activities are fully involved and understand the long- term benefits and outcomes.

Example: in Rwanda, working with gender-balanced village teams to demarcate boundaries and with village councils to adjudicate disputes proved fundamental in achieving high levels of participation and served to ensure recognition of women's rights on the ground.

ETHIOPIA

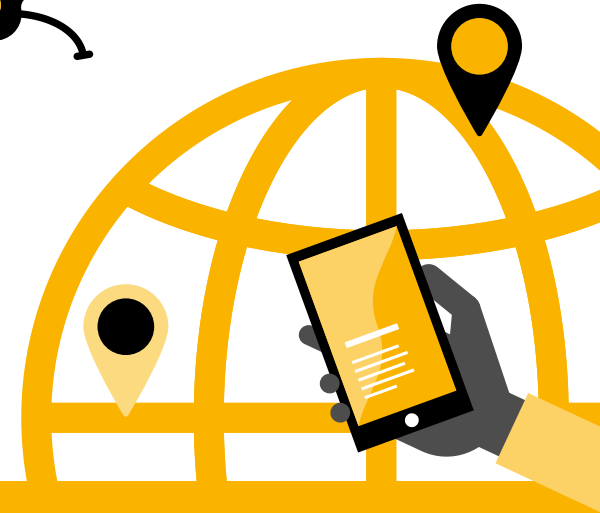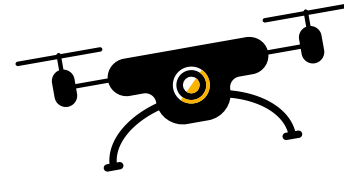**89%** of titles issued with **woman** listed jointly or individually

RWANDA

less than **0.1%** of **8 million** titles disputed

86% of parcels owned include **woman** as sole or co-owner

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6 Consider appropriate use of new **technologies**

New technology, such as the use of tablets, low-cost GPS and drones, backed up by customised software and IT infrastructure, **can reduce the costs of mapping and documenting land rights and promote greater transparency**. These developments have enabled LTR-implementation at a scale not previously contemplated. However, there are key processes around adjudication and dispute resolution that require full social participation and where the impact of technology might be more limited. Consequently, new technology must be used with care and should focus on serving users rather than emphasising top-down technical solutions and high-accuracy surveys.

Estimated parcel costs for LTR (US$)

6	5.1	11	8
Rwanda	Ethiopia	Mozambique	Tanzania

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7 Governments and donors need **long-term** commitments to land sector

LTR and land administration reform requires **multi-year, multi-phase commitments and coordinated approaches.**

As part of this, it is critical to integrate activities and time to build capacity for land administration. Land issues are socially and politically complex, and it requires patience and flexibility to set up a well-informed strategy, field-test it and build in opportunities for adjustment during implementation.

Example: Phase 1 of Rwanda's land reforms comprised strategic planning, field testing, institutional development, and a public consultation programme culminating in the Strategic Road Map over 3.5 years.
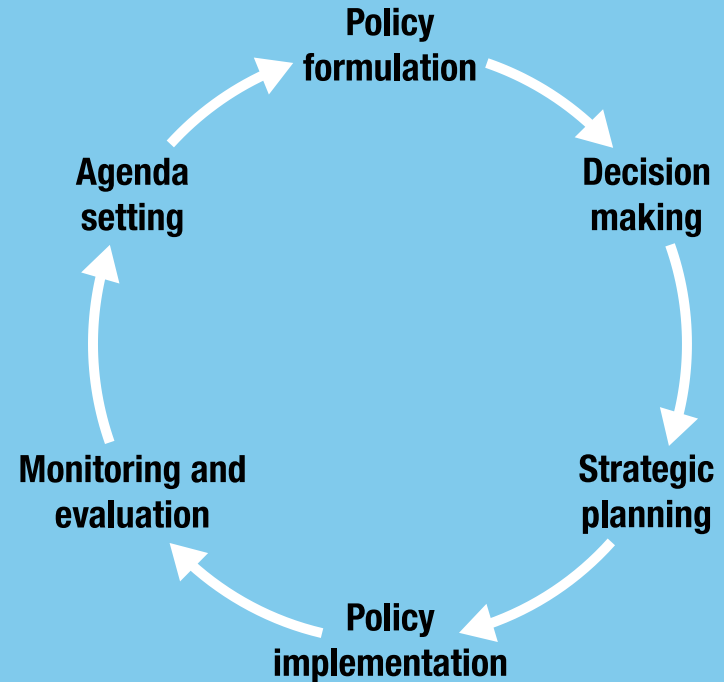
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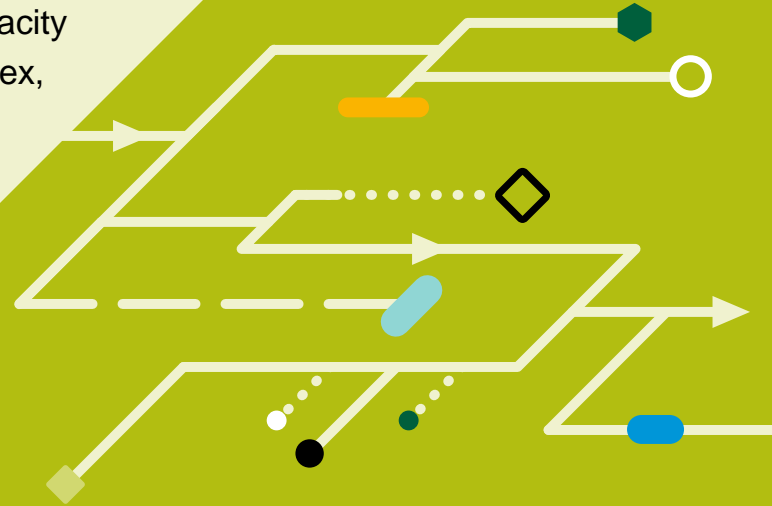
8 LTR programmes need appropriate **implementation strategies**

It is vital to ensure that the right people, skill sets and systems are in place to **support design and implementation** within an appropriate institutional framework.

Clearly defining roles and responsibilities of government management and technical assistance is crucial to avoid gaps or duplication of tasks, and to ensure efficient and harmonious relationships.

Example: experience in Rwanda and Guyana has shown that having experienced and skilled management embedded within a government structure achieves the best results.

Policy formulation

Decision making

Strategic planning

Policy implementation

Monitoring and evaluation

Agenda setting

The **role** of DFID and other donors

1. **Ensuring lessons on design, planning and implementation are shared:** by strengthening institutional learning

2. **Filling the evidence gap:** by incorporating impact assessments from the start

3. **Promoting an approach that is strategic, adaptive and politically smart:** by linking advisers on Thinking and Working Politically (TWP) approaches with those working on land

4. **Ensuring that internal systems and processes are realistic and flexible enough to enable course correction:** by reducing pressure on business cases to overpromise on delivery within unrealistic timeframes

5. **Investing more in government capacity to coordinate and articulate priorities:** by sharing experience among government, funders and civil society

Securing land rights at scale

This review of DFID programmes with large LTR components identifies **eight lessons** and guiding principles for successful design, implementation and sustainability:

1. LTR is necessary **but not sufficient** to sustain the benefits of tenure security;

2. Sustainable **land administration** is central;

3. LTR does not have to be the same in every **context**;

4. LTR requires sustained **political will** and a politically smart approach;

5. Social **inclusiveness** is crucial;

6. Consider appropriate use of new **technologies**;

7. Government and donors need **long-term** commitments to the land sector;

8. LTR programmes need appropriate **implementation strategies**.

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