



PROCEEDINGS OF THE 2019 CONFERENCE ON LAND POLICY IN AFRICA

DRAFT

CONTENTS

ACKNOWLEDGEMENTS	3
CHAPTER 1: CONFERENCE CALL FOR ACTION	7
CHAPTER 2: BACKGROUND TO THE 2019 LAND POLICY CONFERENCE	14
CHAPTER 3: OFFICIAL OPENING OF THE CONFERENCE.....	18
CHAPTER 4: PRESENTATIONS	27
TS26-A: Technical Session A - Land Policy and Land Tenure Regulatory Framework in Africa ..	31
TS26-B: Technical Session B – Women’s Access to land and security tenure	34
TS26-C: Technical Session C - Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes	38
TS26-D: Technical Session D - Planning, monitoring and evaluation: Challenges, opportunities and emerging best practices in developing and implementing land policies	40
TS26-F: Technical Session F: Land Policy and Land Tenure Regulatory Framework in Africa	44
TS26-G: Technical Session G - Nov 26- Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes	48
TS26-H: Technical Session H - Nov 26- Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes	51
TS27-B: Technical Session B - Nov 27	55
TS27-C: Technical Session C - Nov 27	58
TS27-D: Technical Session D - Nov 27.....	60
TS27-E: Technical Session E - Nov 27	64
TS27-F: Technical Session F - Nov 27.....	68
TS27-G: Technical Session G - Nov 27.....	71
TS27-H: Technical Session 27H.....	75
TS28-B: Technical Session B - Nov 28	80
TS28-C: Technical Session C - Nov 28	84
TS28-D: Technical Session D - Nov 28.....	88
TS28-F: Technical Session F - Nov 28.....	93
TS28-G: Technical Session G - Nov 28.....	97
TS28-H: Technical Session H - Nov 28.....	101
TS29-B: Technical Session B - Nov 29	105
TS29-C: Technical Session C - Nov 29	109
TS29-D: Technical Session D - Nov 29.....	112

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We are also grateful to the team of rapporteurs who took the Session notes required for putting this report together. The following rapportuers provided important service to the 2019 Conference organizers:

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We owe gratitude to the Conference participants from the governments, traditional authorities, the private sector, development partners, academia and research institutions, civil society organizations and media for attending and sharing generously their experiences.

DRAFT

CHAPTER 1: CONFERENCE CALL FOR ACTION

The African Development Bank, African Union Commission and the United Nations Economic Commission for Africa convened the only African multi-stakeholder conference on land policy in Africa which is held on biennial basis. The partner organizations worked the African Land Policy Center, the institution mandated to spearhead the implementation of the land policy agenda in Africa. The conference was hosted by AfDB and the Government of Cote d'Ivoire.

The biennial Conference complements existing initiatives such as the annual World Bank Land and Poverty Conference among other convenings. It enhances capacity on the issues and status of land policy development and implementation in Africa by focusing the attention, sharing evidence, and promoting learning among governments, parliamentarians, farmers, researchers, civil society, traditional authorities, private sector, youth and development and technical partners.

Earlier convenings include the November 2014 inaugural Conference on Land Policy in Africa in Addis Ababa, Ethiopia. The conference theme was '*the next decade of land policy in Africa: ensuring agricultural development and inclusive growth*'. Heads of states and government had declared 2014 as the year of agriculture and food security thus the theme for the conference. The second conference was held in 2017 under the theme "*Harnessing Africa's Demographic Dividend through Investment in youth*" in aligning to the AU theme for 2017, but more importantly in acknowledging youth as agents for socioeconomic transformation.

The third conference was convened on 25th – 29th November 2019 in Abidjan, Cote d'Ivoire, under the theme: "*Winning the fight against Corruption in the Land Sector: Sustainable Pathway for Africa's Transformation*." This theme supports the Declaration of 2018 by the African Union as the Anti-Corruption Year under the theme "Winning the Fight against Corruption: A Sustainable Path to Africa's Transformation". From the inaugural conference in 2014 to date, under the steering and coordination of the ALPC, the continent has made strides in realizing the calls to action made at the various biannual conferences.

CONFERENCE CALL FOR ACTION

At the third conference, 550 delegates representing governments, traditional leaders, academia, researchers, civil society organizations, private sector, development partners and media made this Call for Action:

1. Message to Governments

Governments are called upon to:

- **Develop land laws and policies where none exist, and to review existing ones to be in tandem with experiences and current realities**
The Africa Union declaration on land issues and challenges acknowledges the importance of holistic land law and policy reform processes. Governments are called up to move with speed and reform the sector in line with the commitments made.
- **Establish platforms that build community capacity to negotiate with investors.**
Governments should ensure the establishment of platforms to provide capacity building, and to empower communities during their negotiations on Large Scale Land Based Investments with investors.
- **Establish multi-stakeholder platforms.** Governments are encouraged to put in place multi-stakeholder platforms to support the implementation of land policies, laws and programmes, and to help in fighting corruption in land governance processes.
- **Use efficient and affordable technology for documentation of land related data.**
Governments should explore the use of efficient and affordable technology and methods of capture and documentation of land and natural resources and put in place appropriate safety measures.
- **Enhance transparency within judicial systems.** Governments should provide transparent and just judicial systems within their jurisdictions to eliminate opportunities for corruption.
- **Strengthen decentralized land governance institutions.** Governments are called upon to strengthen and decentralize land governance institutions and fiscal arrangements, and to ensure that such organs put in place mechanisms to support comprehensive public awareness campaigns for land sector initiatives and programmes.

2. Message to Academia and research institutions.

Academia and research institutions are called upon to:

- **Develop training programmes that increases understanding on issues around corruption in the land sector.** Researches should enhance the training approaches to focus on various forms of major issues in land sector especially related to corruption.
- **Review academic curriculums.** Academic institutions shall review their curricula to be aligned with the AU guidelines in terms of knowledge enhancement in land sector Consider that the potential way of winning the fight against corruption is to expect new graduated generations from universities with potential knowledge on transparency, democracy, and good management
- **Improve training curriculums.** Regarding training, capacity development and knowledge sharing in land sector, academia are invited to develop mechanisms of curricula reviewing and improvement.
- **Conduct short courses on key issues** in the land sector among others. Academia shall develop short courses, workshops, seminars and meeting to address issues related to corruption in land sector.
- **Train traditional leaders.** Engage traditional leaders in tackling corruption through training and capacity development. Set up a core of collaboration with traditional leaders to understand and recognize the forms of securing land over their communities.
- **Develop research to inform land governance process in the continent.** Academic institutions shall come up with relevant research that figure out the impact the corruption in land sector. This will increase awareness against the corruption in land sector by sharing the results of their studies.
- **Setting up fundamental structures to facilitate and encourage researchers to share their findings** on corruption impact in land sector. Additionally, encourage collaborative programs to connect between researchers and policy makers
- **Promote the African Journal on Land Policy and Geospatial Sciences**
To ensure that African research papers are published

3. Message to Non-State Actor

The Non-state actors were called upon to:

- **Review the current models of LSLBI and document impacts** of existing projects to ensure we people centered-land investment model
- **Advocate for the development and implementation of comprehensive policies and systems that minimize and or eliminate corruption in the land sector in Africa.** CSOs will continue to serve as watchdogs, enhancing transparency and accountability through profiling of corruption cases and documenting the impact of corruption to lives and livelihoods of women and men.
- **Strengthen multi-stakeholder platforms of national and local government, traditional leaders, academia, CSOs and private sector and other minority groups.** Strengthen partnerships among all key actors is critical in ensuring effective land governance in Africa. Non-state actors will convened and participate in spaces that strengthen partnerships with key actors in the land sector. Acknowledging the central role of traditional and customary leaders in land governance, CSOs will seek to engage the traditional leaders more deliberately in ensuring inclusivity as per the AU framework and guidelines.
- **Develop interventions that complement monitoring, reporting, and evaluation of progress of the African Union Declaration on Land Issues and Challenges** in Africa with consideration of sex disaggregated data from CSOs to keep heads of states and government to account. This will include tools and approaches that are applicable at local, national and regional level.
- **Collect, document and share gender - and generation disaggregated data** in supporting ALPC In engendering the land agenda in the continent. Land reform process must be cognizance of its impacts to women and men and design interventions that address women and men. CSOs will use data collected to advocate for inclusive land governance process.
- **Mainstreaming environmental, biodiversity and climate sensitive approached to land governance in Africa**

4. Message to Technical and Development Partners

Technical and development partners are called upon to

- **Provide technical and financial resources to strengthen the institution** of ALPC, governments and sub-regional bodies such as Regional Economic Communities (RECs) to fact track the implementation of the AU Framework and Guidelines on Land Policy in Africa, Large Scale Land Based Investment (LSLBI) and fight corruption towards achieving Agenda2063 and Agenda2030. Ensure implementation, monitoring and evaluation of regional frameworks and commitments; and their alignment to international frameworks and obligations, such as the VGGT, the SDG, NUA, UNCCD among others.
- **Provide support in the mobilization of African Union member States and governments to prioritise and align their development agendas** with commitments to AU Framework and Guidelines on Land Policy in Africa.
- **Provide technical and financial support that institutionalise and scale up the implementation of land policies and governance interventions at national level (with a focus on local impacts)** to secure land tenure rights especially for youth and women in rural and urban areas, land rights defenders and marginalised groups. The potential of land in contributing to youth employment and empowerment through key sectors such as agriculture remains untapped.
- **Support the development, implementation and harmonization of innovative data approaches, tools and technological advancement to foster transparency in the land sector**, reduce corruption and increase accountability by governments, private sector and other actors.
- **Support development and implementation of programs and initiatives that deepens the understanding of the link between land, conflict and migration;** land degradation and climate change; and strengthening the **use of Alternative Dispute Resolution.**
- **Support the engagement of other actors including the media, judiciary and among others** as means to better document and profile land corruption cases, issues of national and regional importance and best practices in land governance issues.

- **Support institutions and networks to better provide coordinated and structured capacity development products including research** for governments, CSOs including indigenous and grassroots communities, women and youth; the Private Sector and Academia on key issues and emerging challenges in land governance in Africa
- **Support land actor's coordination mechanism at regional and national level (including donors, CSOs, private sector and academia) to better respond to strategic gaps in the land sector**, ensure complementarity and strengthen linkages with other key sectors including agriculture and urban development. The Global Donor Working Group on Land Code of Conduct on country-level coordination may serve as an example of the protocols that should be implemented to ensure harmonization.

5. Message to Traditional Authorities

The Traditional Authorities are called upon to:

- **Advocate for the official recognize FATA as the AU's Official Institution representing Traditional Authorities in Africa.** FATA serves as the official platform for addressing customary land matters in Africa and this declaration derives from the decisions that underpin the formation of FATA including decisions made at the meetings in Ghana in 2016 and the minutes from the Ethiopia Meeting.
- **Convene meetings of the FATA Council at least once a year and as needed**
There is need to establish Regional FATA Councils based on the AU Regional communities (ECOWAS, COMESA, SADEC, etc.) as regional FATA units to consolidate, disseminate and implement FATA resolutions.
- **FATA members are called upon to enhance customary tenure security by supporting and encouraging the demarcation and formal registration of all communal land under customary jurisdiction using fit for purpose technology that is cost effective.**

On the basis that more than 60 percent of land rights are held under customary systems, legal recognition should be provided through policies and legislation that ensure tenure security for customary land rights in all countries across the continent. This will guarantee the rights of all land users under customary systems, reduce corruption in the land sector, and encourage investment in land by local land users to improve

productivity, social cohesion, and environmental sustainability and enhance development.

- **Promote Gender Equity in land distribution and encourage the use of more inclusive decision-making processes**

Culture is dynamic and has evolved over time. There is thus need to make changes to customary laws and cultural practices that are gender insensitive. Traditional authorities should provide opportunities for women to participate in traditional governance systems and decision-making processes including land allocation and use, and ensure that women's land rights are protected, access to land is guaranteed for the youth and the vulnerable.

- **Seek to have State Judicial Systems formalize the role of traditional dispute resolution mechanisms and to build more synergy and closer collaboration between traditional authorities, government and land administration institutions.**

Formalization of juridical role of traditional land dispute resolution mechanisms will ensure the provision of land services minimize opportunists for corruption but induce more accountability, transparency, inclusiveness and participation.

- A Declaration to develop and strengthen **Traditional Judicial Systems** and to improve procedures, competencies and recordation of customary judicial decisions. The capacities of traditional authorities should continually be developed to enhance their delivery of good land governance and support for government efforts to realise the contribution of land to the overall social and economic development of our countries.

- **Traditional Authorities are called upon create more synergies and closer collaboration in fighting corruption** within the ranks of traditional institutions and to work closely with any land related organizations.

CHAPTER 2: BACKGROUND TO THE 2019 LAND POLICY CONFERENCE

The African Union (AU) *Declaration on Land Issues and Challenges in Africa* notes the importance of convening platforms “to facilitate experience sharing, lessons learning and dissemination of best practices in land policy formulation, implementation and monitoring based on member states experiences.” Responding to this call, the African Land Policy Centre (formerly Land Policy Initiative) has put in place a number of mechanisms for land policy formulation, knowledge generation and capacity development. One of Centre’s objectives is to contribute in knowledge generation, dissemination and management in order to enhance the evidence base for land policy development and implementation. This objective is being achieved through research, publications, and knowledge sharing and learning forums.

The Conference on Land Policy in Africa (CLPA) is organised biennially by the African Land Policy Centre (ALPC), a joint initiative of the African Union Commission, the United Nations Economic Commission for Africa, and the African Development Bank. The goal is to deepen capacity for land policy in Africa through improved access to knowledge and information on land policymaking and implementation. In particular, the CLPA is a platform for presenting research findings and focusing the attention of a comprehensive range of stakeholders on the issues and status of land policy development, implementation and monitoring in Africa. The CLPA also provides a unique opportunity to showcase emerging and promising practices and facilitate networking. Conference participants include researchers, governments (including parliamentarians), traditional authorities, farmers, civil society, private sector, land practitioners and development partners. The CLPA was first held in November 2014, focusing on land, investment and agriculture issues. A second edition of CLPA was held under a theme targeting youth, land and employment in November 2017.

The third CLPA 2019 was held on 25th – 29th November 2019, in Abidjan, Cote d’Ivoire under the theme: “*Winning the fight against Corruption in the Land Sector: Sustainable Pathway for Africa’s Transformation*”. The theme of the Conference is aligned to the African Union Declaration of 2018 as African’s Anti-Corruption Year. The theme of the Conference recognizes that tackling corruption in the land sector, through improving land policies and

building effective, efficient and transparent land governance institutions, will contribute towards the attainment of the “*The Africa We Want*” as envisioned in Agenda 2063.

Conference Objectives

1. Share and showcase research findings or good practices with leading land experts and practitioners in Africa and beyond.
2. Deepen knowledge on key aspects of land policy development and implementation.
3. Develop or deepen land related capacity, networks and partnership at personal and institutional levels.
4. Contribute to solidarity for improved land governance in Africa.

To achieve the above objectives, the Conference was designed to incorporate Master Classes, Side Events, Conference Papers, Posters, and Exhibitions. It had the following Sub-Themes:

- Planning, monitoring and evaluation: Challenges, opportunities and emerging best practices in developing and implementing land policies (rural and urban);
- Strengthening land administration institutions both at local and national levels including the adoption of technology and innovations;
- Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes;
- Women’s access to land and security of tenure – addressing persisting bottlenecks and capitalising on opportunities;
- Land Based investments, inclusive economic growth and environmental sustainability;
- Rapid urbanization, sustainable land use and spatial planning, taxation and development control;
- Empowerment of youth through strengthening their land rights;
- Land- migration- and regional insecurity nexus (including pastoralism, conflicts); and
- Land governance, environment, natural resource management and climate change.

Participants were encouraged to examine corruption, gender, water, land rights, land investments, land policies, and governance of tenure in their presentations.

Conference participants submitted abstracts of between 800 - 1200 words, written in English or French, through the link: <https://www.conftool.org/africalandconference2019/>. The Abstracts were expected to include sufficient information on the thematic focus, methodology, contribution to knowledge, policy making and implementation to be considered for review.

Due to the high interest in the Conference, the selection of papers, posters, exhibitions and side events for presentation at the Conference was conducted by a Scientific Committee appointed by the African Land Policy Centre. The Committee consists of highly respected land policy experts and experts in the various sub-thematic areas of the Conference.

Selection of abstracts followed the following process:

- a) Initial Selection.
- b) The Scientific Committee will shortlist and select abstracts based on the following criteria:
- c) Quality and clarity of content and presentation;
- d) Originality and innovation;
- e) Compliance with and relevance to identified Conference thematic areas;
- f) Significance of the research findings for land policy formulation, implementation and monitoring;
- g) Preference will be allocated to African and African-based authors/presenters; and
- h) Geographic coverage.

Acceptance of selected abstracts and invitations for submission of papers and full papers must be submitted for inclusion in the conference program. To be considered for sponsorship for African based papers, African scholars are encouraged to submit requests.

All submitting authors/presenters were required to confirm the following:

- i. Agreement to the organizers' terms and conditions.

- ii. Intent to present the product at the 2019 Conference on Land Policy in person or by a listed co-author.
- iii. Authors/presenters wishing to withdraw their abstracts to do by **31 June 2019**.

Publication of Papers

The Scientific Committee will select some papers from those presented at the Conference for publication in selected journals as may be arranged by the organizers of the Conference. The Scientific Committee will provide authors of selected papers with recommendations on how selected papers may be refined for publication purposes.

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CHAPTER 3: OFFICIAL OPENING OF THE CONFERENCE

The Third Conference on Land Policy in Africa opened on November 25, 2019 in Abidjan. This year's conference, hosted by the African Development Bank, is themed "Winning the fight against Corruption in the Land Sector: Sustainable Pathways for Africa's transformation." The Opening Remarks were made by H.E Amb. Josefa Sacko, African Union Commission (AUC) Commissioner for Rural Economy and Agriculture; Hon. Sansan Kambile, Justice Minister of Cote d'Ivoire; Mr. Charles Boamah, Senior Vice-President, African Development Bank; and Dr. Stephen Karingi, Director of Regional Integration, Trade Division of the United Nations Economic Commission for Africa.

Highlights in Opening Remarks:

- Land is important for social economic growth and social economic welfare for the people. Corruption in the land sector inhibits the ability of people to access and own land. This, in turn, marginalizes some sectors of society, thereby undermining their livelihoods and perpetuating conflicts, hunger and poverty.
- Effective land governance is critical to achieving Africa's development, particularly Agenda 2063. Land governance needs to respond to new challenges that our countries in Africa are facing such as climate change, natural disasters, environmental degradation and continuous demand for land for different land uses.
- Good land governance contributes to eliminating poverty and hunger; promoting sustainable agriculture; advancing gender equality and women empowerment; and promoting inclusive economic growth; among other development objectives. Inclusive growth is more likely where the land governance framework and business models support equitable distribution of land.
- Secure land rights for women can also increase women's ability to enter into agricultural contracts in 'win-win' land based investment models.
- Sound land policy is critical to economic growth, food security, and poverty alleviation across the continent
- Land is being progressively integrated in development strategies and plans at continental, regional and national levels.

- Africa is a rich continent with vast agricultural and land resources and thus has the potential to feed all people living on the continent
- Technological improvements in agriculture, as well as in geospatial sciences and other relevant land sectors tools, are available to implement policies to ensure fair and sustainable land policy in every country.
- Trends point to increase in demand for land in Africa to facilitate agricultural investment opportunities.
- The conference is a reflection on the crucial importance of land for development in Africa with key focus being: land rights of women, rural youth employment, mitigation of land conflicts and climate change.

Summary of Opening Remarks

Dr. Stephen Karingi, Director, Private Sector Development and Finance, United Nations Economic Commission for Africa

Dr. Karingi opened his remarks by expressing his gratitude to the Republic of Cote D'Ivoire and the African Development Bank for hosting the third Conference on Land Policy in Africa.

He asserted that effective land governance is critical to achieving Africa's development, particularly Agenda 2063. He noted, globally, success in achieving the Sustainable Development Goals (SDGs) is underpinned by good land governance, as it contributes to eliminating poverty and hunger; promoting sustainable agriculture; advancing gender equality and women empowerment; and promoting inclusive economic growth; among other development objectives.

He reiterated that effective land governance and management is indispensable to efforts to promote inclusive and sustainable socioeconomic development in support of Africa's structural transformation. Secure land rights for women can also increase women's ability to enter into agricultural contracts in 'win-win' land based investment models. This is particularly important because women's land related vulnerabilities are often exacerbated by increased demand for land and women are typically not well positioned to benefit from investment opportunities. He underscored, In general, inclusive growth is more likely where the land governance framework

and business models support equitable distribution of benefits and risks among key actors ensuring that private sector engagements are economically viable, equitable, and sustainable.

Dr. Karingi stated that the ten-year benchmark of the AU Declaration on Land is an opportune time to reflect on our progress, examine our assumptions, and reaffirm our commitment to effectively implement the AU agenda on land. Moreover, there is cause for optimism as there has been steady progress in improving land governance frameworks in Africa over the last decade. As a result of the joint effort of the AU, UNECA and AfDB through the LPI/ALPC, land has been progressively integrated in development strategies and plans at continental, regional and national levels. He noted that Land governance is now an integral part of the three regional institution's (AU, ECA, AfDB) programmes and features prominently in IGAD programmes. At country level, land governance has been mainstreamed in the national strategies and investment plans of the Democratic Republic of Congo, Cote d'Ivoire, Madagascar, Malawi, Rwanda and Tanzania.

Finally, Dr. Karingi emphasized that LPI/ALPC established the biennial Conference on Land Policy in Africa to serve as a platform for experience sharing and learning in support of effective implementation of the AU Agenda on land. He called on the participants to engage actively and that their deliberations during the 3rd Conference on Land Policy in Africa will collectively reflect on the opportunities and constraints related to effective implementation of the AU Declaration on Land and that their contributions will also avail opportunities for seeking synergies as we proceed to implement the AU Declaration on Land.

Dr. Benjamin Laag, Counsellor for Economic Cooperation, Germany Embassy

In his opening remarks, Dr. Laag expressed gratitude to the African Development Bank, the African Union Commission and the African Land Policy Center for organizing and hosting the third Conference on Land Policy in Africa. He also acknowledge and emphasized the importance of good land governance as well as effective land administration, and sustainable land management for the African continent.

Noting that Africa was a rich continent with vast agricultural and land resources and thus the potential to feed all people living on the continent, he accredited technological improvements in agriculture, as well as in geospatial sciences and other relevant land sectors tools that were available to implement policies to ensure fair and sustainable land policy in every country. He

opined that there was a big gap in what is proven to work and what was implemented in many countries.

Pointing to one of the main reasons for this gap as corruption on land, his concern was that every person on the continent has been affected by corruption at the distribution and registration of agricultural and urban land, thus the importance of CLPA theme: “*Winning the fight against Corruption in the Land Sector: Sustainable Pathway for Africa’s Transformation*”.

Scientific data is still needed on the influence of corruption on the development of land rights, land use and related topics which was still lacking. However, the conference showed improvement through availability of data and research on linkages between land and corruption thus the discourse on corrupt and land no longer a taboo, though difficult to address.

He underlined the German government’s support on the efforts for many years to addressing land corruption and its bilateral and global programs on land, and through supporting transparency initiatives such as the Land Matrix, Land Portal in addition to financing Transparency International’s program on “Land and Corruption in Africa”. The various sessions in this conference were a reflection on the crucial importance of land for development in Africa with key focus being: land rights of women, rural youth employment, mitigation of land conflicts and climate change.

The debates by experts, researchers and policy makers in his view was a way of widening and developing the land policy space which was to enhance the land tenure for men and women key to 2030 Sustainable Development Agenda.

He said that African solutions were needed to the African challenges. Germany was appreciative of the efforts by Africa Union, through the African Land Policy Center and other AU institutions, in promoting and implementing the AU agenda on land.

Dr. Sacko Josefa Leonel Correia, Commissioner, Agriculture and Rural Economy, African Union Commission

In her opening statement she noted that land in Africa is an important factor of production as most livelihoods and developmental activities are undertaken on land. With this in mind, Africa needs to ensure that the way in which land is distributed and used plays an essential role in

promoting sustainable development and achieving peace and stability on the continent. Therefore, good land governance is essential for Africa's development.

She expressed satisfaction with this year's conference theme '*Winning the fight against Corruption in the Land Sector: Sustainable Pathways for Africa's transformation*'. She argued that corruption in the land sector can inhibit the ability for people to access and own land which in turn can marginalize some sectors of society thereby undermining their livelihoods and perpetuating conflicts, hunger and poverty. She underscored this year's theme therefore places emphasis on the need for African governments to ensure that policies, processes and institutions by which land, property and natural resources are managed are transparent, accountable, effective, efficient, responsive to the demands of our nations and accessible to all men and women.

Dr. Correia stated that it is important that land governance also responds to new challenges that our countries are facing such as climate change, natural disasters, environmental degradation and continuous demand for land for different land uses.

She observed that steady progress towards achieving the AU agenda on land has been made by some of the very progressive decisions made by the third Ordinary Session of the Specialized Technical Committee STC on Agriculture, Rural Development, Water and Environment, held from the 21st to the 25th of October, 2019 in Addis Ababa, Ethiopia. Notable decisions made at this session among others include:

- The adoption of Guidelines on Prevention and Addressing Land-based Conflicts in Africa;
- The adoption of the Monitoring and Evaluation of Land Governance in Africa (MELA) as the Framework to track and report progress on commitments related to land by AU member states;
- The request for Member States to harmonize legal frameworks in favour of women's land and property rights with a focus on gender-responsive inheritance laws. Member States were further called upon to collect both sex-disaggregated data and specific data on women's land tenure security to better understand variables affecting women's land tenure security.

She concluded by calling for joint efforts to end corruption and address inequalities and gender differences that exist in accessing land and overall land holding as a sure way of increasing productivity of land, guaranteeing that Africa citizens have adequate and affordable housing, promoting sustainable resource management and achieving other developmental objectives.

Dr. Charles Boamah, Senior Vice President, African Development Bank Group

In his opening remarks, Dr Boamah noted the importance of land for social economic growth and social economic welfare for our people. Additionally, he scored the growth in agriculture, and agriculture productivity to be enhanced by secured tenure system. Looking at the trends in agricultural investments across the continent, he noted the increase in demand for land in Africa to facilitate these investment opportunities.

The greatest concern to him, was land administration being characterized by poor infrastructure and corruption where in Africa every second a client in land administration had to pay a bribe and in some instances, people paid twice the value of land they own due to corruption.

The role of the local powerful elites likely to influence the land transactions was an important challenge that he highlighted.

He pointed out the recent surge in investor interest in land that needed to draw attention to research. In his opinion, Land cannot be divorced from rights and climate change.

According to his assessment, technology will continue to play an important role in land administration and governance. Thus he called for the need to harness technological innovation to solve the corruption in land sector. He cited technologies including the drone, block chain, Artificial Intelligent as possible ways of solving the deeply rooted corruption in Africa's land sector. Digital technology was also seen by him as an enabler to the Africa farmers' access to the markets which could transform agricultural productivity.

In his closing remarks he pointed to the importance of land policy as effective and beneficial to all sectors including industrialization, investments.

Hon. Sansan Kambile, Justice Minister Ivory Coast representing the Prime Minister

On behalf of the Prime minister for Ivory Coast, His Excellency M. Amadou Gon Coulibaly, Hon. Kambile welcomed all the delegates from Africa and globally to the 3rd Africa Conference on Land. He commended the conference organizers on the relevance of the theme ‘winning the fight against corruption in the land sector’. Recognizing the heavy influence of land by the African cultures, he stressed the need for inclusive policy and good governance in the land sector.

He noted that the Declaration on Land Issues and Challenges in Africa are very wisely prioritised three key objectives: Land policy development and implementation; Allocation of adequate budgetary resources to land management and administration; and the establishment of enabling conditions for institutional innovation in land policy and governance frameworks on the continent.

Africa has achieved important milestones on land policies yet more is still to be done with many countries across Africa as on the process of reviewing land policies and governance framework with new perspectives thus the need for reformers for enhance land productivity, efficiency and equity.

Through the support and research carried out by Africa Development Bank, he noted that the irrefutable conclusion from all the work is that sound land policy is critical to economic growth, food security, and poverty alleviation across the continent. The policies may catalyse growth in productivity through tenure security and land rights protection which in turn facilitate investment opportunity in land. Ethiopia and Rwanda provide unique case studies on this. Further, he noted that over the past decade, the land sector in Africa has witnessed a surge in investor interest, in scale and magnitude that was unimaginable only 30 years ago.

The most urgent priority that Africa need to tackle are some persistent challenges in the land sector with corruption topping the list. The ubiquity of the challenge of corruption is such that one in every five persons has paid a bribe for a land service. Thus the theme of this conference speaks to the challenge head on: ***‘Winning the fight against corruption in the land sector in Africa’***.

He retaliated that together, we there has been work going on to establish institutional mechanism through the Land Policy Initiative, and its successor, the **African Land Policy Centre**.

Moreover, he stated that given the centrality of land in Africa's development, the three primary concerns of the **AU Declaration on Land** remain as relevant and urgent as ever: the need to deploy more financial and human resources for land policy development, explore harnessing technology and innovation to unlock the potential of African land, promote dialogue on collecting evidence on corruption especially in rural areas amongst the vulnerable, and encourage innovation on land, agriculture among the youths.

Finally, he noted that with the assembled talent and passion in this room, it was possible to drive change through picking up new tools available today and writing the next great chapter on agro-industrial transformation, and the next chapter for Africa.

Key Highlights:

- Effective land governance is critical to achieving Africa's development, particularly Agenda 2063
- Good land governance contributes to eliminating poverty and hunger; promoting sustainable agriculture; advancing gender equality and women empowerment; and promoting inclusive economic growth; among other development objectives.
- Secure land rights for women can also increase women's ability to enter into agricultural contracts in 'win-win' land based investment models.
- Inclusive growth is more likely where the land governance framework and business models support equitable distribution of land.
- Land is being progressively integrated in development strategies and plans at continental, regional and national levels.
- Africa is a rich continent with vast agricultural and land resources and thus the potential to feed all people living on the continent
- Technological improvements in agriculture, as well as in geospatial sciences and other relevant land sectors tools are available to implement policies to ensure fair and sustainable land policy in every country.
- There is a big gap in what is proven to work and what was implemented in many countries with corruption being on the important gaps.

In sum, the conference is a reflection on the crucial importance of land for development in Africa with key focus being: land rights of women, rural youth employment, mitigation of land conflicts and climate change. Land is important for social economic growth and social economic welfare for the people. Opening speeches underlined the fact that corruption in the land sector undermined the pursuit of inclusive socio-economic transformation of Africa and the realization of Agenda 2063. Corruption in the land sector inhibits the ability for people to access and own land which in turn can marginalize some sectors of society, thereby undermining their livelihoods and perpetuating conflicts, hunger and poverty.

But land on the continent remains emotive topic to discuss and requires political will to address it effectively. Land governance needs to responds to new challenges that our countries in Africa are facing such as climate change, natural disasters, environmental degradation and continuous demand for land for different land uses.

Trends on the continent point to an increase in demand for land in Africa to facilitate agricultural investment opportunities. But the resolution of this demand ought to be guided by policy and good governance practices as articulated in global and continental instruments such as the Framework and Guidelines on Land Policy in Africa (F&G), the Declaration on Land Issues and Challenges (2009), the Guiding Principles on Large Scale Land Based Investments in Africa (LSLBI) and the United Nations Guidance on Land and Conflict.

CHAPTER 4: PRESENTATIONS

PLENARY SESSION: Strengthening Institutions and Financing land Governance in Africa

Chair: Dr. Stephen Karingi, United Nations Economic Commission for Africa, Ethiopia

Presenters:

- (i) Hon. Angela Thokozile Didiza, (MA&LR, South Africa)
- (ii) Janet Edeme (AU Commission)
- (iii) Rex Ahene (Lafayette College, USA)
- (iv) Moha El-Ayachi (Insitut Agronomique et Veterinaire, Morroco)
- (v) SA Majeste Mfumu Difima (*Alliance National des Autorites Traditionnelles du Congo*)

Key points raised:

These are the key points made by presenters, in short summary

The speakers all agree that building our institutions and financing them accordingly is imperative for successful land reform and land administration across Africa.

Hon. Angela Thokozile Didiza gave a recap of why land reform has become an important subject of discussion in Africa. According to her, land administration and governance reform is important for structural transformation in Africa. Besides, equity and fairness in access and distribution of land resources will guarantee sustainable development across Africa. She also compared the experiences of land reforms in South Africa with that Botswana and concluded that each country across Africa has its own peculiarities. During her closing remark, she advised that the Africa Land Policy Centre (ALPC) be moved away from the UN Economic Commission for Africa (UNECA) to the AU.

SA Majeste Mfumu Difima allude to the fact that land management is a complex task and this is confirmed by the increasing return to customary authorities on land matters, especially when land dispute ensues. He regrets the fact that advances in knowledge tend to relegate the relevance of traditional institutions to the background. He affirms that as long as land is a living organism, traditional institutions will continue to be relevant. As such, the fiscal capacity of traditional institutions, especially with regards to land administration and governance, should

be enhanced through adequate funding. He laments the negative influence of the Berlin Conference on the growth of customary laws in Africa and challenged all participants to have confidence in Africa's traditional institutions and their ability to foster progress in land policy reforms across the continent.

Dr. Janet Edeme divided her presentation into three sessions: (i) she gave a historical background of the Land Reform Agenda in Africa; (ii) she summarized the extant mechanisms deployed to entrench land policy reforms in Africa; and (iii) she also provided highlights of the progress achieved so far across the continent. Notable in her presentation were the Decision on Land Policy (2009), the Malabo Declaration, and the African Agenda 2063. She disagreed with the position of Hon. Angela Thokozile Didiza on moving the ALPC to the AU. In this regard, she enumerated specific achievements recorded by the ALPC and noted that UNECA is not the sole controller of the affairs of the ALPC. Instead, the AU and the AFDB are also involved in the endorsement of the activities and execution of plans by the ALPC.

Prof. Moha El-Ayachi and Prof. Rex Ahene focused on the roles of the academia in deepening Land Reform Initiatives across Africa. On his part, Prof. Moha stressed the gains, the challenges, and the prospects of the Network of Excellence on Land Governance in Africa (NELGA). He alludes to the emanating threat of the Fourth Industrial Revolution (i.e. Industry 4.0) and calls for increased understanding of the roles of: (i) technology; (ii) innovation; (iii) resource exploration in a digital economy; and (iv) the relevance of customary land laws viz-a-viz land governance in the 4th Industrial Revolution. With regards to the progress achieved so far, Prof. Moha highlighted specific gains including: (i) capacity building across African academia; (ii) institutional partnership with GIZ, Germany; (iii) facilitation of land management knowledge production and sharing; (iv) creation of data repository; and (v) promotion of joint research publications among African scholars on Land Governance, Administration, and Innovations.

On his part, Prof. Ahene was very critical about the existing diverse perspectives of Land across the continent of Africa. He argues that Land Reform is a process and as such, must be followed systematically. He argues that Land remains the cornerstone of wealth creation in Africa but this potential will only be harnessed effectively if African countries appreciate the need to guard Land Tenure Security and the legitimacy of property rights across all and sundry. He, however, regrets that despite knowing the socio-economic importance of land, several Ministries of Land across African countries lack budget, requisite financial flow, and competent human

resources, as well as competencies to discharge their duties as managers of land governance and administration.

Key discussion points:

These are the main contributions and questions and answers on issues raised by participants during the session. They should be captured succinctly and in detail.

Participant I: This participant, a male, decried Africa's inability to deploy its knowledge infrastructure to resolve Africa's lingering challenges of land crisis in an African way and wishes to know, why Africa is still poor amidst vast land resources.

Participant II: This is a female chief. She presented novel perspective of the traditional institution as represented at the Conference. She called for improved collaboration among stakeholders, increased institutional building and financing, improved considerations of women right issues, and the urgent need to curb corruption. In addition, she craved for increased women participation in land-related decision making across the continent of Africa.

Participant III: This is a female participant. She decried the little emphasis on women access to land and the need to entrench traditional institutions in the interest of African women. Hence, she sought to know if the customary land governance can salvage the faith of African women and their access to land resources.

Key recommendations:

These will be both policy and other technical recommendations suggested by participants.

- i. There should be a regular exchange meeting between African academia and traditional institutions
- ii. That financing land reform initiatives matters. As such, member countries in Africa should start budgeting for land management and land administration in their respective countries.
- iii. At the national level, African countries should develop innovative financing options for the purpose of mobilizing resources for land administration and management
- iv. At the regional level, leaders across the continent of Africa need to rethink the support infrastructure for the implementation of land reform initiatives across the continent of Africa.

- v. Within the University space, African scholars need to carry out systematic studies of the traditional system of land governance in Africa.
- vi. There is an urgent need to rejig the study of village land tenure systems across the continent of Africa.
- vii. Not forgetting the need for capacity building, all the members of the panel recommended that capacity building for improved land administration and governance in Africa should be taken very seriously.

Finally, the panelist opine that *transformative land reform agenda may be capital intensive, but with transparency, equity, accountability, effective management, and effective fight against corruption in the land sector, land reform initiatives can be a success in Africa.*

DRAFT

TS26-A: Technical Session A - Land Policy and Land Tenure Regulatory Framework in Africa

Time:

**Tuesday, 26/Nov/2019:
11:00am - 12:30pm**

Location: **Chandelier Lagune**

Session Chair: **Dr. JANET MFON EDEME,**
AFRICAN UNION COMMISSION, Ethiopia;
EdemeJ@africa-union.org

Session Topics:

Land Policy and Land Tenure Regulatory framework in Africa

Fresh Response To New Land Policy Challenges, What Africa Needs Now For A Secure Future

Gracious Ntebang

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Fresh response to new land policy challenges, what Africa needs now for a secure future

The administration of land in the continent of Africa remains a critical and delicate issue that require robust and comprehensive policies and actions also taking into consideration the fact that Africa is mostly constituted by young people who in most cases are unemployed, landless and on the road to poverty. The rhetoric of most governments has been to promote welfare of their people through diverse empowerment schemes which cannot be realized if the land issues are not corrected. There is therefore need for radically new policy options, management regimes or technical solutions to remain relevant to the current and future needs of people.

The much needed change lies with the political machinery through its mandated institutions. While a lot is expected from these institutions and agencies, they are often marred by chronic scandals of open corruption which has been a cancer devouring the African continent ever since we can all remember. As this might be debatable, the existence of these institutions themselves serves as a breeding ground for corruption and mostly their existence or mandates can easily be confused with serving the interests of their masters, namely the politicians. Closely related to corruption is the problem of institutional inefficiency and bureaucratic red tapping which is not only complex, not accessible but also politically charged with top people being direct political party agents.

It will therefore be the argument of this paper that the land problems in Africa lies with policies that are marred by chronic corruption, lack of political will, lack of detailed research, weak and inefficient institutions which need radical transformation. This was primarily a qualitative

desktop research that was based on secondary sources such as journals, books, newspapers, websites and other internet sources.

In a quest for answers and solutions these will be explored:

- 1) Is there enough political will when it comes to land policy issues?
- 2) Is there enough technical technological expertise to tackle contemporary land policy issues?
- 3) How relevant and adequate are the land policies in modern day Africa?

Land Policy and the Youth ‘Bulge’ in Ethiopia: How Social and Economic Transformations are Scrutinizing the Status quo

Hosaena Ghebru¹, [Fikirte Girmachew Abeje](#)²

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This study examines the effect of land access on youth migration and employment decisions in Ethiopia using data from Living Standard Measurement Study (LSMS)- Ethiopian Socio-economic Survey (ESS) of 2013/14 and 2015/16. The findings show that youth land access negatively and significantly affects permanent migration and long-distance migration. Regarding employment, land access has a significant positive and negative effect on youth agricultural employment and non-agricultural employment, respectively. The effect of land access on migration differ across various individual and community level factors. Thus, a negative and significant effect of land access on permanent migration is observed among older youth (24-35 years old) and illiterate youth. Moreover, land access negatively and significantly determines permanent migration for the youth who resides in areas with relatively higher level of agricultural modernization. Similarly, land access negatively affects youth permanent and long-distance migration in areas with relatively higher level of urbanization.

Customary Tenure Trusteeships and Land Governance Reforms: A Necessary Convergence.

[Prof. Rexford Ahene](#)

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The need to address the persistent poverty and assure livelihoods while encouraging institutional evolution of ways to manage customary land and natural resource assets of communities is an overarching land administration challenge and a policy priority. Customary land administration and land use management literature recognize corruption and lack of accountability among the key issues why customary land governance reforms ought to be at the forefront of the discussion in many African countries. However, no single analytical approach exists to date that directly examines the linkages between customary land

administration and management effectiveness and the fiduciary responsibility of customary land trustees as a trigger for responsible land governance reforms. The objective of this paper is to apply the fiducial responsibility lens to examine the role of customary land trusteeship, often represented by Chiefs, Clan leaders and family heads, as the custodians of customary land of communities; a valuable sustaining resource that should be managed with the aim to achieve the highest and best use of community land assets.

The National Land Information System (NLIS) in Uganda: Support to Improvements in Land Governance and Transparency

Richard Oput

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The second phase of the Uganda National Land Information System (UgNLIS) which started in February 2015 and is expected to end in February 2020 is being implemented by the Ministry of Lands, Housing and Urban Development (MLHUD) together with a Consortium led by IGN FI, which was engaged with support of the World Bank. The (UgNLIS) fully integrates land registration, land administration, surveying and mapping, physical planning, property valuation functions and other land related land records. Provided initially as a loan by the World Bank under the Second Private Sector Competitiveness Project (PSCP II) and followed by further financial support by the World Bank under the Competiveness and Enterprise Development Project (CEDP), the total cost of the NLIS is valued at US\$ 65 million including the supportive infrastructural developments and construction of buildings associated with the system. The UgNLIS has been established in fulfilment of Government of Uganda policies and has made a substantial improvement in accountability and service delivery in terms of time, security and cost effectiveness. Over US\$ 114 million has so far been collected as total revenue and the UgNLIS has resulted in a significant reduction or elimination of 1) backdoor transactions, 2) forgeries and graft, and 3) challenges associated with missing land records. The UgNLIS has already demonstrated clear and solid contributions to Uganda social structure, economy, all levels of governance and has promoted transparency in the delivery of land services.

Land Governance Arrangements in Eastern Africa: Description and Comparison

Prof. Achamyeh Gashu Adam¹, Aline Cikara², Dr. Hidaya Kayuza³, Dr. Lilian Mono⁴, Potel Jossam⁵, Dr. Robert Wayumba⁶, Prosper Turimubumwe⁷, Prof. Jaap Zevenbergen⁸

¹Bahir Dar University, Ethiopia; ²Université Évangélique de Afrique, DRC; ³Ardi University, Tanzania; ⁴Makarere University, Uganda; ⁵INES Ruhengeri, Rwanda; ⁶Technical University of Kenya, Kenya; ⁷University of Burundi, Burundi; ⁸University of Twente, Netherlands; agachamyeh@gmail.com

This study is aimed to assess features of land governance arrangements in the Eastern Africa region. Comparative and qualitative research approach was employed to achieve the objectives of the study. The research was also conducted within the context of long standing research collaboration under the umbrella of the Eastern African Land Administration Network (EALAN). The Eastern African countries included in this study are those represented through respective institutions in the EALAN, namely: Burundi, Democratic Republic of Congo, Ethiopia, Kenya, Rwanda, South Sudan, Tanzania and Uganda. The findings of this research reveals that the region manifests diverse background of land governance arrangements where formal and informal actors and processes still important. The study also shows that the formal systems in most of the countries are not reaching large parts of the society yet. Due to the limitations of the formal systems, aspects of custom and informal authority structures exist and seem to be used by most people for conflict resolution and other transactions related to land. Therefore, more effort is required to make the formal systems more accessible, including altering current formal systems and making them less bureaucratic and more affordable for majority of the people in the region.

TS26-B: Technical Session B – Women’s Access to land and security tenure

Time:

Location: Salle Des Fetes 1

Tuesday, 26/Nov/2019:

11:00am - 12:30pm

Session Chair: Ellen Wakesho Mwagae

Namati, Kenya

**Protecting the Land Rights of Women through an Inclusive Land Registration System:
The Case of Ethiopia**

Abebaw Abebe Belay, Tigistu G/meskel Abza

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Key Words: Inclusiveness, Women, Registration and Certification

Land is owned by the state and peoples of Ethiopia. Rural farmers and pastoralists have landholding right which contains bundle of rights. Women have equal right to fully use their landholding. Ethiopia has implemented a first level land certification (FLLC). Despite the achievements of the FLLC, gaps were identified especially as regards to local participation throughout the certification process. Ethiopia is currently implementing Second Level Land Certification. 15 million parcels have been registered, of which about 80 % are owned by women either privately or jointly with their husbands. This SLLC is implemented in a participatory way. The main objective of this paper is to assess the equity and inclusiveness of

the land titling program of Ethiopia in protecting the land rights of women. It is found that the legal frameworks are inclusive for Women, sometimes contain affirmative provisions; the land registration program is inclusive containing procedures for the protection of land rights of women; free legal aid services are being provided for women for their land right protection and there are positions and institutions (Social Development Officers; Women Land Right Task Force and Good Governance Task Team) exclusively responsible for the protection of the rights of women; which are vital for the sustainability of the system. But still there are gaps on legal frameworks; the existence of gender negative customary systems; weak institutional arrangement; registration of land which is under polygamous union; getting certificate does not mean that women have control power over their land. Based on this findings the research recommends for making the process of land registration and titling inclusive; assigning Social Development Officers in the land administration system; conducting repeated follow up after women receive their certificates; and revising legal gaps.

Cultivating Gender Insensitive Land Tenure Reforms and Harvesting Food Insecurity in Cameroon, Sub-Saharan Africa

Dr. Bachange Gabriel Enchaw¹, Prof. Tchawa Paul²

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Abstract

Effective reform pathways for addressing women's access to land and tenure security in Africa are yet to be found despite women's pivotal role in feeding the population. Land reforms so far in the continent are attuned to gender homogeneity, thereby stifling avenues for robust gender-sensitive land tenure reforms for enhancing food security and curbing food importation. With the adoption of the AU Declaration on Land Issues and Challenges in Africa in 2009 and the launch of the African Land Policy Centre in 2017, hopes were high that the precarious situation of women's access to land, tenure security and food self-sufficiency might be transformed to opportunities. Sharing the concerns of other scholars, however, it is arguable that the very historical inadequacies riddling women's access to land and tenure security keep replicating in current reforms. Prevailing discourses advocate for legal frameworks multiplication, which up to now, address land issues within the purview of gender equality. Gender parity-oriented tenure reforms are prone to producing ambivalent outcomes vis-à-vis the particularities of women's land tenure challenges. This study uses evidence from sub-Saharan Africa to show that gender-sensitive land tenure reforms are crucial in the strive to guaranteeing women's access to, control and transfer of land for appropriate use and for bringing the second High 5s (Feed Africa) to fruition.

Access to Land for Women in Eastern Africa: A comparative study of land administration shortcomings, Interventions and their outcomes

Prof. Agnes Mwasumbi¹, Dr. Monica Lengoiboni², Dr. Ronald Ssendendo³, Dr. Venant Nyandwi⁴, Dr. Wubetu Anley⁵, Dr. Jasper N. Mwenda⁶

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Women's access to land has been recognized by the United Nations as a sustainable development issue and a key mechanism of reducing hunger and poverty. In sub-Saharan Africa where most of the people to land relationships are undocumented, women's rights to land are either completely ignored or violated especially for widows and divorcees. The aim of this study is therefore to examine the land administration shortcomings that affect access to land for women in the Eastern African region with the major focus on the problems that curtail women's access to land and what kind of interventions if any are being implemented by both the government and non-state actors to support the women. The study was based on the chain of justice framework and draws from a mixture of qualitative and quantitative research methods. The findings show that governments and non-state actors are using a number of interventions to improve women's access to land. These include; raising awareness among the women, empowering women financially through women groups, running pro-gender land certification projects with emphasis on issuing land documents to women and ensuring that pro-gender land laws are enacted and implemented. Entrenched cultural practices, absence and/or slow pace of the implementation of gender sensitive laws and inadequate funding to the land sector were noted as the major challenges hindering the positive outcomes of the interventions.

Gender Dimensions in Tenure Security: A Review of African Legal and Administrative Documentation and Perceptin Studies

Prof. Senia Nhamo

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Addressing the issue of ownership of productive assets, particularly land has been on the global agenda for over two decades, after the 1995 Beijing Fourth World Conference on Women: Action for Equality, Development and Peace. The gender mainstreaming discourse has resulted in various gender related terminologies such as gender equity, gender equality – all with an influence in land allocation processes, land tenure systems and property rights designing. Gender equality is well understood to be inclusive of both men and women. However, due to socio-political influences, religious-ideological value systems, cultural norms and patriarchal systems, women have been left behind with regards to ownership and control of land. If the 2030 Sustainable Development Goals (SDGs) objective of leaving no one behind is to be met,

the lessons drawn from this study will assist in initiating crucial conversations, shaping policies and advancing the security of tenure for women. At the same time furthering the Agenda 2063 aspiration number 6 focusing on “An Africa whose development is people driven, relying on the potential offered by African people, especially its women and youth, and caring for children” (AU, 2013: 22).

Within the context of the global sustainable development goals (SDGs), gender and land related aspects are encapsulated in Goal number one (SDG1) and Goal number five (SDG5). Related to these goals are specific targets and indicators that address the issue of gender and security of tenure. Given this background, this paper interrogates the available legally recognised documentation as per indicator 1.4.2 on secure tenure rights to land to understand the baselines and lay the foundation for advancing equal rights to economic resources (target 1.4). Furthermore, existing studies on the perceptions of rights as secure are reviewed for Member States in which surveys have been carried out. Perceptions are important as they are “people defined” progress on the security of land rights. This exercises not only points to data gaps but provides relevant case studies for other African countries that are currently faced with the real challenge of addressing tenure security.

Women’s Access to Land and Security of Tenure post 2013 Constitution in Zimbabwe

Dr. Sandra Bhatasara

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Rural women’s livelihoods in Africa are dependent on their rights and entitlement to land as well as security of tenure. Equally important is how land laws and land governance systems shape and reshape women’s access to land and tenure security. As such, this paper focuses on women’s access to land and tenure security after the adoption of a new Constitution in 2013 and Statutory Instrument 53 of 2014 in Zimbabwe. Whereas both legal instruments are progressive and guarantee women’s rights to property, their realization is shrouded in complexities and contradictions. Customary practices still insist on male privileges to own and allocate land whilst women have fragile usufruct rights and limited sole or joint ownership. State land administrators are also complicit in violating women’s rights. Overall, there is need to uphold both the Constitution and related laws to promote gender justice when it comes to women’s land rights and tenure security.

TS26-C: Technical Session C - Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes

Time:

Tuesday, 26/Nov/2019:

11:00am - 12:30pm

Session Chair: **Prof. Hassan, Saad Hilmi**, Future Univeristy, Sudan; hilmi.aau@gmail.com

Development of a Landmark Land Use and Management Framework for Liberia

Ellen O. Pratt, Tom Korkpor, Uriah Garsinii

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In October 2016 the Liberia Land Authority (LLA) was legislated as the Nation's first one-stop-shop for land management and administration. The LLA has the statutory mandate to administer land administration across the nation. This includes land management and planning. The Authority is charged with supporting the development of a National Land Use and Management Agenda. LLA began the process with the development of a National Land Use and Management Framework, a holistic roadmap to Land Use and Management Planning.

This abstract presents the process LLA implemented to develop the landmark Land Use and Management Framework, outlines the components of this roadmap, and presents the progress towards the development of the National Land Use and Management Policy, and other regulatory instruments to advance land planning in Liberia.

This advancement of this Policy is especially poignant with the passage of Liberia's landmark Land Rights Legislation, which advocates for the development of land management plans for all customary communities nationwide. A national vision is necessary to guide these plans, particularly as the issues of land use planning are novel concepts to many in Liberia.

The Impacts of Second-Level Land Certification (SLLC) in Ethiopia: Empirical Evidence Using Panel Data

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In 2013, Ethiopia has launched a mega project on second-level land certification program in the four major regions in the country (Amhara, Oromia, SNNP and Tigray). The program aims to enhance tenure security, transferability of land, access to credit and land related dispute

resolutions. This study, thus, aims to investigate these program outcomes using a unique 3-wave panel data of 6600 households collected by the International Food Policy Research Institute (IFPRI) in 2013, 2015 and 2018. The fact that the first-round survey in 2013 is collected just before the DFID-sponsored mega SLLC program in the country provides a unique opportunity to evaluate the impacts of the SLLC program with the data before-and-after the program was launched. Findings from the study are expected to provide insights to inform policy directions in the form of formalization of land rights not only in Ethiopia but also elsewhere in the continent.

An Evaluation Framework for Urban Cadastral System Policy In Ethiopia

Solomon Dargie Chekole¹, Prof. Walter Timo De Vries², Dr. Gebeyehu Belay Shibeshi¹

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Land is the most vital resource on earth from which humankind derives almost all its basic needs. In order to administer and manage this vital resource in a sustainable way, there are several mechanisms, of which, cadastral system is the prime one. The United Nations and organizations such as the International Federation of Surveyors have for many years' undertaken studies to understand and describe land administration systems and particularly the cadastral component. Many literatures have proved that the role of cadastral systems have been functioning as an engine for sustainable land administration system though their systematic performance evaluation mechanisms seemed to be poor. Being the nature of systematic performance evaluation of cadastral system depends on the circumstance of specific country, as in most developing countries, Ethiopia has no such systematic evaluation framework to measure and evaluate the state of cadastral systems. This article is aimed to develop an evaluation framework to measure and evaluate the performance of urban cadastral system at policy level based on the successful implementations of robust countries. It is also intended to present a set of good practices and their indicators to provide an objective basis that supports systematic evaluation of urban cadastral system in Ethiopia. In line with this aim the research has endeavoured to answer the question; with which indicators can one measure and evaluates urban cadastral system of Ethiopia? In order to achieve this aim, the study has employed a desk review research strategy being qualitative approach is at the heart of the analysis. State of the art literatures, theories on cadastral system policies, are reviewed and current laws and policies focusing on urban cadastral system are analysed in order to understand the circumstance and context of Ethiopia. Finally, this article has contributed an evaluation framework with a set of qualitative and quantitative indicators and their good practices that can evaluate the performance of urban cadastral system, which is not currently available in Ethiopia.

Computerisation of Land Governance Systems as a Tool to Mitigate Statutory Land Corruption in Central, East and Southern Africa: Evidence from Three Countries

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This study was on computerisation of land governance systems as a tool to mitigate statutory land corruption in Central, East and Southern Africa. Using evidence from the Lubumbashi (Democratic Republic of the Congo), Dar salaam (Tanzania) and Kitwe (Zambia), the study used both primary and secondary data to conclude that despite computerisation of land governance activities in Tanzania and Zambia, corruption still took place. On the other hand, land related services in Lubumbashi (Democratic Republic of the Congo) are still paper based. Causes of corruption identified were low salaries for employees in public land institutions, delay in payment of salaries, lack of monitoring in the services provided, cumbersome procedures, and lack of transparency. In this regard, it is recommended that the respective governments should work on curbing corruption through increasing salaries for employees in land institutions, pay salaries on time, effective monitoring in the services provided, streamlining procedures and ensure transparency.

TS26-D: Technical Session D - Planning, monitoring and evaluation: Challenges, opportunities and emerging best practices in developing and implementing land policies

Time:

Location: Salle Des Fetes 2

Tuesday, 26/Nov/2019:

11:00am - 12:30pm

Session Chair: **Everlyne Nairesiae**, UN Habitat,

Kenya; everlyne.nairesiae@un.org

Session Topics:

Planning, monitoring and evaluation: Challenges, opportunities and emerging best practices in developing and implementing land policies (rural and urban)

A Cluster Analytical Creation of Ill-defined Land Rights And Associated Implications On land Ownership Conflicts In South Africa

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Secure property rights over land are critical for achieving peace and social stability to countries such as South Africa where past land administration practices have been riddled with state led social injustices. Correcting such injustices requires a critical examination of potential conflicts associated with disputed ownership rights over land. We argue that such critical reflection on property rights over use of land may pave way to establishing sustainable ways of dealing with social justice contested land ownership futures. This analysis sought to review 244 land cases that are posted online by the Land claims Court of South Africa. These cases ranged from 2009 up to April 2019. We employed Honore's 11 strands of ownership rights to assess the extent to which court applicants lost or retained land ownership. A 5 point scorecard system was used to evaluate each case. Dat was first checked for normality and homoscedasticity. Hierarchical Agglomerative Cluster Analysis (HACA) was then used to group land cases with similar land rights characteristics. To determine predictor importance and the general quality the resultant cluster system a complementary two step clustering process was conducted. Results revealed three main clusters of land disputes depicting different conflict scenarios. Cluster type 1 cases are characterised by 108 land cases, cluster type 2 type by 78 land cases and cluster 3 type by 58 land cases. Applicants whose cases belonged to cluster 1, were the most affected as the disputed land cases saw them losing substantial rights to land ownership including rights to possess, use, manage, income, capital, security, transimibility, execution and right not to harmful use. Land use rights spatial disparities were also discerned. Since 2009, land dispute cases have been on the rise despite a number of constitutional reforms. Results also revealed that the top 5 most rights that applicants tend to lose through the courts include the right to use, right to possess, right to manage, right to security and right to income. Future constitutional reforms and conflict resolution mechanisms that seek to address property rights over land in South Africa should take cognisance of such bundles of rights.

Analysis of Dispute Resolution Systems as a means of fighting Land Corruption and Promoting Access to Justice: The Case of Kenya and Ghana

Mary Nkutawala Maneno, Samuel Mbithi Kimeu

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Many challenges bedevil the justice system in countries, thus leading to protracted resolution of land cases. These challenges not only fuel land corruption, but lead to immense violation of land rights. This paper seeks to analyse dispute resolution mechanisms as a means to fighting land corruption and promoting access to justice. It asserts the need to examine the legal, institutional reforms and progress made towards making access to justice for all a reality. It further proposes mapping out the existing formal and informal land dispute resolution mechanisms, strengthening their capacity and enhancing transparency and accountability in discharging their mandate.

Through analyzing case studies in Kenya and Ghana, the paper is framed within the nuances of Goal 16 of the Sustainable Development Goals on promoting peaceful and inclusive

societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Complexities and Conflicting Systems and Structures Breed Corruption in Land Sectors: A case of Uganda

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Every second a citizen in Uganda has been affected by land corruption in recent years.

In Uganda, corruption in the context of land is exhibited mainly in three forms i.e. forms of money corruption, power corruption and resource corruption. Exercising these always lead to either an opaque deal between private investors and local authorities, citizens having to pay bribes during land administration processes, or customary laws that deny women their land rights. Most complaints in the land sector in Uganda originate from land administrative arrangements characterised by mixed tenure systems, multiple layers of administrators and insufficient access to justice system. These have become so complex that an extra mean needs to be used to access a service in the land sector.

This study provides a direct linkage between complex and sometimes conflicting structures and land corruption. Specifically, it seeks to find out how complex and conflicting power, tenure systems, land and corruption intersect and how they affect men, women and the vulnerable. Further, it seeks to find how addressing issues around tenure rights, power overlaps and inefficient justice system can be used to support anti-corruption efforts in Uganda's land sector. For this study, Primary data was collected through interviews and focus group discussions with citizens in Eastern Uganda. Secondary data was got from reviewing documents concerning land, corruption and administration.

Limited access to information, complex laws, procedures and institutions regulating land ownership, mixed tenure systems and insufficient access to justice are some of the driving forces behind land corruption in Uganda.

Reducing corruption in the land sector calls for; Investment in information, education and communication, harmonizing the legal frameworks strengthening land administrators.

Kenya Land Policy Making, Implementation and Outcomes This Far

Richard Lumumba Odenda

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Kenya like most African countries undertook the development of its National Land Policy, NLP, over a decade and half ago in 2004, with the purpose of securing land rights as means of promoting economic growth, investment and reduction of poverty. This paper seeks to explore how the Policy formulated to guide land reforms for the improvement of the livelihoods of Kenyans, through establishment of an accountable and transparent institutional system dealing with land has fared this far. This paper comes at a time when the country is preparing to review the policy 10 years since it was adopted in December 2009[1]. It will draw on conversations with peers and my personal embedded participant observer monitoring of the process of development and implementation from 2004 to 2019, which provided an ‘extended case study approach’ (Buroway 2009). The ethnographic observation and conversation with key state and non-state actors, methodologically assuage the concern raised by earlier studies that land issues in Kenya are subject to rumours (Osborn 2008). Furthermore, I have had access to varied official literature and media records that will inform this paper. Whereas it has been argued that the Kenya National Land Policy making process was wide ranging and consultative (McAuslan, 2013:138), this paper shall separate the policy making, implementation and outcomes processes for better understanding. In this paper, I will argue that while land policy development emanates from the intentions of policy-makers as varied stakeholders, the implementation is through the political and administrative mechanism, which is constrained by the lack of budget, capacity and a failure of involved agencies and institutions to co-ordinate their activities towards a common end. If the policy process was a social engineering exercise, I would argue that it lacks bridges to ensure the realization of its goals as a necessity requiring the connection between the policy making and the implementation up to the outcome level. Thus, the paper shall examine the relations within and among them as monitored in the Kenyan case.

Women’s land rights in Africa: Does implementation match policy?

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In recent years, women’s land rights have strongly featured in core agendas of the Africa Union, United Nations Organisations, governments and non-state actors. African Union and the United Nations Food and Agriculture Organisation (FAO) have for example, developed a set of guidelines explicitly in favour of women’s land rights. To understand how policy

commitments are translated into national legislation as well as practices on the ground the consortia comprising of Oxfam, Institute for Poverty, Land and Agrarian Studies and Plateforme Régionale des Organisations Paysannes d’Afrique Centrale developed a women land rights scorecard as a quantifiable tool to measure the performance of selected countries in implementing the provisions of women’s land rights instruments such as FAO guidelines and AU Framework and Guidelines on Land Policy in Africa among others. The key five themes that underline the scorecard informed a baseline conducted in Cameroon, Ethiopia, Kenya, Malawi, Mozambique, South Africa, and Togo.

In each country, a country researcher in collaboration with the collaborating nongovernmental organisation selected three heterogeneous locations which capture the range of situations under which rural women use land. Six semi-structured interviews with purposely selected key informants were undertaken, as well as nine focus group discussions comprising of 10 women per country. The study found that while statutory laws to protect women land rights are in place in all studied countries, with some differences and, in some cases with existing loopholes, adherence to these laws at the community level remain inadequate. In all six countries except Malawi the study showed that women’s ability to access land through inheritance is compromised in practice. Based on these findings, the paper confirms that while impressive steps to address women’s land rights issues have been taken in recent African policies, implementation is yet to receive sufficient political backing, due to widespread patriarchal values and limited resources. Holistic implementation is needed to address existing loopholes in land laws and regulation, and also align other sectoral policies and laws in order to bridge the gender gap in property rights caused by discriminatory land tenure systems, commercial pressure on land, corruption and conflicts.

TS26-F: Technical Session F: Land Policy and Land Tenure Regulatory Framework in Africa

Time:

**Tuesday, 26/Nov/2019:
3:00pm - 4:30pm**

Location: Salle Des Fetes 1

*Session Chair: Dr. Harold Liversage, IFAD, Italy;
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Session Topics:

Translation of Global Climate Change Discourses to the Local Policies, And the Resilience of Pastoralists

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The paper focused on the need to document impacts of the global climate discourses at the local levels. In addition, it sought to fill the lacuna on the translation of discourses insofar as pastoralists land rights' and adaptation are concerned, while looking at translation and implementation of these discourses. Theoretically, the paper employed the Actor-Network-Theory where civil society organizations are hinged around key actors in formulating Kenya climate law. Data was gathered through key informants and desk reviews. The paper found participation of pastoral communities in the global discourses e.g. Green Climate Fund readiness framework not as explicit. Additionally, civil society space has grown as exhibited by the Paris Agreement and pointer the Kenya climate change Act. Policy-wise, CSOs need to focus on developing county-specific climate regimes in Kenya, in line with the 2010 constitution, as pastoralists need to be part of the adaptation conversations.

Reviewing the Role of Women Pastoralist In Conflicts In The Horn of Africa

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Virulent conflict remains one of the most difficult challenges in the 21st century. The history of the eastern and Horn of Africa region has been interspersed with long running conflicts over natural resources among and between competing pastoralists communities. Whereas the conflicts that have resulted in substantial losses, they are mainly associated with men, although women also contribute to promoting conflict and insecurity in the region. Using an both an existing data approach (EDA) and an open-ended qualitative approach the study sought to answer new research questions on the role of women pastoralists in conflict in the horn of Africa,. The EDA data was obtained mainly from existing literature both published and unpublished. Some primary data was also secured through open-ended interviews with knowledgeable persons. A systematic review of literature found that women in conflict have a dual role of being both “mothers of war and mothers of peace”. The results also show that Women contribute to the ongoing insecurity and conflict situation in the horn of Africa in a variety of ways. This includes them either being active supporters promoting use of violence or offering passive support. Throughout the review, there is consensus that whatever their role may be, women bear the heaviest brunt during conflict. Further the review notes that Women’s involvement in conflict has evolved to bringing peace among warring communities. The study concludes that while the role of women in conflict has been rightly acknowledged and appreciated across board, however it is still remains opportunistic and not strategic. In this regard, the spaces occupied by women led conflict mediation efforts have not challenged the institutionalized discrimination of both the modern and contemporary system, such as land ownership, that actually underline the marginalization and hence the conflicts. Instead it has found comfort in operating informally at the grassroots level. Therefore the study recommends

the need for policies that support more inclusivity including better integration and harnessing of conflict mechanisms structures.

Dubious Land Policy: The Unresolved Major Root Cause of War in South Sudan

John Gerry Emmanuel Longa

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South Sudan has been pleading for peace since 2014. The peace efforts led by the IGAD to resolve the civil war, which erupted in 2013, was intended to find and resolve the root causes of the war. The process resulted into the signing of the 2015 peace-deal. However, the peace failed in 2016, and conflict erupted again. It was accepted that the true root causes of the conflict were not comprehensively addressed, thus, another peace talk was launched in 2018 to revitalize the failed peace.

The critical issues discussed, included transparency in the extractives sector, number of States and borders, and security sector reform. Land was linked to all of the issues and problems discussed in the second peace talk, but it was not discussed separately as the root cause of the war.

The distribution of land related resources in the country is not equal - the northern parts of the country, largely inhabited by pastoralists, for example, have little to no stones for constructions; the oil is located in few concentrated areas; water is unavailable in other areas during dry seasons; and the Southern parts of the country, 90% targeted by mining companies for minerals, are inhabited by farmers. Pressure mounted on various communities because of these land related resources.

The political desire and intention of the country's leaders to control the natural resources became the biggest incentives, thus, mistrust developed very fast among loosing communities and political parties. Further, with the raise in communal conflicts, cattle raiding, conflict between farmers and herders, inter-clan fighting and lack of basic services, Juba, the capital of South Sudan, became the center for political power, employment and habitation, as war ravaged nearly all the other parts of the country.

This paper provides wide-ranging developments on land policies and practices that are making peace in the country impossible. This is a desktop research, thus, the materials used include peace agreements in the country, communal peace initiatives, media reports and individual research. The paper recognizes an expandable, inclusive national land policy as the suitable and necessary solution to the conflict in South Sudan.

Exploring Farmer-Herder Conflicts in the West African Sahel: A Multi-country Study of Burkina Faso, Niger and Nigeria

Prof. Samuel Aderemi Igbatayo

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The West African Sahel is a geographical and transitional zone between the Sahara desert to the north and the savanna grasslands to the south. The zone is home to more than fifty million, largely impoverished people. Meanwhile, the steady reduction in annual rainfall has fueled conflicts between farmers and herders in the region, triggered by dwindling natural resources, particularly land; as northern pastoralists migrate southwards into lands operated by sedentary farmers. Indeed, land resources in the Sahel have suffered widespread degradation, driven by climate variability, with incessant droughts since the middle of the 20th century. The arid conditions have exacerbated wind and water erosions, undermining the fertility of soils with dire consequences for rural livelihoods. This development has unleashed tensions and communal conflicts, accompanied by widespread destruction of livelihoods, particularly cattle and farmlands, aggravating the already impoverished conditions of many farmers and herders. The study adopts Burkina Faso, Niger and Nigeria in a Multi-country comparative analysis. It reveals Burkina Faso is prone to climate-driven conflicts, as farmers and herders across northern and eastern parts of the country struggle for control over land, water and pastures. In the case of Niger, deteriorating ecosystems in the north has also driven the nation's herders southwards, in search of water and pasture for their livestock, leading many into conflict with farmers. The Nigerian farmer-herder conflict has been compounded in recent years by the Boko Haram insurgency that has unleashed attacks in Nigeria's northeastern corridor, undermining rural livelihoods, while conflicts between farmers and herders have spilled into the nation's Middle belt, with grave consequences. The major objective of this paper is to shed light on the emergent conflicts between farmers and herders in the West African Sahel. It employs empirical data to analyze the development, revealing widespread conflict in several communities across the region, undermining land management and food security. The paper therefore presents a policy framework underpinned by conflict management; climate change adaptation and mitigation measures; preservation of pastures for herders; production subsidies for farmers and humanitarian assistance to conflict-prone communities.

TS26-G: Technical Session G - Nov 26- Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes

Time:

Tuesday, 26/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Prof. Moha El-ayachi**, NELGA NORTH AFRICA, Morocco;
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Evaluation of Land Use/Land Cover Changes Due to Gold Mining Activities From 1987 To 2017 Using Landsat Imagery, East Cameroon

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Gold mining activities began around 1934 at the artisanal stage and became semi-mechanized around 2004 in eastern Cameroon, with the emergence of exploration and mining companies in the region. It is known that Land Degradation (LD) and conservation mappings are key factors in proper planning and decision-making on investment choices to address and combat desertification as well as to secure legitimate land rights. This paper aims at monitoring Land Use and Land Cover (LULC) changes between 1987 and 2017 among Bétaré-Oya, Ngoura and Batouri Districts which are witnessing extensive gold mining activities, assessing the dynamics between LULC types and understanding the anthropogenic impact of gold mining activities during this period. A series of Landsat images acquired in 1987, 2000, and 2016/2017 were used to examine LULC change trajectories at per-pixel scale with the post-classification change detection techniques based on the matrix of changes. A supervised classification by the maximum likelihood algorithm composed of five classes—Bare land, Settlements, Water bodies, Vegetation and Mine activities, was designed for this study, in order to classify Landsat images into thematic maps. This research revealed spatio-temporal change patterns, various composition and rates among the three study areas. Also, it shows the strong appearance and emergence of mining activities between 2000 and 2017 are coupled with increase in settlement surfaces and major changes in the environment in the study areas. The LULC change analysis

over time for the study areas has provided the current change trends. This study stresses the usefulness of Landsat TM/ETM+ and Landsat Data Continuity Mission (LDCM) data and highlights the data processing methods for long-term monitoring of artisanal mining activities impacts on lands.

Use of High-Resolution Earth Observation for Large Scale Land Acquisitions and Land Use Change Monitoring in Cameroon

Dr. Astrid Verhegghen¹, Dr. Felix Rembold¹, Dr. Emilie Beauchamp², Samuel Nguiffo³

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Over the last decades, large areas in Africa have been experiencing extended land cover and land use changes triggered by population growth, changing diets and increased demand for agricultural products. For changes triggered by large scale land acquisitions (LSLA) in the agriculture and other sectors, low transparency, remoteness of the areas concerned and conflicts about tenure rights are often restricting the data available. This is particularly the case in Cameroon with its high levels of competition for land and looming land governance conflicts.

Earth Observation (EO), thanks to the rapidly growing high resolution data availability has emerged as one of the most promising means for mapping and monitoring land use change. More specifically, the recent Copernicus satellites Sentinel 1 (SAR) and Sentinel 2 (optical) satellites are providing a coverage of Africa every 5-days at a 10 m resolution. Earth observation can be used to develop practical tools to monitor land use changes, compliance of large-scale contractors and level of implementation of LSLAs. Earth observation can also be a baseline in research on the impact of improved land governance and security tenure system on land use change.

In the case of Cameroon we will be testing the potential of EO to support monitoring of various land use changes with possible impact on local communities land rights. Three main thematic areas will be explored. A first study case will focus on the impact of small-scale mining activities, not subjected to Environmental Impact Assessment, on the forest cover. A second will investigate how migration is causing agricultural intensification and encroachment in protected areas in the North of the country. Last, the implementation of rubber and oil palm plantations will be assessed to detect possible anomalies as compared with the original contracts. In the three cases, S1 and S2 data will be used to map the past and current situation. The potential of that information for informing land governance and conflict resolution will be explored in the framework of the LandCam project.

Building Harmonized Private and State Land Data and Information Systems in Ethiopia

Tommi Tenno, [Yohannes Redda](#), Dr. Zerfu Hailu

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Different government institutions in Ethiopia working on land related issues tackle and manage data and information independently, while their activities and mandates are often related or even overlapping. Ministry of Agriculture (MoA) deals with small holder rural land and until recently the Ethiopian Horticulture and Agricultural Investment Authority (EHAIA) was dealing with commercial agricultural land. Those institutions have not been able to share information each other's data to make informed decisions. The lack of shared data has in some cases led to investment land allocations that overlap with small holder farmers' areas or national protected areas. This challenge is currently being addressed by joint initiatives involving MoA supported by the Finnish Government funded REILA project and by the EU and Germany (BMZ) co-financed "Support to Responsible Agricultural Investment" (S2RAI) project.

MoA with support of REILA has developed the National Rural Land Administration Information System (NRLAIS), which includes transaction processes and cadaster of individual land user rights. NRLAIS is the key system in the development of an integrated harmonized land administration and it works as a foundation for other land management systems. It provides functionalities to manage land administration datasets and administrative services. EHAIA, on the other hand, with support of S2RAI, has developed the Commercial Agriculture Management Information System (CAMIS), an IT-system to manage state land allocated for commercial agricultural investment. In order to allow smooth data exchange, CAMIS is based on the same open source technologies as NRLAIS. Furthermore, CAMIS land administration functions are linked to core land administration functions of NRLAIS, which enables CAMIS to carry out all necessary transactions on investment land through the NRLAIS system. The underlying objective of CAMIS is to collect and store data on agricultural investments and serve as a tool for monitoring the performance of investment projects.

The herewith proposed paper will provide examples of benefits and arguments for linking data and IT-systems. The paper will focus on the link between the investment land allocation and monitoring (CAMIS) and rural cadaster (NRLAIS), but it will also introduce plans to expand the use of the systems for other land management functions in Ethiopia.

Evaluating Spatial Data Acquisition and Management Techniques for Multipurpose Cadastre in Ethiopia and Rwanda (Preliminary Results)

[Didier Milindi Rugema](#), Dr. Tadesse Amsalu Birhanu, Dr. Gebeyehu Belay Shibeshi

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Spatial data are a basis in development of multipurpose cadastre. This paper aims to evaluate spatial data acquisition and management techniques for multipurpose cadastre in Ethiopia and Rwanda. The research was conducted using a qualitative research method, a review of existing literature on spatial data acquisition and management techniques for cadastral purposes. The empirical data have also been collected. The results reveal that using techniques that are not standard based, Ethiopia and Rwanda have carried out large-scale mapping under participatory approach for re-engineering their cadastral systems in short time. However, given the manner by which the processes have been undertaken, the question comes on quality of land measurements and the resulting cadastral geodatabases in both countries, implying reliability of land information. The question also comes on maintenance of the established infrastructure within available resources in case of Rwanda, and lack of covering all land types in case of Ethiopia.

TS26-H: Technical Session H - Nov 26- Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes

Time:

**Tuesday, 26/Nov/2019:
3:00pm - 4:30pm**

Location: **Salle Des Fetes 2**

Session Chair: **Dr. Andreas Lange**, GIZ, Germany;
andreas.lange@giz.de

Session Topics:

Digital Land Administration a tool to curb Corruption in Land Sector: The case of Rwanda

Jossam POTEL

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The role of digital land administration in fighting against corruption in land sector remains relatively unexplored. While the role of digital land administration in land governance, property registration, and speeding up land related services is understood, the scale and impact of digital land administration is not always widely acknowledged especially in many African Countries. Digital land registration tends to have data that reveals the roles and acts of each actor within the structural framework of the land sector. Digital system eases monitoring of the land administration processes, where services are also digitally notified on each step of their dossiers. This reduces the risks and attempts of soliciting bribes and corrupting land administration officials to speed up services or to be given undue services. Core activities including land registration, land transfer, mortgage, and all other land administration activities should be entirely digitized – with public authority providing laws and regulations that will

ease monitoring and evaluation. Recognizing the importance of digital land administration in land sector in curbing corruption seems important in market based economies, particularly those seeking to establish underpinning and sustainable land administration system. In many African Countries, where land governance is weak, land administration activities tend to be characterized by low levels of accountability, transparency, equity, and rule of law. Under such circumstances, chances of corruption and bribes will be high due to frustration from service seekers and other unlawful land occupiers who needs to legalize that that they unlawfully occupied. Rwanda has embarked on countrywide land reform where it mapped all land in the country, registered it, and issued land titles to all land owners. A web-based Land Administration has been developed that changed the analogue to digital land administration. This Paper seeks to enlighten policy makers and professionals that, the use of digital land administration can increase transparency, equity, and accountability and curb corruption in land sector.

Innovations in Government and Public Administration of Land in Lagos State

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There is increasing awareness that innovations foster inclusive land administration and ease of access to land among citizens but studies exploring innovations in government within the context of developing countries are scanty. This study examines the effect of innovations in government on exploitation of land as a source of wealth, security of rights to land, private land ownership, and supply of information on land-use in Lagos State. The study uses a mixed research methodology. First, we identified two dimensions of innovations in government using Exploratory Factor Analysis (EFA). Second, we estimated four multiple linear regression models and tested twelve statement of hypotheses. The findings show that while systems and process innovations have significant effect on security of private rights to land, only systems innovation have significant effect on private ownership of land, and supply of land-use information. Finally, the implications of the findings for sustainable practice of efficient land administration in Lagos State are carefully discussed.

Non-Technical Pathways As Complements To Reducing Corruption In Land Governance Institutions in Africa

Ibrahim Mwathane

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This paper underscores that corruption remains of key concern to land governance institutions in Africa, escalates costs of doing business and therefore undermines investments. Where

widespread, land related corruption can grossly undermine tenure security, that it can cause deep discontent and foment social and political insecurity. It therefore needs appropriate responses.

Many land governance institutions are in the process of establishing initiatives to respond to corruption. Most of these initiatives are however technology-driven and include digitization of records, establishment of modern land information management systems and e-transactions, among others. The paper argues that such well-meant technology-driven approaches to reduce or eliminate corruption, in circumstances where management and technical staff have poor institutional culture, have poor grounding in professional ethics and commitment, are not enough.

The paper therefore suggests that complementary non-technical approaches such as the embedding of ethics in the curricula of Universities and other tertiary training institutions, the use of professional associations to promote adherence to codes of professional conduct by their members, are good options. It also highlights the importance of regulatory boards since they have statutory power to register or de-register practising land professionals. The role of investigatory and prosecution agencies in helping to curb the impunity that pertains in land institutions is also discussed.

Ultimately, chief executives have the the primary role in helping to inculcate a corruption-free culture in their institutions. They could could consider the use tools such as induction courses for newly recruited staff, assessments, refresher courses or the retraining of mid-career management and technical staff to ensure continuous commitment to institutional culture, and the use of service charters, with set targets and timelines for the delivery of the various technical processes.

Transparency in Land Title Registration: Strategies to Eradicate Corruption in Africa Land Sector

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Land titles registration is germane to providing proof of individual ownership of land. In recognition of its importance in enhancing property rights, efforts at improving land title registration has increased significantly. Generally, the most vital areas vulnerable to corruption in Africa land sector are land administration, customary land tenure, management of state-owned land, land use planning, family land inheritance, conversion of land use, investments for both present period and speculative purpose among others. Hence, lack of transparency and access to genuine information, political leaders' superiority, complex laws and procedures regulating land ownership and insufficient access to justice has created uneven distribution of

land and its resources. This could have severe implications on African countries' economy as it could collapse soonest if continued unabated. Thus, the methodology for this research was a mixed-method survey approach involving the collection of both qualitative and quantitative data. The study population were individual land owners, professional groups involved in land transaction such as Lawyers, Estate Surveyors, Land Surveyors, officials of the land registry and other agencies of government responsible for land title registration in Nigeria. Therefore, a semi-structured questionnaire was designed to elicit information from respondents. Findings from the study revealed various strategies that could be employed to eradicate corruption in the Africa land sector.

Land Investment and Corruption: Developing an Evidence-Based Understanding of the Land Investment Transparency Needs, Demands, and Uses of Host Governments

Sam Szoke-Burke, Kaitlin Y. Cordes

Columbia Center on Sustainable Investment, United States of America; s.burke@columbia.edu

Public access to, and use of, information about land-based investment projects can serve as an important means of tackling investment-related corruption, and of encouraging investments and transactions that are more responsible, result in more inclusive outcomes, and enable greater accountability around the world. This holds potential for improved outcomes both for communities affected by land investments and the governments that host investment.

This paper interrogates how governments hosting land investments (including in agriculture, forestry and renewable energy) may regard transparency. It is based on ongoing research, which aims to establish an evidence-based understanding of the transparency needs, demands, and uses of communities affected by land investments (including via the civil society actors that seek to support their interests) and host governments, in an attempt to understand how transparency initiatives can move beyond mere disclosure to effectively improve outcomes. As a first step, this paper seeks to map and interrogate different government actors' perspectives, and the reasons why they may encourage or resist increased land investment transparency. Further outputs from the research will seek to illustrate community and civil society perspectives around land investment transparency and to explore how companies and other actors may also benefit from increased transparency.

DAY THREE: WEDNESDAY 27/Nov/2019

PLENARY SESSION: Women Tenure Security for Inclusive Growth and Sustainable Agricultural Transformation

Chair: Cécile Bibiane Ndjebet, African Women's Network for Community Management of Forests, Cameroon

Insert notes

TS27-B: Technical Session B - Nov 27

Time:

Location: Salle Des Fetes 1

Wednesday, 27/Nov/2019:

11:00am - 12:30pm

Session Chair: Dr. Elke matthaei, GIZ, Germany;
elke.matthaei@giz.de

Session Topics:

Land governance, environment, natural resource management and climate change

Population Movement Environmental Impacts Assessment Using Remote Sensing and GIS Case Study South Kordofan–Sudan

Prof. Hassan, Saad Hilmi

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Statement of the problem: Population movements caused by natural disasters such as floods and drought etc. and non-natural disasters (man-made) such as conflicts and war. Challenges related to migration and the environments include rapid urbanization sprawl, deforestation, unsustainable agricultural and production systems, and the effects of migrants on source and destination communities and ecosystems. Climate change poses risk to human security, principally through its potentially negative effects on people's livelihoods. The aim of this paper is to assess the changes over the years 2015, 2016 and 2017. There is increasing in the NDVI value in 2016 but still close to the normal average value in the area which it couldn't be called as a highly significant increase, then a high decrease in 2017 due to high rainfall at the time due to floods at this period. NDVI also correlated positively with temperature and negatively with precipitation in summer, mostly in the broad-leaved savanna woodland Acacia Seyal which cover South Kordofan. Annual rainfall ranges from less than 50mm on the

northern border to more than 800mm on the southern border. The rainy season varies from three months or less in the north to five months in the south, with rains occurring between May and October. It is concluded that there is significant change (increase) in the land cover in the urban areas & the crop land areas as indicators of the growth of the livelihood. There is a high significant decrease in the closed areas, herbaceous vegetation and sparse vegetation cover over the last three years. It could be associated with human activities and the population growth. Low NDVI value and decrease in the crop land area in 2017 due to the high amount of the rainfall caused floods caused light damage, numerous road closures, numerous creeks and streams flooding classifies as minor –moderate.

Poverty Eradication Through Proper Natural Resources Management: The People Of The Niger Delta Region Of Nigeria In Focus

ANGELA KESIENA ETUONOVBE

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Most African countries with its vast potentials and natural resources continues to wallow in abject poverty with no means of sustenance save for mere subsistence farming, and such rated as under developed nations whose per capital income is below the one-dollar mark. Nigeria as a nation is blessed with these human and natural resources. With a total area of 923,768 sq. km of which land is 910,768 sq. km and water 13,000 sq. km, while the Niger Delta Region located in the Atlantic Coast of Southern Nigeria has a coastline of about 450km.

The Niger Delta environment as a result of several decades of oil production, and industrial and infrastructural developments had witnessed tremendous environmental degradation. Profound changes have often had adverse effects on local livelihoods and social well-being. For years, local people hoped for protection that never came from successive Federal and State Governments. Attempts to fight back have at times compounded their environmental challenges—the sabotage of oil pipelines, for example, has only exacerbated oil pollution. The level of infrastructure and industrial development demanded can hardly be sustained by the fragile ecosystems in the core Niger Delta, particularly in the unique mangrove swamp zone. There is a strong feeling in the region that the rate of environmental degradation is pushing the delta towards ecological disaster. In the mangrove areas, floods continually modify river courses, rendering the rivers useless as modes of transportation. These has serious impacts on human life and economic activities.

Human health depends on an adequate supply of potable water, but the effect of climate change may affect sanitation and lower the efficiency of local sewer systems, leading to increased concentrations of pathogens in fresh water supplies thereby reducing the water available for drinking and washing.

How can these natural resources be used to empower the people of the Niger Delta, knowing fully that the sea and the coasts are great drivers of the economy, as majority of world trade is by sea. This paper intends to discuss how proper management of these water in the Region could lead to job creation and thereby eradicate poverty.

The Quest for Transparency In Land Administration In Nigeria: An Evaluation Of The National Land Use Act And Its Implications On Environmental Sustainability.

MICHAEL SUNDAY IYAJI

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The Land Use Act of Nigeria, enacted in 1978 was intended to simplify and standardise land administration systems across the country. It vested the authority to plan, assign and approve certificates of land ownership as well as to manage all urban tracts of land within a state in the state governor, and all non-urban land in the local governments in which they are found. Currently, there are 36 states and 774 local government areas in the country.

Incidentally, while the number of land titles issued across the country between 1999 and 2017 more than tripled the preceding 3 decades due to expansions into protected areas, the poverty index has furthered worsened with more than double the number of citizens against the figures obtained between 1980 - 2017 now (72 million) desperately poor and living below a dollar a day with numerous species of flora and fauna facing the threat of local extinction due to exposure to poachers, expanding desertification and aridity.

The non-commensurable improvement in productivity as well as the high incidence of poverty therefore does not justify the arbitrary and continuous opening of vast acreages of land presumably for agricultural production which remains not just a case isolated to Nigeria, but across continent!

Undertaking desk reviews of previous studies, this research analysed the causative factors of not just corruption but also the ineffective strategies in land-resource management especially in agricultural production with a view to harnessing the huge potentials of land-based investments in the country – and by extension – the continent. It probed the contribution of women and the youth in particular to the development of agriculture and the potential benefits to be derived if inputs were made available to them.

This research indicated the potential benefits of instituting modern reforms across the continent that would mitigate corrupt practices and ensure efficiency, in land administration and tenure governance using frameworks such as the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security* (VGGT) which incorporates sustainable environmental and climate-sensitive practices in land administration with appropriate peer-review mechanisms.

TS27-C: Technical Session C - Nov 27

Time:

Location: **Salle Des Fetes 2**

Wednesday, 27/Nov/2019:

11:00am - 12:30pm

Session Chair: **Paul Armel TCHATCHOUA**

TCHEYA, Université de Yaoundé 1, Cameroon;

trowcameroun@gmail.com

Session Topics:

Rapid urbanization, sustainable land use and spatial planning, taxation and development control

Implications of Compulsory Land Acquisition on Socio-Economic Conditions of Project Affected People: The Case of Kipawa Project in Dar Es Salaam City, Tanzania

Dr. ELITRUDER RICHARD MAKUPA, Dr. SAMWEL ALANANGA SANGA

ARDHI UNIVERSITY, Tanzania; trudarich@gmail.com

Compulsory land acquisition (CLA) is a tool that facilitates obtaining of land for provision of infrastructures and development projects. The successful implementation of this tool requires adoption of good governance qualities such as participation, transparency, rule of law and accountability by the officials for better livelihood rebuilding of project affected people (PAPs). This research evaluates the socio-economic impacts of CLA on PAPs in Dar es Salaam city after relocating to new settlements through face-to-face interviews, focus group discussions and field observations. It has been observed that CLA worsens the livelihood of PAPs in terms of both economic and social indicators. The core causes is mainly limited transparency, accountability and the rule of law resulting into delayed implementation and payment of compensation coupled with little compensation to PAPs. As a consequence, most PAPs failed to rebuild their livelihoods after relocation coupled with loss of occupation; living in un-finished houses; decline of PAPs' income levels; breakup of social networks and loss of access to adequate services. All these calls for proper planning of CLA programs while upholding the principles of good governance and community participation for pertinent undertaking of CLA projects in urban areas of Tanzania.

Analysis of Factors Influencing Vulnerability of Fishing Systems to Climate Change among Artisanal Fisher-folks in Coastal Areas of Lagos, Nigeria

Dr. Abdulrazaq Kamal Daudu¹, Dr. Felix Olayinka Oladipo¹, Dr. Latifat Kehinde Olatinwo², Dr. Waheed O. Kareem¹

¹University of Ilorin, Nigeria; ²Kwara State University, Malete, Nigeria; daudu.ak@unilorin.edu.ng

Climate change poses serious challenges to the sustainability of fisheries and aquaculture systems, with severe implications for the majority people who depend on them largely for their livelihoods. Therefore, this study investigates factors influencing the vulnerability of fishing activities to climate change among artisanal fisher-folks in coastal area of Lagos, Nigeria. A three-stage random sampling technique was used to select 342 artisanal fishers from the study area. Data were collected with the aid of structured questionnaire and subjected to factor analysis and descriptive statistics. The results of data analysis revealed that artisanal fishers are vulnerable to external shocks (climate change) due to their high reliance on fishing activities with occupational pluralism being considered as risk-reduction mechanism. Factor analysis revealed that socioeconomic, occupational activities, social cohesion/organization, and market opportunities and biodiversity conservation policy factors among fishers, with Eigen values of 2.2532, 1.5713, 1.3314, and 1.1024 respectively, accounted for their vulnerability to change in climate. The study recommends proper sensitization and capacity building among the coastal fishers on the threats of climate change to their fishing activities. There is also a need for devising adaptation strategies to minimize their vulnerabilities to the effects of adverse weather conditions over resources abundance and availability.

Cost As a Barrier to Land Tenure Security for Poor Agricultural Households: Willingness to Pay for Land Certification in Uganda.

Dr. Ibrahim Kasirye

ECONOMIC POLICY RESEARCH CENTRE (EPRC), Uganda; ikasirye@eprcug.org

Formally registered property rights matter enormously for economic development as shown by a number of studies on sub-Saharan Africa. Land certification and regularization has been one of the major routes through which governments in the sub region have addressed the tenure security of agricultural households. Apart from certification reducing land conflicts, there is extensive evidence to show that land certification can spur the land markets as well as agricultural investment and productivity. However, while the effects of land certification on tenure security are widely acknowledged, most of the literature fails to examine whether nationwide land certification is possible in a low income country setting. Uganda is among the SSA countries that have initiated large scale land reforms in past 20 years. However, only a few a households have acquired any legally recognized land certificates due to the cost of

certification. This paper empirically examine whether large scale land certification is possible in poor country like Uganda. In particular, we examine a household's willingness to pay for land certification for any of the four forms of tenure i.e. *mailo* land, freehold, leasehold and customary land.

Using the Uganda National Household Survey (UNHS)—a nationally representative survey which collected information on the land tenure status of agricultural households, we find that willingness to pay for land certificates varies considerably by land tenure status as well as household socio-economic characteristics. In particular, only about 40% of households would be willing to pay US\$ 20 per acre to acquire a *mailo* land certificate (the most secure form of tenure in Uganda) compared to only 10% for households with parcels under customary tenure. Overall, the revealed willingness to pay is considerably much lower than the prevailing cost of acquiring a land certificate in Uganda—an average of about US\$ 750. Furthermore, households are most willing to pay for *mailo* land certificates as opposed to customary land certificates. Consequently, any attempts to set land certification fees at cost recovery basis are bound to disproportionately affect the poor.

TS27-D: Technical Session D - Nov 27

Time:

Location: **Chandelier Lagune**

Wednesday, 27/Nov/2019:

11:00am - 12:30pm

Session Chair: **Ibrahim Mwathane**, Land Development and Governance Institute (LDGI), Kenya; mwathane@landsca.co.ke

Session Topics:

Strengthening land administration institutions both at local and national levels including the adoption of technology and innovations

Securing Land Transactions with Biometric data in Ghana

Samuel Boamah Asiedu, Dr. Emmanuel Offei Akrofi, Prof. Eric Kwabena Forkuo

Kwame Nkrumah University of Science and Technology, Kumasi, Ghana; faithsammy79@gmail.com

There is a gap between land tenure and the physical land giving room for impersonation, multiple allocation, multiple sale of plots, loss of possession, land racketeering and fraud through forgery. There is therefore an urgent need to identify unambiguously parties involved

in land transactions so that the root of title can always be traced. This paper explores innovative ways of filling the gap with biometric data to secure land transactions in Ghana. The paper critically examines the use of finger prints of major stakeholders in land transactions to curtail indiscipline in the land sector in Ghana. Interviews, focused group discussion and survey were conducted in the study area. Most participants were conversant with the use of biometric and were optimistic that its use may bring some sanity in the land sector and enhance security of tenure in Ghana.

Sleaze in Ghana's Land Administration - Automation as a Game Changer

Dr. Gad Asorwoe Akwensivie⁰¹, Afua Manko Abedi-Lartey⁰²

¹Office of the Administrator of Stool Lands, Accra; ²Ghana Institute of Management and Public Administration, Accra; gadosman@yahoo.com

Sleaze and dishonest practices such as rent seeking, bribery and corruption in the Public Service in Ghana are well documented. Various reports including the Auditor General's Reports, Transparency International's Corruption Perception Index, the Extractive Industries Transparency Initiative Reports, The World Bank's – Doing Business Reports and the recent undercover reportages by Tiger Eye P. I's under-cover investigative journalist - Anas Aremayew Anas confirm the prevalence of dishonest practices across Ghanaian public service and the Land Sector is no exemption. From the Global Corruption Barometer report on Ghana by the Transparency International (TI), the statistics indicate that more than 50% of the respondents perceive that corruption has increased and significant 35% think it is extreme. Among the different institutions, percentage of respondents perceived the following institutions as extremely corrupt; Judiciary (71%), and public officials and civil service (59%). This indicates that political/grand dishonesty is not the only type of corruption that has engulfed Ghana. To show that these statistics are not just perceptions, a whopping 57% of the respondents also indicated that they or a member of their household have paid bribe to a public institution for a service.

This paper is concerned with dishonest practices within the land sector of Ghana. The work seeks to shed light on the major dishonest practices and explains the processes involved. The work makes a strong case for automation as a sure way of removing some of the conditions precipitating the growing menace of dishonest practices. Overall, the study aims to increase the understanding, appreciation and extent of the most common dishonest practices.

The Specific Objectives of this research are to:

- I. List and explain some major dishonest practices in Ghana's land sector;
- II. List and explain the causes of the dishonest practices identified in (i);

- III. Explain efforts made by successive governments at curtailing dishonest practices and the extent of successes; and
- IV. Outline specific strategies towards the reduction of specific dishonest practices within the land sector with a strong case for automation, reward systems and improvement in supervision at key work stations.

Informality in Urban Areas, a Case of Land Use Transformation in Mlalakuwa Settlement, Dar es Salaam.

Najum Juma Mchunda

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Expansion and increase in the number of the people in urban areas help in eradicating poverty by creating new opportunities, increasing earnings and by enhancing the number of livelihood opportunities. Conversely, on the other side, if the increase number of the people is not supported by strong economic growth and effective distributive policies, one of the consequences of urbanization is increasing congestion of disadvantaged people living in informal settlements rather than poverty eradication.

Unlike many other countries where informal settlements are home for the poor people, in Tanzania they provide accommodation for different income groups; low, medium and high income and the level of services available in some of such settlements do not differ much from those available in the formal settlements.

Experience shows, planning interventions to address the challenges in the informal settlements in Tanzania in one way or another have not been informed by what is really happening in those settlements. Understanding of what is really happening in the informal settlement and earlier planning interventions would help in guiding land use transformation. This will be done by exploring context and the process of land use transformation in the informal settlements, its outcomes and examining the implications for policy and planning. This will be through; interviews, non-participant observation, documentary review and mapping.

Findings shows, in 2005 the study area had so much publicly used spaces which owned privately. Delaying of interventions by planners had led to disappearing of those spaces through land use transformation and resulted into high cost of providing infrastructure facilities. Driving forces behind unguided land transformation included; the need to generate income, modernization, proximity to shopping and employment centre and accessibility of the area through three major roads, i.e. University road, Bagamoyo Road, and Sam Nujoma Road. On the other hand, land use transformation in the informal settlement has; socio-economic, spatial and environmental outcomes.

The study concludes that, the unguided land use transformation which is taking place in the study area is a result of existing planning practices, policies and legislations since in many ways they creating pathway through which informal settlements are created consciously.

Land Policy, Investment and Production as Ingredients to Agrarian Transformation in Zimbabwe

Dr. Charles Chavunduka¹, Romeo Dipura²

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Zimbabwe's land policies have posed limitations towards creating a surplus in the agricultural sector, the basis upon which industrial growth and agrarian transformation are anchored. Key factors towards agrarian transformation are technology adoption, increased labour productivity and surplus production in the agricultural sector. The agricultural surplus accordingly migrates out of the agricultural sector in favour of the manufacturing sector. This surplus outflow is enabled through trade and taxation of the agricultural sector through rural urban terms of trade. The study reviews the land policies in Zimbabwe and investigates the extent to which the policies provide incentives for investment and technology adoption to increase agricultural productivity. The study rests on an agrarian transformation theoretical framework that posits that income elasticity of demand for agricultural goods is negative (Engel's law); meaning that demand for agricultural goods declines as rural incomes increase. The research is based on a desk study of relevant literature and land policies implemented by the Zimbabwe government since 1980. This is complemented by empirical data drawn from various organisations that have been tracking the progress of the land reform programme. Findings from the study show that land policies delivered well on the equity but much less on land use efficiency as technology adoption and investment by reform beneficiaries remained low. Low public investment in infrastructure and services have constrained trade and agrarian transformation. The paper contributes to the strengthening of land policy formulation in Zimbabwe and southern African countries with a similar colonial history of inequitable ownership of land. Land policies that promote technology adoption and investments are needed and scope exists towards this through proper attention to land tenure security and public investment in land.

Public-Private Partnership in Land Administration: A pathway for Minimising Corruption in Land Sector to Individual Land quirers

Prosper Turimubumwe

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The rapid urbanisation that is observed in developing countries made governments to fail in supplying surveyed and serviced plots for all demands (Burnes and Dalrymple, 2008). Therefore, the involvement of private companies to provide the service in partnership with the government has been initiated by many city councils and municipalities. This partnership came to respond to the failure of existing public systems to provide required land for housing and other economic activities (Rajack, 2009). The weak land governance was pointed out as the main cause of the governments to have this failure. Land administration offices are cited as among corrupted departments in many developing countries (Transparency International & FAO 2011; Tesfay, 2017; and UNDP, 2017).

However, it is not known that no corruption that may occur during all the PPP processes. This paper looks to explore how Public-Private Partnership in land administration minimises the corruption practice in land sector for individual land acquirers in Burundi. To broadly address this major objective, three objectives will be met (i) documenting on the implemented project under PPP arrangement in land administration (challenges and opportunities); (ii) finding out stages and or steps of PPP in land administration that manifested corruption cases during implementation; (iii) identify types and level of corruption that was involved in these projects

A mixed research approach will be applied with a case study research design where Burundi will be my case study area specifically in Bujumbura City. Land administration project implemented under PPP arrangement will be my unit of analysis. Secondary data will be gathered through desk review of different published papers and books on land administration and corruption themes as well as on PPP projects undertaken in Burundi and outside the country. The content analysis will be used to describe results. For Primary data, quantitative and qualitative data will be collected by using a questionnaire and checklist questions that will contain closed questions to be administered to individuals who acquired land in recent projects where PPP were used. A projects sample size of 100 respondents will be selected purposively.

TS27-E: Technical Session E - Nov 27

Time:

Location: **Balafon**

Wednesday, 27/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Dr. Cheikh Omar Ba**, Initiative Prospective Agricole et Rurale (IPAR), Senegal; coba@refer.sn

Session Topics:

Women's access to land and security of tenure – addressing persisting bottlenecks and capitalising on opportunities

Illustration De Stratégies De Sécurisation Des Droits Fonciers Des Femmes Dans Un Contexte D'acquisition Des Terres à Grande Echelle Au Sénégal

Ndéye Yandé NDIAYE

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L'acquisition de larges superficies de terres arables dans les pays en développement pour y effectuer des investissements a pris forme et ampleur au Sénégal en 2000 avec l'avènement des réformes dans le secteur agricole. Une étude d'IPAR de 2011 dresse un tableau sombre d'attribution de grandes surfaces au profit d'investisseurs privés.

Les femmes sont particulièrement touchées par ce phénomène. Leur occupation étant déjà fragilisée par des pratiques discriminatoires, elles se voient aussi déposséder de terres qu'elles occupent.

Ainsi au Sénégal, des stratégies ont été développées allant dans le sens de la sécurisation et de l'amélioration des droits fonciers des femmes face à ce phénomène d'accaparement des terres. Trois expériences feront l'objet d'illustration dans cette présente note.

Au Sénégal, un quota est alloué de manière non formelle à des groupements de femmes, lors de la redistribution des terres des aménagements hydroagricoles sur fonds publics.

Ce système a pour but de corriger les inégalités entre hommes et femmes, son application a permis à des femmes qui, jusqu'ici, peinaient à accéder à la terre, d'en disposer, par le biais des groupements.

Des projets ont aussi développé des stratégies permettant :

- Plusieurs femmes de sécuriser leur occupation et de bénéficier d'accompagnement technique,
- Une conscientisation des femmes sur leurs droits et un changement d'attitude des hommes qui ont fait preuve d'une bonne collaboration (Projet AJS, CNCR) ;
- Développement du leadership féminin qui a permis l'investiture de femmes de développement lors des élections locales de 2014 (Projet d'EndaPronat);
- Mise en place de commissions domaniales élargies ouvertes aux représentants des groupements des femmes, des jeunes, aux acteurs de la société civile (Projet CONGAD).

Ces dernières années, L'accès à la terre par le biais de groupement est devenu très dynamique et a contribué à l'amélioration des droits fonciers des femmes se faisant par l'affectation de parcelles par le conseil municipal.

Ce phénomène s'est accompagné d'un développement du leadership féminin, leur permettant de mener le plaidoyer pour leur accès aux ressources productives et aux facteurs productifs, en sus il leur facilite l'accès au financement et autres types d'accompagnement par des projets/programmes de développement.

« Foncier et genre : Difficile accès des femmes à la terre en milieu rural de la Vallée du Fleuve Sénégal (sud de la Mauritanie) »

Dr Ousmane WAGUE

.Université de Nouakchott, Mauritanie, Master Migration, gouvernance foncière et territoriale;
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Depuis des temps immémoriaux, les femmes rurales ont été mises à l'écart dans l'héritage de la terre, son achat ou son acquisition. Même si la situation a changé, les femmes restent toujours à l'écart, en raison des pesanteurs familiales, de leurs conditions financières peu reluisantes... Elles souffrent aussi de nombreuses contraintes juridiques, institutionnelles et administratives.

En milieu rural de la vallée du Fleuve Sénégal –sud la Mauritanie-, l'une des rares études menées a révélé que les femmes ne représentent que 4.2% des Personnes détenant des Titres fonciers[1] ; ceci dénote de l'existence de contraintes.

Ainsi, pour lever les équivoques sur ces difficultés, nous procéderons à une analyse qualitative et quantitative de divers documents, textes juridiques et autres études empiriques.

Question de départ

L'objectif de notre démarche méthodologique c'est d'apporter des éléments de réponses à l'interrogation suivante :

Pourquoi, dans la vallée du Fleuve-Sénégal disposant des potentialités foncières inestimables, les femmes restent particulièrement marginalisées et ne possèdent que d'un volume insignifiant des terres qu'elles tentent malgré tout de mettre en valeur ?

Démarche d'analyse

Pour apporter une réponse à cette interrogation, les contraintes sociologiques, institutionnelles, les entraves juridiques et les difficultés économiques seront analysées

Pour faire face à leurs nouvelles obligations économiques, les femmes développent diverses activités génératrices de revenus : maraîchage, petit commerce, transformation de produits locaux, artisanat. Une étude révèle que 34,5 % des femmes ont un lien d'origine avec la terre [champs, périmètre, verger ou oasis], 85,6 % n'ont aucun accès au crédit[2]. Malgré les efforts

qu'elles déploient, le temps et l'ingéniosité qu'elles investissent dans leur production, les revenus qu'elles en tirent sont extrêmement réduits

De ce qui précède, nous constatons que les femmes sont employées comme exploitantes ou locataires, mais sont rarement de propriétaires, ou de manière collective à travers elles ont des coopératives de maraîchage. Il s'agit, dans la plupart des cas de parcelles familiales.

[1] Banque Mondiale: Problématique de l'Accès des Femmes a la Propriété Foncière en Mauritanie Étude de cas en préparation du (cop) pour promouvoir le genre, 2015.

[2] In Diagnostic de la situation de la femme en Mauritanie (2003)

La réforme foncière en République Démocratique du Congo: Lier Amélioration de la Gouvernance Foncière, Sécurisation des Droits Fonciers Locaux et Protection du Climat.

Dr Séverin Mugangu¹, Dieudonné Ngwasi Akilimali¹, Simplicie Mutombo¹, Mohamed Coulibaly², Augustin Mpoyi¹, Charles Mbalambala¹, Marie Thérèse Okenge¹

¹Ministère des Affaires Foncières, Congo, La république démocratique du; ²UN-HABITAT/GLTN; mugadox@yahoo.fr

Ces dernières années, la question foncière est au cœur du débat en République Démocratique Congo (RDC) du fait de ses répercussions négatives sur la situation politique, sociale, culturelle, et économique du pays. La prolifération des pratiques foncières en marge de la loi, l'accaparement et la « thésaurisation » foncière par les élites, les lotissements pirates, la pluralité d'instances d'intervention dans la gestion foncière, la variété des modes de preuve des droits fonciers, les usages opportunistes des textes légaux, les coûts informels des transactions foncières, etc. sont autant d'indicateurs de l'inefficacité de la législation foncière.

En outre, le secteur foncier fait face à d'énormes défis en termes de gouvernance. Ces défis sont surtout liés à la transparence et à la gestion des informations foncières, aux conflits entre la loi et les coutumes en milieu rural et périurbain, au nombre croissant des conflits fonciers qui menacent la paix et la cohésion sociales, surtout dans les zones post conflits, au caractère peu incitatif du régime foncier vis-à-vis des investissements nationaux et internationaux ainsi qu'à la faible cohérence institutionnelle entre les différents ministères ayant des compétences à incidence sur les terres.

Face à cette situation, le gouvernement congolais a initié une réforme foncière en vue de trouver des solutions durables à ces problèmes. Cette réforme a été officiellement lancée en juillet 2012, à la suite d'un atelier national qui a débouché sur l'adoption d'une feuille de route consensuelle. Elle se base sur les principes de participation, de décentralisation, de respect de l'environnement, de respect des droits de l'Homme, des droits des femmes et des droits des minorités.

TS27-F: Technical Session F - Nov 27

Time:

Location: Chandelier Lagune

Wednesday, 27/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Farai Mutondoro**, Transparency International Zimbabwe, Zimbabwe;
farai@tizim.org

Land Governance and Corruption

Understanding Corruption In Zimbabwe's Land sector: A Structural Breaks Approach

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This study seeks to provide an understanding on whether land reform policies pursued by the government of Zimbabwe post-independence (1980) have an effect on the corruption in the land sector. Agriculture and corruption data from 2000 to 2017 were obtained from World Bank and Ibrahim Index of Governance website respectively. An econometric approach, the Bai and Perron multiple structural break test was employed in this study to establish the break years. Structural breaks in time series assist in understanding factors affecting the dynamics of a series. Three breaks were found in the agriculture series namely 2004, 2009 and 2011 while for corruption series one break was found in 2013. A negative effect was found in agriculture for break year 2011. We also noted that the policies pursued by the government were inefficient and unsustainable and left room for manipulation and corruption. We recommend technological innovation and adoption, inclusivity in policy formulation and political will in dealing with corruption in the land sector.

Addressing Corruption in Land Administration. The Experience of West African Cities

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Corruption practices involving public institutions responsible for land allocation, land transactions, tenure upgrading and regularisation, and the delivery of secure and transferable property rights. It includes also the approval and delivery of administrative permits to occupy.

The paper is based on observations and on evidences collected over the last two decades. It focusses on the situations that prevail in the land sector in Western African cities. Particular attention is given to Mali, Benin, Cote d'Ivoire, Senegal and Burkina Faso. These countries have comparable tenure situations with regard to land tenure and administration, characterized by: (i) the plurality of land tenure status and systems, and a diversity of land tenure which impacts on land transferability and land prices; (ii) the coexistence of formal and informal land delivery and land markets with different levels of security that impact on transferability and access prices depending on tenure rights; (iii) very similar legal frameworks regulating land administration and management and administration, inherited from the colonial period: registration system options (ref. to Torrens Act) and introduction to land ownership (ref. to (the Civil Code) and; (iv) comparable government intervention procedures in land allocation, tenure upgrading and the delivery of ownership rights as defined in national land codes. The conjunction of these shared characteristics has major consequences on access to land and security of tenure. The price of land is closely related to the legality of its transferability. The price of land under customary tenure can increase by 5 to 10 times, when a land ownership title (*titre foncier*) has been issued. The fact that government institutions can both allocate land at a preferential administrative price and upgrade its tenure status, therefore increasing its market value, opens the door to massive fraud and corruption within land administrations

This issue is frequently under-estimated, while a detailed analysis of corruption circuits and processes in land administration is a prerequisite to designing and implementing any strategy aiming to ensure a more equitable access to land for low- and middle-income urban households. The paper examines what are the recent shifts in the way corruption in the land sector is addressed, through institutional, administrative, legal and regulatory measures, and improved transparency.

Impacts des actions des ONG sur la gestion durable des aires protégées en République Démocratique du Congo Cas de la réserve de Biosphère de Luki au Kongo Central

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L'étude relative aux impacts des actions des ONG sur la gestion durable des aires protégées dans la réserve de Biosphère de Luki (RBL), dans la Province du Kongo central situées à l'Ouest de la RDC. Cette réserve regorge une diversité biologique particulière qui est soumise à une pression importante due aux activités anthropiques. Plusieurs ONG s'y implantent.

Les enquêtes sur les activités de ces ONG ont été effectuées en vue d'en déceler les impacts sur la réserve et sur le développement de la population locale. Pour se faire trois enclaves ont été retenues (Kiobo, Tumba) Kituti et Kisavu). Et les enquêtes ont été menées auprès des gestionnaires (INERA et MAB), des ONG et de la population.

A l'issue des investigations, les résultats obtenus ont montré qu'en dépit de la présence des ONG, les menaces auxquelles fait face la RBL sont: la carbonisation, le sciage, le braconnage, l'agriculture itinérante sur brûlis, l'empiètement des terres, le feu de brousse ainsi que le trafic des ressources. Ces attitudes contribuent à la disparition progressive des ressources de la RBL.

Les impacts des actions des ONG évalués dans cette étude sont moins efficaces voire nuls, tant sur le développement de la population que sur la gouvernance de la réserve.

Ce qui veut dire que l'intervention des ONG dans la RBL ne permet pas la satisfaction des besoins de la population et la gestion durable de celle-ci.

Il importe aux ONG de faire participer activement les bénéficiaires aux différentes activités et au gouvernement d'assurer le suivi et l'évaluation des activités pendant et après leur réalisation.

Gender Inequality and Climate Change Adaptation Strategies for Food Security in Kilosa District, Tanzania

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ABSTRACT

This paper assessed gender inequality in household land ownership, division of labour and decision making regarding climate change adaptation strategies for food security using the pastoralists of Kilosa District, Tanzania. The results show existence of gender inequality, women do not control important productive resources such as land and livestock which make them more vulnerable to climate change impact and less able to adapt to it. Hence, most adaptation activities that have immediate effect on food security are done by women and the burden to feed the household has shifted more to women and exacerbating food insecurity. Recommendation is that the government should provide planned adaptations such as early warning systems, rainwater harvesting and the use of drought-resistant crops in ensuring food security. Also, land policy should have clear strategies to address gender inequalities in the household land ownership to lessen women's vulnerability to climate change impact and food insecurity.

TS27-G: Technical Session G - Nov 27

Time:

Location: **Salle Des Fetes 2**

Wednesday, 27/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Prof. Hassan, Saad Hilmi**, Future Univeristy, Sudan; hilmi.aau@gmail.com

Session Topics:

Data, spatial information systems and innovative approaches to secure legitimate land rights, including customary tenure regimes

Innovative Approaches In Securing Land Rights And Enhancing Transparency In Sub-Saharan Africa: Good Practices and Lessons Learned From Four African Countries

Danilo Ramos Antonio, Oumar Sylla, Hellen Nyamweru Ndungu, John Gitau

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Weak land governance is a cause of many land related problems such as tenure insecurity, unsustainable land use, including corruption in the land sector. Around the world, one in five people report that they have paid a bribe for land services in recent years; in Africa, almost every second client of land administration services has been affected by the devastating effects of corruption (Transparency International 2013; 2018).

Between 2012 and 2018, the Global Land Tool Network began implementing country programs in four (4) African countries with a focus on the Democratic Republic of the Congo (DRC), Uganda, Zambia, Kenya, and Sudan. One strategic area of intervention was the data collection and mapping by local communities residing in informal settlements, slums and on customary lands to strengthen evidence and challenge the narratives of forced evictions, displacement, land conflict, disinheritance (especially after the demise of male spouses in customary settings) all of which thrive in the absence of sound and up-to-date data on land governance and land tenure. With the absence of data, these poor communities remained vulnerable and always the subject of harassment, corruption and malpractices from authorities and other powerful institutions. In all the four countries; DRC, Kenya, Uganda and Zambia, there has concerted efforts to undertake the development and/or implementation of pro-poor, gender sensitive land policies, as well as piloting innovative approaches to improve land governance and transparency.

The paper will document the different experiences of various countries in the implementation of innovative land tools and approaches to overcome information gaps on land inventories

towards strengthening the management of land, improving tenure security and improving transparency in the sector. It will also explore how building capacity for partners within the network and raising awareness on land issues is enhancing transparency in land for individuals and local communities, as well as helping national and local government institutions to develop, adapt and strengthen their land governance systems to strengthen land rights of poor, women and vulnerable groups, enhance transparency and address corruption in the land sector.

Innovative Customary Land Governance in Zambia: Experiences, Lessons Learned and Emerging Impacts

David Katungula¹, Danilo Antonio², Hellen-Nyamweru Ndungu², Moonga Chilanga³

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In Zambia, security of tenure for communities residing under customary land tenure settings has in recent years increasingly come under threat owing to the pressures of high rate of urbanization, speculation, subdivision and conversion to state land which effectively exclude marginal populations from accessing resources for their land. While customary land is a major resource for most Zambians, the inadequacy or total lack of documentation leads to tenure insecurity.

In this context, the traditional leadership in Chamuka Chiefdom, working with government authorities and other partners decided to undertake interventions towards the documentation of customary lands and the issuance of customary land certificates using fit for purpose land administration tools and inclusive approaches with emphasis on empowering women and vulnerable groups. The initiative primarily aimed to improve capacity of rural women, working in partnership with traditional leaders to map customary land rights. Secondly, it sought to understand the power relations of both men and women when it comes to land by mapping the tenure relations of both women and men to land, differentiating between the dimensions of who has access, use, decision making and control to nuance discussions about women's land rights and create an evidence base about the degree to which women are empowered or disenfranchised. In addition, the intervention also sought to strengthen the land rights of villagers living under customary land settings by making visible their land rights through the collection of both spatial data and social economic data and issuance of certificates of customary land occupancy.

As a result, in the last two years, Chamuka chiefdom has issued a total of 530 certificates of customary land occupancies benefiting 3,584 people across eleven villages in the Chiefdom. Apart from enhancing tenure security, the initiative has had other positive impacts on the lives of the people from the eleven villages and beyond. Notably, in the last two years, two

international investment firms have negotiated and agreed on investment plans with the local people to set up a manganese processing plant and a solar firm in one village within Chamuka

L'Equation Foncière Face Au Défi De La Sécurité Juridique Des Exploitations Agricoles Familiales: Cas Des Expériences Du MCA Et Du PDIDAS Dans La Vallée Du Fleuve Sénégal

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Face au nouvel intérêt des investisseurs pour les terres agricoles situées dans la VFS et les risques d'accaparement que cela peut engendrer, la formalisation des droits fonciers locaux est de plus en plus d'actualité dans cette zone. Considérée comme une priorité afin de garantir une paix sociale et un environnement favorable à l'investissement, elle est effectuée en ce qui concerne les terres sis en zone rurale sous l'impulsion des bailleurs porteurs de projets d'investissement (MCAS-S, PDIDAS) par les collectivités territoriales en collaboration avec les services techniques de l'Etat. Sa finalité consiste à offrir aux habitants une alternative de sécurisation des terres qu'elles occupent en ce sens qu'elle est perçue comme un levier important pour favoriser la sécurisation des exploitations agricoles. Cependant, la reconnaissance des droits fonciers qu'elle prône peut recouvrir des perceptions et des réalités bien différentes selon l'interlocuteur et le contexte, en particulier dans le monde rural où la sécurité foncière se mesure à d'autres critères indépendamment à l'obtention d'un titre formel.

Certes, la formalisation offre quelques avantages en termes de clarification de la situation foncière dans les collectivités locales, mais nous pensons sincèrement que pour valablement formaliser les droits fonciers des populations, sans doute est-il nécessaire d'avoir une idée claire de ce que recouvre ces droits, leurs valeurs et porter un intérêt particulier à leur histoire. Aussi, il est essentiel de savoir que la sécurité foncière ne tient que secondairement à la détention de titres et au caractère plus ou moins absolu du droit ainsi reconnu. La véritable garantie ne peut être apportée que par l'autorité publique représentant l'intérêt général.

Optimum Sample Size Determination Scenarios for Spatial Data Accuracy Test in Varied Topography for urban land registration: Case Bahir Dar, Debre Markos, Harar City, Ethiopia

zenabu sisay

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The study used Global Positioning System (GPS) static measurements, which are assumed to be true for positional accuracy test of orthophoto, assumed to be verified. The GPS data was least-squares adjusted using Leica GeoOffice (LGO) software package at 20 sampling locations. Three checkpoints (CPs) sampling scenarios were developed based on numbers and their distribution at three different cities having varied topography. Thus, the main focus of this study was to test the position accuracy of orthophoto when the CPs sampling is 10 (first scenario), 15 (second scenario) and 20 (third scenario) with reference to in-situ ground GPS measurement.

The test was conducted considering national and international standards and methods for photogrammetric science. The positional accuracy found from three scenarios didn't vary significantly when the CPs are varied in numbers and spatial distribution. In other words, the positional accuracy acquired while using 10 CPs sampling in terms of RMSE in easting and northing together were ± 36 , ± 40 and ± 32 , ± 38 , ± 40 and ± 33 and ± 39 , ± 40 and ± 35 cm while using 10, 15 and 20 sampling CPs in Bahir Dar, Harer and Debre Markos city respectively. All the positional accuracy results obtained from all three scenarios approximately meet the requirement set by Ethiopian Urban Legal Cadastral Standard No.-03/2015, of the maximum allowable error budget ± 40 cm for map scale 1:2,000 in urban areas. We can conclude that the coordinate disagreement between Orthophoto and GPS static derived in easting, northing and height at each sampling locations looks systematic shift. In this case, the numbers of checkpoints aren't as such the decisive factor to acquire the optimum results. In contrary, appropriate location such as sharp or visible corners of manmade features and addressing the topographic variations in each experimental site are important.

How does trade Partnership, Colonialism and Foreign Direct Investment Affect Land Trade? Evidence from West Africa

Dr. Mmaduabuchukau Mkpado¹, Arinze Ngube², Chika Agnes Ifejirika³, Dr. Joseph Kwaku Kidido⁴

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The quest to use land based investments to support inclusive growth and sustainable development can be achieved if the drivers of land investment are determined and policies are made to drive the business in the desired direction. The study examined how trade partnership arrangements, colonialism and Foreign Direct Investment (FDI) affected hectrage of land traded in West Africa focusing on Anglophone and Francophone zones. The study concentrated on experiences from Nigeria, Ghana and Benin in West Africa. Secondary data for 2000 to 2014 were generated from the UNCTAD data base and Land Matrix data base. Data were analysed using descriptive statistics, Kolmogorov-Smirnov (K-S) test and Pearson correlation test. Results revealed a total 2,483,888 hectares were involved in the trade with Benin (952300ha), Ghana, (944477ha) and Nigeria (587111ha). With respect to colonialism, Europe traded on 36.5 of the mass of land. And land trade among African firms as those having similar colonial experiences accounted for 29.2%; while Asia and United State of America possessed 26. 5% And 7.9% respectively. The K-S test was significant at 5% probability level. Trade partnership had significant effects on mass of land trade. African- Asian including China trade agreements accounted for 26.5%. A similar trend characterized land trade with American countries in bilateral trade agreements with Africa, African-European trade. The K-S test was significant at 5% probability level. The correlation coefficient between the volume of FDI inflow and mass of land trade in the selected African countries were positive and significant; for Benin republic was 0.5562 Nigeria was 0.7973 and Ghana was 0.5192. This implied that increasing the volume of FDI inflow will lead to increased mass of land trade in Africa. The paper reviled that trade partnership arrangements and FDI are critical to the contemporary land trade in Africa. The paper outlined options through which responsive, inclusive and sustainable trade and FDI policies with respects to land resources can be achieved. The study is of the view that African Governments need to re-scrutinise African trade partnerships and nature of FDI inflows to preserve African land heritage as well as support inclusive growth and sustainable development.

TS27-H: Technical Session 27H

Time:

**Wednesday, 27/Nov/2019:
3:00pm - 4:30pm**

Location: **Salle Des Fetes 1**

Session Chair: **Albert Giah**, Association of Professional Surveyors of Liberia, Liberia;
atomgiga331@gmail.com

Session Topics:

Women's access to land and security of tenure – addressing persisting bottlenecks and capitalising on opportunities

Customary Land Reform and Institutional Change in Malawi: The Case of Customary Land Act, 2016

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Institutional change surrounding customary land reform has been presented as a viable strategy for transforming African's tenure insecurities and corruption-ridden customary land sector. Based on economic rational choice thinking, land management regulations are perceived as imposing constraints on rational self-interested actors to preclude corruption and land tenure insecurities. In Malawi, the government promulgated the Customary Land Act in 2016 to address such concerns. Customary land regulations are particularly perceived as equilibrium signposts aimed at addressing corruption and land tenure insecurities.

Institutional engineering is, however, a highly complex political activity. To this end, institutions put in place are a product of contestation and bargaining among a gamut of self-interested actors within the land sector. This paper explores the extent to which institutional change in Malawi's customary land sector will deliver the intended objectives. Three questions are particularly of interest in this paper namely: what were the interests of the different groups of people in the review of the new Customary Land Act, 2016? What principles guided the formulation of new Customary Land Act? And which group of people are satisfied with the new Customary Land Act and why?

This study employed a mixed methods approach which allows in-depth understanding of the research questions that were set out in this study. The study particularly used semi-structured interviews, focus groups discussions, key informant interview and document study analysis to collect data.

This study finds existing institutional structures that regulate social and political life provide the context within which contestation and bargaining takes place. Customary land reform was to achieve tenure security for all particularly women and the vulnerable groups of people. In both patrilineal and matrilineal, avunculates who are usually male (*Ankhoswe/* marriage counsellors) traditionally make decisions regarding women's land access and ownership rights. This is because the avunculates are regarded as the custodians of the clan. Culturally defined decision makers such as avunculates receive bribes from the land buyers without the knowledge of the powerless landowners such as women. Thus, institutional reform without understanding how local power hierarchies perpetuates gender and corruption concerns is inadequate to achieving the set-out objectives.

Women's Perceptions of Tenure Security: Evidence From 33 Countries

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This paper uses household-level data from 33 countries to analyse perceptions of tenure insecurity among women. By using a randomisation process to identify which household adult was selected for interview, rather than interviewing the head of household or the most knowledgeable person, the sample is representative of the adult population and includes over 28,000 female respondents aged 18 or over. Of this sample, nearly 15,000 women are located in sub-Saharan Africa, the Middle East or North Africa.

We test two hypotheses: (1) that women feel more insecure than men; and (2) that increasing statutory protections for women, for instance by issuing joint named titles or making inheritance law more gender equal, increases de facto tenure security.

The overall findings suggest that overall, women's perceived risk of expropriation is similar to that of men. However, within certain contexts the analysis reveals a more complex picture. Firstly, women are less likely to hold formal documentation that proves their right to use or own a property – that is, de jure tenure security. Secondly, while the perceived likelihood of land expropriation shows no overall gender differences, women are more likely to be *worried* about losing their access to use land, especially in the event of spousal death or divorce. Finally, the results vary wildly by country, with some African countries displaying particularly large gender disparities.

Our findings also suggest a range of policy implications. For one, individual or joint titling efforts may not confer additional tenure security to women over men. Moreover, changes in statutory legislation may not be enough to improve the tenure insecurity of women facing widowhood or divorce if there is little awareness of them. Deeper changes in social attitudes and cultural norms are needed. Our data suggests that legislative changes are therefore, in themselves, not sufficient in securing women's property rights and that they need to be part of a wider policy package. In particular, improving women's knowledge of how to defend themselves in the event that their property rights are challenged may help improve their tenure security in such scenarios.

Hello Can You Hear me? On Climate Change: Inequalities And Gender Vulnerability In Benin

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This paper focuses on gender mainstreaming in modeling the impacts of climate change by development sector. Inspired by the methodologies of the Guillaumont economic vulnerability index (2008, 2009) and the UNDP poverty vulnerability ratio (2011), a synthetic index called the 'Index of Inequality of Gender Vulnerability to Climate Change (IIGVcc)' which is a 'modeling by development sector of the vulnerability inequalities to climate change between men and women', is proposed. From the data of the second edition of the integrated modular survey on the living conditions of households in Benin (EMICOV 2011), this paper makes a concrete application of the IIGVcc for the Beninese agricultural sector. It shows that in the agricultural sector in Benin, women are about 1.1 times more vulnerable to climate change than men. The "access to land" parameter contributes to 50% of the inequalities of vulnerability, while the "instruction" parameter accounts for 37%.

Assessing The Challenges of Women's Land Rights in Tanzania

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The purpose of this study is to explore the challenges of women on land rights, In Tanzania customary practices often required woman to access land through their fathers, brothers, husbands or other men who control the land, so this makes women vulnerable and decreases agricultural productivity. When women loses their connection to this male relative, either through death, divorce or migration, they can lose their land, home and means of supporting themselves and their families.

The methodology adopted in this study involved a review of secondary sources such as land act, Village Land Act (both passed in 1999) ,National Land policy 1995 of Tanzania, interview and analysis that explain on the rights human have on land in both rural and urban areas ,and finally the paper concludes on the way forward to eradicate women's challenges on land rights.

Strengthening women's land rights there is need to promote efficiency and effectively policies and framework which will favour women rights on land because the majority of the people in Tanzania today rely on land for their livelihood. Secure land rights confer direct economic benefits because land is a key input into agriculture production and enterprise development:

can be used as a source of income from rental or sale; and can provide collateral for credit where strong, well-regulated land markets and credit infrastructure exist.

Tanzania has an ambitious agenda for land and natural resource policy and legal reform. Since 1999 it has been transitioning to a legal framework that integrates aspects of customary tenure, supports the rights of women, recognizes private property rights, and permits individualized control of resources in farming areas.

Despite positive developments, the agenda of policy and legal reform is not yet complete. Some claim that the current legal framework fails to effectively provide the foundation for an effective land governance system. While the legal framework generally upholds women's rights to land, in rural areas practices predominate whereby men are heads of households and have greater rights to land than women. The law is still weak in regard to women's inheritance rights to land, and inheritance practices discriminate severely against women.

DRAFT

DAY FOUR: THURSDAY 28/Nov/2019

PS-28NOV: Plenary Session - Nov 28: Investment, Corruption and Land Governance

Time:

Location: Salle Des Fetes 1

Thursday, 28/Nov/2019:

9:00am - 10:30am

Session Chair: **Stephen KARANGIZI**, African Development Bank, Côte d'Ivoire; S.KARANGIZI@AFDB.ORG

H.E. HENRI EYEBE AYISSI, Minister of State Property, Surveys and Land Tenure, Cameroon (presented by Constante Clarisse Bougche, Chef de la Division des Études, de la Planification et de la Coopération au Ministère des Domaines, du Cadastre et des Affaires Foncières).

Atsuko Toda, Director, Agricultural Finance and Rural Infrastructure Development Department, AfDB

Farai Mutondoro, Transparency International, Zimbabwe

Augustin Mpoyi, International Institute for Sustainable Development (IISD)

Harold Liversage, Lead Land Expert, IFAD

TS28-B: Technical Session B - Nov 28

Time:

Location: Chandelier Lagune

Thursday, 28/Nov/2019:

11:00am - 12:30pm

Session Chair: **Mohamed Timoulali**, GTOPIIC sarl, Morocco; mtimoulali@gtopic.net

Session Topics:

Land Based investments, inclusive economic growth and environmental sustainability

Town Planning Easements and the Question of Compensation in the Light of Legislation and Case of Law

Prof. Abdelwahed El Idrissi

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The easements and the principle of indemnity or non-compensation relating to them set out a theme of great sensitivity, given the attachment of individuals to their land holdings and the multiple issues related to land ownership. This question raises, as a result, a huge litigation. A priori, the right of ownership confers on its holder the freedom to enjoy and dispose of the landed property, in the most absolute way, by observing the law. The servitude constitutes a restriction resulting from the law or the regulations to the exercise of the right of property. The legislation relating to town planning, land and expropriation for reasons of public interest constitute the main legal references that establish easements. The law n ° 12-90 relating to town planning, the law 25-90 relating to the subdivisions, morcellements and groups of house as well as the dahir of June 25th, 1960 relating to the development of the rural agglomerations constitute the principal texts of town planning which provide rules, norms and easements that reduce the scope of free. Urban easements, for example, appear to be prejudicial to property rights and give rise to a negative perception among landowners in view of the differences that are most often revealed between public and private interests. Compensation for easements of town planning causes many difficulties and litigation. Indeed, the easement of town planning is characterized by the principle of no compensation except exception. There is a deficient regulatory system at a time when land ownership is seen not only as an economic good, but also as a social and cultural resource. Appeals for annulment for excesses of power or in compensation in connection with easements established by the law are growing in administrative courts although the people in Morocco, do not challenge the administrative decisions for mainly sociological reasons. Is it necessary to rethink urban land production standards as part of an urban and land policy in order to improve the regulation of power and to develop mechanisms for coordinating and regulating public action. The challenge is to co-plan the city and manage the appropriation of urban land.

Action Publique Et Dynamismes Fonciers Au Sénégal: Une Menace Probable Des Acteurs Étatiques Et Privés.

Ameth DIALLO

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Depuis l'alternance politique en 2000 au Sénégal, il est noté une prolifération de réformes dans différents domaines (éducation, santé, économie, etc.). Dans cette perspective, le domaine foncier n'est pas encore annoncé dans la réforme agraire de 2004 relative à la loi d'orientation agro-sylvo-pastorale (qui n'a pas pu abouti). With New Power Plan in 2012, this new dynamism

of reformer foncier is inscrit in first line in the agenda (planning, suivi et évaluation) des programmes gouvernementaux.

C'est ainsi que sa répartition a eu lieu lors de la cérémonie de la Commission nationale de réforme foncière (CNRF) le 27 mars 2013. Le Sénégal est malade, malade dans les textes dont beaucoup ont vieilli (to start by Act of 1964 on National Domain), malade Transformations économiques, sociales, and démographiques, mais également malade de l'Etat ou des collectivités territoriales. Cette affirmation a révélé que nous devons faire une réforme pour moderniser le système foncier sénégalais en rendant plus attractif et compétitif face à la montée en puissance de la mondialisation et de la corruption foncière.

Cette nouvelle vision politique du Sénégal devrait être structurée et transparente pour une meilleure harmonisation des dynamismes fonciers à travers l'action publique et / ou privée. Autrement dit, les nouveaux dynamismes fonciers imposés par l'action publique n'encouragent pas eux-mêmes avec la posture de modernisation de la gestion foncière. Avec la montée en puissance du libéralisme économique, le secteur privé et les acteurs étatiques deviendraient vigilants. C'est pourquoi la réforme foncière projetée au Sénégal doit prendre en compte les risques de privatisation et d'insécurité foncière (spéculations, équipement à grande échelle, etc ...). mais la logique de la marchandisation foncière est encore plus révélatrice.

Accès A La Propriété Foncière Et Mise En Valeur Durable Des Terres En Pays Bamum Au Cameroun

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Le pays Bamum est un territoire de la région de l'Ouest Cameroun fondé au XIV^e siècle par le roi Nchare. C'est un royaume dont le pouvoir est dévolu au Sultan, principal dépositaire des terres. Dans ce territoire, cohabite une population cosmopolite. Les populations allochtones venues s'installer dans la zone achètent le plus souvent des lopins de terres auprès des autochtones ou des autorités traditionnelles du coin, en vue d'une mise en valeur soit pour la construction des logements ou la pratique de l'agriculture. Ces terrains ainsi vendus sont cédés à leurs nouveaux occupants, qui n'ont qu'un droit d'usufruit sur la terre, mais aucun droit de jouir et de disposer sur les arbres qui s'y trouvent ou même d'y introduire des plantes pérennes. Ainsi, les tentatives d'immatriculation de ces terrains se heurtent très souvent au veto des vendeurs ou des chefs traditionnels, garants du droit coutumier ; privant leurs acquéreurs de la sécurité foncière, car considérés comme des étrangers et n'ont de ce fait pas le droit de sécuriser les terres dans un territoire dont ils ne sont pas originaires. Cette situation conflictuelle nécessite souvent l'octroi des pots-de-vin supplémentaires par ces acquéreurs, comme condition *sine qua non* à l'obtention d'une autorisation d'immatriculation de la terre, sans laquelle pour eux, aucun investissement durable n'est envisageable. En plus de ceci, les

lourdeurs administratives et le coût élevé d'obtention du titre foncier, la corruption rampante dans l'administration publique, et les inégalités des droits d'accès des femmes et des jeunes à la terre renforcent l'insécurité foncière et une mise en valeur insuffisante des terres en pays Bamun. L'objectif de cette communication est donc de montrer comment les blocages dans l'accès à la propriété foncière peuvent constituer une contrainte à la mise en valeur durable des terres en pays bamum. Cette étude s'appuie sur une recherche documentaire, des observations participantes, des entretiens individuels auprès des services du cadastre, des autorités traditionnelles et administratives, et des enquêtes par questionnaire auprès des populations. Il en ressort que l'insécurité foncière entretenue en pays bamum constitue une menace grave pour la mise en valeur durable des terres.

Améliorer Le Système d'Expropriation et de Compensation dans un Contexte de Pluralisme Juridique : Leçons du Cameroun

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Le système d'expropriation et d'indemnisation au Cameroun est assez ancien, et n'est pas suffisamment protecteur des droits des victimes. L'augmentation du nombre d'investissements portant sur la terre conduit à de nombreuses dérives, du fait du faible niveau d'information du public, et de participation des victimes. Les cas de corruption sont nombreux, et les conflits également, qui retardent le déroulement des projets. On note cependant un recours de plus en plus fréquent à des règles alternatives de compensation, imposées par les bailleurs de fonds des projets, ou par les marchés des investisseurs. Ces normes fournissent des réponses à des faiblesses identifiées dans l'analyse de la législation nationale, notamment en ce qui concerne le choix des terres, l'identification des victimes et des dommages, et l'évaluation des biens et droits expropriés. Ces normes sont susceptibles de servir de pistes pour la réforme foncière en cours au Cameroun.

Les Procédures D'Expropriation Pour Cause D'Utilité Publique En République Centrafricaine

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En République Centrafricaine, l'Etat détient le pouvoir d'exproprier une personne physique ou morale d'un bien foncier. Cette pratique se justifie par la mise en œuvre des Projets d'Intérêt Général dont l'Etat seul est garant. La protection du droit de propriété privé est mise en cause dans le cadre de la démocratie et de bonne gouvernance. La corruption n'est pas absente dans

le mécanisme. L'objectif de cette étude consiste à analyser les procédures d'expropriation pour cause d'utilité publique en Centrafrique. Elle permet de comprendre les démarches qu'utilise l'Etat pour enlever le droit de propriété privé à un tiers. Les méthodes analytique et descriptive ont été utilisées pour la réalisation de ce travail. La consultation des documents juridiques appuyés par des enquêtes et des entretiens dans les services concernés ont permis de collecter les données relatives à cette recherche. Les entretiens avec les victimes des opérations ont permis de mesurer l'ampleur des incidences sociologiques et affectives que provoque l'expropriation. Les textes de loi sur l'expropriation ont été examinés en vue de distinguer la responsabilité de l'autorité administrative de celle de l'autorité judiciaire. Sur le plan administratif, les enquêtes d'utilité publique et parcellaire aboutissent par la déclaration par décret pris en Conseil des Ministres de l'utilité publique selon l'Article 2 de la loi 61.262. L'intérêt public du projet est apprécié par la collectivité à travers l'enquête préalable. Sur le plan judiciaire, la cession peut se faire à l'amiable. En cas mésentente, c'est le juge civil qui procède au transfert de la propriété. Le retour au domaine est une forme d'expropriation. Un terrain attribué doit être mise en valeur dans un délai de 05 ans. Dépassé ce délai, le terrain est frappé de retour au domaine public de l'Etat et attribué à un demandeur. Cette disposition est à l'origine des conflits fonciers entre le premier et les autres acquéreurs qui suivent. Les mécontentements qu'elle provoque dépasse parfois le cadre national et génère des crises fonciers sur le plan international. Cet article vise à fournir des informations sur les démarches que mène l'administration publique pour procéder à l'expropriation. La démocratisation du foncier peut limiter l'expropriation.

TS28-C: Technical Session C - Nov 28

Time:

Location: Salle Des Fetes 2

**Thursday, 28/Nov/2019:
11:00am - 12:30pm**

Session Chair: **Eileen Wakesho Mwagae**, Namati,
Kenya; eileenmwagae@gmail.com

Session Topics:

Land Policy and Land Tenure Regulatory framework in Africa

Rural Land Utilization and Commercial Agriculture among Female Crop Farmers in South West Nigeria

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Abstract

The utilization of agricultural land for non-agricultural purposes has been on increasing dimensions in Nigeria, and these has become a barrier to agriculture commercialization and grossly affect food production in Nigeria. Acquisition and utilization of land for non-agricultural purposes has affected the rural households and exposed the rural household to hunger, malnutrition among others. Hence, this study proposed to examines the factors encouraging land utilization and commercial agriculture among Female Crop Farmers in South West Nigeria. The proposed study area will be Oyo and Ondo States, South West Nigeria. The two states are purposively chosen because Oyo state is the commercial, business and agriculture headquarter of the south western states, also, a large market for many arable crops in south west Nigeria, while Ondo State is prominent in arable crop production and is a rapidly becoming an urbanized state, with many investors acquiring land for many purposes. The study proposed to use primary data collected from rural farming households in South-west Nigeria, with the aid of well-structured questionnaire. The proposed sample size for the study will be 500 respondents, engaging in arable crops production. The analytical tools proposed to analyse information provided are Descriptive Statistics, Land market index, Commercialization index and Probit regression index. The study is expected to provide more insight on the level of commercialization of agriculture in the study area, factors affecting land utilization among female crop farmers for agriculture purposes, the degree of land market participation in agriculture activities and factors affecting rural land utilization and commercial agriculture among rural female crop farmers in the study area.

Unlocking the Impasse in Mailo Tenure through Issuance of Certificates of Occupancy (COO) in Uganda: The case of Mityana, Mubende and Kasanda Districts under the GIZ-RELAPU Mailo Project

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Land is a critical resource for both women and men in Uganda. It has multiple values and functions, thus making it more critical for people's livelihoods. It is not only a material and productive resource that enables survival, livelihoods and agricultural production but is also a symbolic resource that heavily influences status and identity.

Uganda's National Land Policy (NLP) which was adopted in 2013 by Cabinet, provides a framework for managing and administering land and land based resources in the country. The policy further presents opportunities for protecting and enhancing the land rights of vulnerable persons through provisions that expressly seeks to undertake remedial actions against historical and cultural injustices as well as inequalities between men and women.

The NLP has put in place strategies to resolve the land use impasse between lawful and bonafide occupants and the registered landowners under the Mailo tenure system which include: Promoting the principle of land sharing and land re-adjustment through negotiations between the registered land owner and the lawful or bonafide occupants; Facilitate tenants on registered land to access the land fund to purchase or acquire registrable interests; Put in place land sharing arrangements, land leasing and issuance of Certificates of Occupancy by registered land owners to tenants. Purchase the interest of the registered landowner in the land occupied by the lawful or bonafide occupants using the land fund or sell the interest to the said occupants based on social justice and equitable considerations.

GIZ in partnership with the Ministry of Lands, Housing and Urban Development is implementing a project named “Responsible Land Policy in Uganda”. (RELAPU) in 3 districts of Mityana, Mubende and Kasanda with an objective of improving the relationship between land lords and tenants. The overall objective of the project is to map tenancy land rights for purposes of ensuring improved economic and social life of women and marginalized groups.

It is expected that by the end of the project over 75,000 households will have documented their occupancy rights to their tenants. The COO will clearly define the rights in land as defined by the Land Act CAP 227.

Land Access And Households Wellbeing In Cameroon: Does Gender Matter?

Dr. Eric Patrick FEUBI PAMEN

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This paper examines the relationship between land access and household wellbeing in Cameroon. We use the multiple component analysis to capture land access determinants and a bivariate probit model to put on evidence effect on wellbeing. From sample size of 11,391 household’s heads, results show that land access is easier in rural area (72.86%) for female household head than in urban area (29.85%). They are mostly widowed (49.03%), married in polygamy regime (12.77%) and divorced or separated (10.62%). They are uneducated (50.03%) or have fulfilled only primary school (33.66%) and engaged in informal activities or in the primary sector. They are aged 40-49 years old, have access to financial services and most of them in rural area have poor characteristics of housing. 23.03% of male household heads do not have access to land in rural area with 65.67% of them owning land certificate and as far as education is concerned, they have just completed primary education (39.66%). In urban area, 32.107% of male household head have access to land. Those married monogamy achieved more than secondary school and others just living together achieved higher education. Land owner without land certificate (62.45%) are mostly those working as self-employed or low scale workers. 7.53% of male household heads have a land certificate in urban area. Land access has a positive effect on wellbeing. In fact, owning land for a household head increases

up to 1.86 the probability to be non-poor, than for household where the head does not have access to land. Possessing land in rural area is not a significant guarantee to escape from poverty and give only about 20% of chance to the household head to be non-poor, than a one having access to land in urban area. Households headed by women owning land, regardless the type of document for the ownership, have 13.9% of chance to be non-poor than those headed by a man. Land possession by female-headed households have a relevant impact on the wellbeing of the household as a whole in term of income and consumption. And being landless increases the probability of being poor and vulnerable.

Land Corruption, Gender and Rural Land Governance in Zimbabwe

Dr. Kingstone MUJEYI

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This study seeks to interrogate the role of land corruption in shaping the nature and extent of women's participation in rural land governance structures and beneficiation from land and agrarian reforms across the different agrarian sectors of Zimbabwe. It assesses the implications of their participation in land governance in terms of beneficiation through "access" to and "control" over land resources in their own right. In analysing women's roles and participation in rural land governance, the study begins by characterising the emerging agrarian structure as a result of implementation of the FTLRP and the resulting trends in land ownership demographics. In particular, it analyses the landholding sizes and ownership structures under each of the land tenure categories and the major land-based economic activities being undertaken in these areas. The study also analyses the nature of state (land administration) and non-state (women's and other organisations) structures through which women participate in rural land governance. This analysis provides a context and framework through which the participation of women in rural land governance and their beneficiation therefrom can be evaluated. The assessment also reviews their (women's) prevailing situation with regards to means through which they access land in each of the land tenure categories at the national, provincial, district and local levels. Finally, the study assesses the quality of women's participation in the different rural land governance structures and the nature of land rights they hold compared to men. From the findings of the study, some recommendations will be proffered on how to strengthen women's participation in land governance structures through appropriate reforms to the policy, legal and institutional frameworks.

Heterogeneous Effects of Land Acquisitions on Conflict in Africa

Prof. Jann Lay¹, Prof. Alexander De Juan², Daniel Geissel¹, Rebecca Lohmann¹

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Background and research interest: Since 2000, investors have secured concessions for more than 40 million hectares of land in low- and middle-income countries across the globe, with Africa being the most targeted continent. What are the effects of these large-scale land acquisitions (LSLAs) on instances on the occurrence and/or intensity of riots, communal conflict or anti-state violence? Despite the high academic and policy interest in the socio-political consequences of LSLA we still know little on how and under which conditions investments may foster or mitigate conflict.

Approach, data, and research design: We rely on geo-located information on land investments and violent events to analyze associations on the subnational level across the African continent. We focus specifically on assessing in how far variation in political, economic and social baseline conditions may explain the heterogeneous accounts of LSLA effects. We expect the consequences of LSLA to depend on the quality of political institutions, traditions of governance of tenure as well as pre-existing “horizontal inequalities” along ethnic, religious or regional lines. Our analysis relies on data from the Land Matrix that provides geo-located information on around 1500 investments since 2000. We merge these data with the Armed Conflict Location & Event Data Project (ACLED), which provides information on conflict events for the same period. For identification, we combine a simple two-way fixed effects panel regression and matching approaches. We also examine the interaction effects of pre-existing inequality, regime type and traditions of land governance. This allows for multiple types of comparisons: Do we find indications of higher communal and/or state-society tensions in investment areas/non-investment areas in conflict-prone (in terms of institutions and inequality)/less conflict-prone areas?

Contribution: The paper generates evidence on the heterogeneous effects of land deals on social conflict. It seeks to make two main contributions: first, the paper sheds light on the specific contexts in which LSLA may have positive, negative or no effects on local conflicts. Second, by providing insights on risk factors the paper seeks to inform policy debates on the potential socio-political consequences of LSLA.

TS28-D: Technical Session D - Nov 28

Time:

Location: **Balafon**

Thursday, 28/Nov/2019:

11:00am - 12:30pm

Session Chair: **Prof. REXFORD AHENE**,
Lafayette College, United States of America;
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Session Topics:

Rapid urbanization, sustainable land use and spatial planning, taxation and development control

Participatory Land Use Planning for Equitable and Inclusive Development in Rural Customary Communities- Case Study from Liberia

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In September 2018, after years of advocacy, negotiation, and research from many stakeholders, the Government of Liberia passed a pivotal legislation called the Land Rights Act (LRA) into law. This law allows for the formal recognition of all customary land and heralds in a new era in which community land rights are afforded equal protection to private land rights (Ministry of Foreign Affairs Liberia, 2018). One tenet of the LRA, as explicated in Article 35, Section 1.e, is the need for land use and management planning to occur in every community (Ministry of Foreign Affairs Liberia, 2018). Numerous other reports and studies have highlighted the need for participatory land use planning in Liberia as a necessary precursor to sustainable investments, inclusive development, and environmental sustainability (FCPF & UN-REDD, 2012; NIBIO, NFG, & ICRAF, 2016; The World Bank, 2010). However, as with many such reforms, implementing such a large-scale effort can be extremely complex and daunting for a government agency to manage; especially one that is still in its formative stages.

The Liberia Land Authority (LLA), the agency tasked with implementing the LRA, and IDH, The Sustainable Trade Initiative (IDH), embarked on a pilot process in Foya District of Lofa County, in Northwest Liberia, to understand the opportunities and challenges of participatory, bottom-up land use planning in Liberia. This initiative aims to elucidate insights around the implementation of participatory, bottom-up land use planning as a new process of land reform in Liberia.

Housing Development, Local Land Conflicts and Sustainable Land-Use Planning In Peri-Urban Ghana

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Abstract:

This paper examines the various ways local land conflicts affect sustainable land-use planning in peri-urban Ghana. The paper is based on intensive fieldwork conducted in Aburaso in Atwima Kwanwoma District, Ghana. In recent years, rapid urbanisation has resulted a high demand for customary lands in peri-urban areas of Ghana. Housing development is one of the key land uses facilitating the increased commoditisation of land. Housing developers acquire tracts of land and develop them into detached houses, semi-detached houses, flats and storey buildings which they either let them to tenants or occupy them as owner-occupiers. Customary lands are continuously converted into housing uses; leading to eviction of indigenes from their farmlands.

Intensive (in-depth qualitative interviews) and extensive (quantitative survey) research approaches were used to collect the data. Purposive sampling technique was used to sample the regent chief, three clan heads and five government officials. Simple random sampling technique was employed to gather thirty-one individual household developers in the newly built-up area of Aburaso. The study found that dispossession of indigenes and poor accountability on the part of chiefs create contestations within royal family; local land conflicts between chiefs and other clans in communities; resulting violence, death and poor land allocation. The ultimate effect of the conflicts is poor land-use planning with houses lacking portable water, proper sanitation and good access to roads in communities. With the increasing interest to control corruption, land dispossession, local land conflicts, and poor sustainable land-use planning in Africa, the insights from this paper will be useful to support the eradication of the problems in the land sector.

Corruption in the Post 1991 Urban Land Governance of Ethiopia: Tracing Major Drivers in the Law

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The recent rapid urban population growth and spatial expansion in Ethiopia have brought unprecedented demand for land making urban land governance an essential national developmental agenda. The dramatic shifts in urban land tenure from Feudal System (pre-1974) to Socialist Land Policy (1974- 1991) and to the current Developmental State type (post-1991) have left the urban populations uncertain about their property rights. The historical context coupled with the complex legal and institutional structure and the absence of proper records of rights and restrictions has invigorated corruption in the land sector. Even though the government has made changes in the land and anti-corruption laws and institutions, it brings no benevolent changes. The allocation and administration of land under the least system is

highly susceptible to corruption. This paper aims to answer why corruption and rent-seeking rampant in the urban land governance incongruous to the anti-corruption aspirations of post-1991 laws. In this regard, it examines corruption in urban land governance based on five common urban governance agendas: the political economy of urban land governance, lease based land acquisition and lease contract administration, urban planning and development, land registration and regularization, and urban land dispute settlement. It employed a qualitative research design to identify and understand gaps under the legal framework for urban land governance that appeal to corruption and rent-seeking. Laws in the current urban land governance regime are selected and analyzed and further triangulated with interviews and documentary sources such as official plans and reports in Bahir Dar and Addis Ababa.

This paper argues that, despite legislative and institutional undertaking, the post-1991 urban land governance opens a loophole for corruption due to its contents lacking clarity and non-transparent implementations, which attract many in the line to exercise various malpractices such as partiality, favoritism, working with illegal brokers and the of course corruption. It finally recommends urgent revision into the laws as a means to get out of this vicious circle setting.

Money, Power and the Complexities of Urban Land Corruption in Zimbabwe

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Urban land provides spaces for understanding the intersection of politics, money and corruption in post-colonial Zimbabwe. In this paper I trace the political economy of accumulation in which political power is used by various actors claim a stake in the lucrative urban land markets. Urban land in Zimbabwe is a lucrative economic and thus political asset. Increased demand for urban land across the country has been driven by multiple factors including high rates of urbanization, increased rural-urban migration, urban population growth and serious challenges in housing provision post-independence. With increased demand for land, Zimbabwe has witnessed multiple cases of corruption in which various actors in the land sector have used various forms of power to accumulate primitively. This paper uses desk research to map out the actors and contestations over land. It highlights case studies from Harare and Chitungwiza that show how political power leads to primitive accumulation in which politicians and politically connected individuals use land as an economic and political asset. Some of these individuals are popularly known as land barons who use corruption to swindle home seekers of their money. There are multiple cases of people who have lost millions of dollars to these illicit land dealers. The paper also focuses on peri urban areas where land has emerged as a political tool to control and amass votes for the ruling ZANU PF. People have illegally settled on land and use political affiliation to ensure their continued occupancy. The political complexities involved in land corruption make difficult to combat the problem. Politicians and

bureaucrats with responsibility to fight corruption are also entangled in the web of corrupt dealings which make it difficult to end the problem.

Efficiency And Equity Impacts Of Informal Land Rental Market Participation Among A1 And A2 Farmers In Mashonaland East Province Of Zimbabwe

Dr. Simbarashe Tatsvarei¹, Prof. Abbyssinia Mushunje², Dr. Never Mafuse², Dr. Saul Ngarava²

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Agriculture, and consequently land is considered a potential to increased economic growth and development than any other sector. With a lot of studies in Asian economies showing increased efficiency and equity associated with land rental markets, this study sought to establish if the same was true for informal land market in one province of Zimbabwe. This follows the implementation of the fast track land reform program, in which a massive change in ownership of land was observed. Thereafter, most of the resettled farmers failed to fully utilise their landholding, resulting in the creation of informal land rental market. The study was conducted in Mashonaland East Province and sample of 339 households was obtained using multistage sampling methods. The log-linearized Cobb Douglas production model was used to measure technical, allocative and economic efficiency of farmers and associated sources of inefficiency. The Gini coefficients were used to measure the impact of participation on land market on equity by comparing the coefficients for land owned against those for land operated. Results showed that farmers renting-in land had higher levels of input use, production and revenues, followed by those renting-out and land rental non-participating farmers (autarky) being the last. Economic efficiency was just above average for all farmer categories, implying land markets alone may not be a panacea to efficiency improvements. There was a marginal improvement in efficiency for land rental market participants when compared with those in autarky. Access to credit, farming experience, crop type, area and labour were the major drivers of inefficiency across all farmer categories. Equity improved marginally across districts, gender and A2 farmers due to participation in land rental markets, though land concentration is evident among A1 farmers. Land rental markets improve equity and efficiency though cannot be solely relied upon. The study recommends attention by government to some macro-economic variables, the need for farmers to specialise in particular enterprises that are favourable to respective natural regions and also build on economies of scale.

TS28-F: Technical Session F - Nov 28

Time:

Location: **Salle Des Fetes 2**

Thursday, 28/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Christian Graefen**, GIZ,
Germany; christian.graefen@giz.de

Session Topics:

Land governance, environment, natural resource management and climate change

Land Inequality Driving Concepts and Practices of “Corruption”

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Inequality is a profound challenge of our times. It determines power and opportunities and undermines the chance of ending corruption and building peace and prosperity for all. Land inequality in particular is increasingly undermining effective land governance and increasing the risks of corruption and conflict.

Land inequality is the difference in the quantity and value of land people access and have rights to, but also about the control of benefits derived from the land which is impacted by inequalities in input and output markets. Land concentration leads to the concentration of political power that undermines democracy and is used by elites to drive further accumulation in ways that are at times overtly corrupt and at other times questionable, even if within the law. Wealthy investors are able to buy influence in what is widely seen as “corrupt” practices, buying support of decision makers at a level that the small-scale African farmers can’t. Some investors operate from tax havens where there is little or no requirement of transparency and the sources of finance are hard to trace, but such practices are not always labelled “corrupt”, even if questionable. Lastly, corporations are resorting to “accumulation by dispossession” and the extraction of profit through multiple forms of “rent” (unearned income) capture from land, labour and other “pseudo commodities”.

There are limits to available data, but the indications are that land inequality in Africa is manifesting in an increasingly bi-modal agricultural sector with investments creating large and medium size farms, while the majority struggle to survive on increasingly small amounts of land.

In analysing these practices we can derive lessons from the experiences in settler colonies, like South Africa, where extreme land concentration has long linked to concentration of ownership in other parts of the food and agricultural sector and to the exertion of political influence.

This paper will give an overview of these trends internationally and in Africa and ask for some rethinking of the conceptualising of corruption and the link between growing land inequalities and corruption.

Large Scale Agricultural Investments and Its Impact on Gender Relations and Wellbeing of Small Holder Farmers: Evidence from Kilombero Valley in Tanzania

Dr. John Jeckoniah

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Large-scale agricultural investments have the potential to livelihood of SHF participating in LSAI. The study was conducted in Kilombero Valley in Tanzania. Data were collected through Household questionnaires, Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs) and involving a sample of 376 households in the survey. Content analysis was used to analyse qualitative data. Quantitative data were analysed using following techniques: descriptive statistics, multiple responses analysis, binary logistic regression, One Way Analysis of Variance (ANOVA), independent samples t-test and binary and multiple linear regression analysis. The results show that there were associations between out-growers scheme opportunities and household headship with Male-Headed Households (MHHs) enjoying more benefits. There was a difference in livelihood outcomes by household headship ($p < 0.05$) and MHHs had higher livelihood outcomes. Household participation in the investor farm wage employment was influenced by age, household headship, marital status, land size, asset stocks and income ($p < 0.05$). The age of household head, years of schooling, household size, land size, group membership, household participation in the out-grower scheme, and livelihood strategies had influence on household livelihood outcomes ($p < 0.05$). MHHs participating in the out-grower schemes derived more benefits than FHHs. Households' participation in the out-grower scheme is influenced by socio-economic characteristics including gender variables. Out-growers benefit more from large-scale agricultural investments compared to investor farm workers and to non-participants. Household livelihood outcomes depend on household socio-economic characteristics and household participation in large-scale agricultural investment through the out-grower schemes. The study recommends that Local Government Authorities and non-governmental organizations involved in promoting livelihood improvement through large-scale agricultural investments should train out-growers on the diversification of livelihood strategies, group strengthening and promoting gender dialogues in the community with a view to changing gender norms that discriminate against FHHs from participating in the out-grower schemes as well as promoting FHHs ownership of sugarcane land. Out-grower associations, in collaboration with investors, should set up plans to ensure that there is a

representation of out-growers in every decision making process that affects their payments and raise household livelihood outcomes by raising the minimum wages of those working in the investor farms.

Reciprocal Implications of Water and Land Acquisitions for Investments in Ethiopia: Risks of Water Insecurities and Regulatory Responses in *Tigray* Region

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The multiple forms of land acquisitions have direct and indirect implications on water. The motive to utilize, control or to grab water is devised through acquiring land. There are embedded water issues in almost all land acquisitions. Water as key resource to land should be sought as it is a key driver in defining the today's land grabbing beyond the common tendency of defining it in terms of scale or size of land, and the amount of capital used to 'grab' the land. Land investment is a water investment and water is often presumed to be included without explicitly being mentioned in land lease agreements. Small-scale land acquisitions may bring large-scale implications. Land acquisitions are in most cases about water acquisition. Domestic land acquisitions can also have an impact on trans-boundary water management. It can be in a riparian setting. Issues of water supply will come next. Land security is equal to about water security. Both are also meant to be for food security. However, there are circumstances in which people can be water insecure though they are land secure. Therefore, it is better to approach first water issues before land acquisitions. There are challenges in keeping the balance of water securities that may be a risk for insecurities. The objective is to analyze the water implications, balance, priority and extent of security given to users (especially the powerless actors) and seen in lieu of the indicators of water security and then examined against the regulatory frameworks and responses. The assessment framework, the data from respondents and literatures, and the laws are intersected and triangulated for making holistic analyses. It is also to examine the extent of coherence, coordination, and integration among the relevant laws and policies. This is important since it will create cognizance of the problem and it will be helpful for making informed decisions. The scope is limited to analyze domestic issues and limited to water intensive economic activities. There were limitations in finding updated data. The findings are delimited to the case studies but they may show commonalities of similar cases.

Bridging The Gap Between Food Security And Environmental Sustainability Through Agricultural Productive Efficiency: Case Of East Africa's Wetlands

Lucy Gathoni Njogu¹, Dr. Daniel Kyalo Willy², Dr. Eric Kiprotich Bett¹

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In the recent past years, attaining zero hunger has been a difficult goal for nations and organizations, especially due to climate change (Action against Hunger, 2019; Food and Agriculture Organization, 2018) As a result of frequent droughts and erratic rainfalls, farmers try to averse the risk of crop failure by acquiring plots in the wetlands. However, unsustainable agricultural activities in the wetlands threaten their ability to regulate climate and provide livelihoods (Ramsar Convention, 2014). It is therefore important that land policies that support optimal agricultural productivity and wetlands sustainability are formulated and implemented. In order to increase productivity, farmers either encroach further into the wetlands or intensify their use of inputs such as fertilizer. However, productive efficient obtain the highest possible output using the least possible inputs, such as land and fertilizer. The current study sought to determine how land size among other production factors as well as socio-economic and institutional factors influence productivity. The study was guided by three research questions; 1) What is the level of economic efficiency of spinach farmers in East Africa's wetlands. 2) How does the size of the vegetable plot influence economic efficiency? 3) What are the institutional and socio-economic factors that influence the economic efficiency? Data were collected from spinach farmers in Ewaso-Narok wetland in Kenya and Namulonge in Uganda. A Cobb-Douglas cost function was used to determine the economic efficiency scores while a Tobit model was used to analyze the determinants of economic efficiency. The mean economic efficiency score was 0.51, implying that by increasing efficiency, farmers would reduce the cost of production by 49%. The relationship between land size and economic efficiency was inverse and significant which indicates that increase in the vegetable plot size only leads to increased cost of production but does not increase productivity. The significant determinants of economic efficiency were level of education, distance to the market and agricultural extension, access to credit, and household size. It is therefore recommended that governments should formulate land policies that restrict wetlands utilization by only allowing use of wetland plot sizes that enhance economic efficiency.

The Credential Highway: Using Our Digital Trails to Unlock Land Rights in Africa

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As our lives move online, we are finding new ways to use our digital trails for good.

Consider how the financial inclusion sector is already relying on digital footprints to offer banking services to populations previously deemed un-creditworthy. The humanitarian sector, meanwhile, is turning to social media and cell phone location data to locate disaster survivors.

This paper proposes a new use case for the power of digital evidence: providing property documents for billions of people who currently lack them.

An estimated 43 percent of the world's population lacks a title or any other documentary proof of their property rights. In Africa, approximately 90 percent of land rights are undocumented. That's because the pieces of evidence that administrative agencies require in order to issue property documents—things like a survey plan, a notarized will, or a state-issued identity card—are often unobtainable. As a result, land administration systems end up excluding billions of people.

However, survey plans and notarized forms are far from the only evidence of land rights. In fact, our rights are evidenced by a multitude of small, everyday events: where we sleep at night, the payment of our utility bills, our relationships with our neighbors, the fact that we paid to put a new roof on our house or put a fence around the yard.

Until recently, these everyday events have occurred in the analog world, and beyond the sight of administrative agencies that provide us with property documents. But things are changing: we are leading more of our social and economic lives online. When we use services like Google Maps, Facebook, MPesa and Uber, we generate evidence of where we go, what we purchase, and whom we interact with. Individually, these data points don't mean much, but collectively they create a tapestry of evidence that can prove things about us.

What if we could harness this evidence to prove our land occupancy, and obtain documents?

This paper will examine the possibility of using our digital trails as new evidence of our property rights, and examine the technology and methodology that will allow us to do so.

TS28-G: Technical Session G - Nov 28

Time:

**Thursday, 28/Nov/2019:
3:00pm - 4:30pm**

Location: **Chandelier Lagune**

Session Chair: **Prof. REXFORD AHENE,**
Lafayette College, United States of America;
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Session Topics:

Land Based investments, inclusive economic growth and environmental sustainability

Agricultural and Rural Transformation in Burkina Faso: Does Land Rights Matter?

Dr. Mikémina Pilo

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In the search for rural transformation, this paper analyses the effect of agriculture on rural nonfarm entrepreneurship (NFE) and assesses the impact of rural NFE on households' livelihood factoring land rights in rural Burkina Faso. To achieve these objectives, the study uses two techniques: (i) propensity score matching technique to investigate the nonfarm entrepreneurship impact on farm households' income; (ii) logistic regression to assess the role of agriculture in the development of nonfarm enterprises. Empirical estimates are based on the Living Standards Measurement Study-Integrated Surveys on Agriculture (LSMS-ISA) database of the World Bank. From the results we conclude that rural NFE is pivotal for rural transformation in Burkina Faso given that farm households that engage into NFE enjoy significantly higher per capita income and overall household income. The results allow us also to establish that agricultural activities draw NFE only in the context on secured land. The other determinants of individual engagement into NFE that are shocks, livestock size, age of household head, active female household members and land size. Thus, for the transformation of rural Burkina, agricultural policy cannot be disconnected from land rights issues.

Land Dispute and Resolution Process Among the Youth Under the Customary System in the Techiman Traditional Area of Ghana

Dr. Joseph Kwaku Kidido¹, Prof. John Tiah Bugri²

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Securing land rights of all including the youth to allow for investment is very imperative. This is because access to land is very fundamental to ending extreme poverty especially in the Sub-Saharan Africa where agriculture remains the economic backbone of majority of households. To this end, access to fair and timeous land disputes resolution mechanism to adjudicate and resolve disputes which create tenure insecurity is critical. This study investigates land dispute cases and the resolution mechanisms among the youth land holders in the Techiman area of Ghana. Using a mixed method approach and multi-stage sampling techniques, the study sampled 455 youth respondents and 23 elders in 20 communities. The study revealed that, there were relatively few land disputes (20%) cases recorded among the youth respondents. The commonest land disputes (60%) were boundary related followed by ownership claim (24%). The study also revealed that the youth do not have the sole capacity to pursue a land dispute case without the involvement of the family head especially when it relates to family land. Again, access to fair and timeous redress to land disputes under the existing customary structures was not felt evenly among all the youth segments. There were relatively high number

of ‘unresolved’ and ‘unsatisfactorily resolved’ cases recorded among the female, migrant and rural youth respondents. The study recommends a customary land adjudication system that is accessible and fair to all regardless of age, sex or community membership status to safeguard land rights for wealth creation. Again, awareness and sensitization programmes are required to help the youth especially the rural, migrant and female youth to be empowered of full knowledge of their rights to enable them demand timeous redress to their cases. Customary Land Secretariats (CLS) within the Ghanaian land governance landscape could lead in the sensitisation effort. Effective discharge of the functions of the CLS at the local will improve local level land governance with the benefits of protecting youth land rights.

Are there Livelihood Opportunities for Us? Rural Youth Access to Land rights in Rwanda

Dr. Jeannette Bayisenge

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Rural populations in developing countries, including Rwanda, predominantly depend on agriculture for their livelihoods. However, factors such as growing population, declining soil fertility and increasing environmental degradation, agricultural commercialization, and global land grabbing have all heightened demands for land, making it hard for young people – potentially leaving them landless and without livelihood opportunities. The Government of Rwanda has set up various institutions, laws, policies and strategies to meet the need of young people by improving the agricultural sector and promoting off-farm employment. The argument espoused in this paper is that, even so, the expansion of non-agricultural opportunities has been very slow in rural areas and agriculture is still the basis for survival. If agriculture is the main source of livelihood for the majority of the rural youth, what access do these young people have to agricultural land? What strategies available to the youth when the land becomes scarce? This study intends to reply to these questions by reviewing the literature related to the issue of rural youth access to land and by gathering the views of the youth through field work.

The empirical data from this study were collected through a mixed method approach including both qualitative and quantitative data collection tools in three districts Rubavu, Gicumbi and Bugesera during January–March 2017. Quantitative data were collected through a questionnaire with 150 youth from different background and qualitative data through Focus Group Discussions with members of youth associations and semi-structured interviews with youth leaders from National Youth Council Committees at the local level.

Researches focusing on the rural youth livelihoods are not new. However, the study of this in relation to the access to land in Rwanda is an area that remains under explored especially after the completion of Land Registration and Titling Program through which the majority of Rwandan populations got land titles. The scientific exploration of this topic is vital in informing

and enhancing policies that intend to promote economic, social, cultural, intellectual and moral welfare of the Rwandan rural youth.

The Environment and Large-Scale Land Investment in Africa: An Impact Analysis of the Global Large-Scale Land Investment

Dr. Olayinka Idowu Kareem

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The attainment of sustainable development goals in Africa would depend in part on its management of the endowed land resource. The intensive economic land-use often impacts on the environment, which has implication for the target countries' population and ecosystem. Thus, this study investigates the environment effects of large-scale land investments in Africa using the Helpman, Melitz and Rubenstein framework. The findings indicate that at the extensive margin, there is the probability that the environment gets more deplorable but sustainable used by foreign investors while this is not the case for domestic investors. At the intensive margin, the same result is estimated for foreign investment while the domestic investment adversely impacted on the environment. Although these land investments could mitigate the challenges of national food insecurity, Africa should continuously regulate the activities of investors to conform with global environmental best practices. A policy of clean energy and reforestation is recommended.

Empowerment Of Youth Through Strengthening Their Land Rights Knowledge And Research Capacity: Evidence From Eastern And Southern Africa

Dr. Uchendu Eugene Chigbu¹, Agatha Wanyonyi², Danilo Antonio²

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Africa is a continent of youth. However, its high rates of youth unemployment linked to high levels of landlessness suggest a close correlation with youth poverty and access to land. This paper presents the perspective of an approach for capacitating youth through research on land and natural resource tenure in Eastern and Southern Africa. The capacity development effort involved action research initiated by the Global Land Tool Network (through Association of African Planning Schools) with youth researchers to conduct research and produce country reports on land and natural resource tenure. How this approach paved the way to empowerment of the youth—through strengthening their land rights knowledge and research capacity—is the focus of this paper.

TS28-H: Technical Session H - Nov 28

Time:

Location: Salle Des Fetes 1

Thursday, 28/Nov/2019:

3:00pm - 4:30pm

Session Chair: **Prof. Abdelwahed EL-Idrissi**,
National Institute of Planning and Urban
Development, Morocco; a.recherche@gmail.com

Session Topics:

Rapid urbanization, sustainable land use and spatial planning, taxation and development control

Land-use Planning Implementation Uncertainty in Bamako District

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Understand the driving forces and agents that prevent the effective application of land-use policies through plans implementation, in the actually fastest growing city in Africa, Bamako District, was the goal this research attempted to achieve. Uncertain factor means factor that are very difficult to predict with accuracy during the planning process and that have negative outcome on plans effectiveness, namely city master plan and the Municipalities' (six) sector urban land-use plans.

The current result yield from the field work (november and december 2017). The survey was done at three levels, including interview with official actors, and questionnaires with citizen and the Neighborhood leader, Neighborhood development Committee (Comité de Développement de quartier: CDQ). In total, 746 questionnaires to population, 32 questionnaires to Neighborhood Development Committee (CDQ), and 11 interviews with public official, we conducted in 32 Neighborhoods in the six Communes of Bamako District.

We discovered from our field work that (1) the main factors of uncertainty in land use planning in Bamako District include political factor, economic factor and actions of government ; the six Municipalities (City Halls) and their mayors are respectively (2) the uncertain service

and (3) the uncertain Actor in plans implementation process in Bamako District. For instance, we find that since 2015, Bamako District do not have any valid urban master plan because of political uncertainty. This result is a big concern for sustainable city development.

Our results have several implications including the scientifically contribution in the knowledge of the keys factors and actor making land-use policies (plans) fail in Bamako District, and the clear identification of the actor who need to be putted in the center of actions and attention in sustainable management of the africains' cities. The third contribution, unless the mistake ours ide, this that topic has rarely been subject of studies in Africa. And hence, it can help to enlight policy makers in regional level (African Union) to undertake the actions to achieve the « Afrika we want » in 2063 in the field of sustainable african' cities development through global solutions to stress common land-use planning issues.

Des Conflits Fonciers Periurbains De Yamoussoukro: Analyse Et Aide A La Décision Dans La Consolidation De La Paix

Dr Kouadio Raphaël Oura¹, N'da Koffi Jean Marie Zambélé², N'da Amani Siméon Zambélé²

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A l'instar des autres villes ivoiriennes, Yamoussoukro connaît, depuis les années 1960, une urbanisation accélérée qui se traduit par l'accroissement de la population, de la taille spatiale et des activités de la ville. Cette ville, devenue la capitale du pays depuis 1983, présente aujourd'hui de meilleures conditions de vie qui font d'elle une agglomération très attractive. Mais, ce phénomène récent, présente assez de défis à la gouvernance urbaine du fait de l'étalement urbain et du grignotage des terres rurales. L'un des grands défis de cette situation, le conflit foncier, est en recrudescence dans les campagnes périphériques de Yamoussoukro. Dans ces campagnes périurbaines, la déprise foncière engendre des tensions entre les villageois et l'Etat, entre les villageois et des opérateurs économiques et entre les familles elles-mêmes. Face à l'existence de cette nouvelle forme de conflit foncier lié à l'étalement urbain, ce travail apporte une réponse appropriée à cette situation de tension sur ces territoires, au moyen de mécanismes de gestion participative, pour une restauration de la paix civile et sa consolidation.

La démarche adoptée pour la conduite de cette étude a porté sur une recherche documentaire. Cette étape a permis de parcourir des ouvrages et des documents divers. L'autre phase de cette étude a consisté à effectuer une étude sur l'espace concerné. A cet effet, nous avons retenu quatre (4) villages périphériques de Yamoussoukro. Pendant un (1) mois, nous avons interrogé au total, 100 chefs de ménages, à raison de 20 chefs de ménages choisis de façon aléatoire dans chaque village.

Operations d'Urbanisme et Corruption dans le District de Bamako : Cas des Opérations de Lotissement dans la Commune vi

Dr Mamadou KOUMARE

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La capitale malienne connaît une forte croissance urbaine. En effet, selon le recensement général de la population de 2009, la population de Bamako a été multipliée par 1,8 entre 1998 et 2009 soit d'un 1 000 000 à 1 800 000 habitants contre plus de 2 000 000 aujourd'hui. Cette forte croissance urbaine est due à une urbanisation incontrôlée suite à la création de quartiers spontanés d'où la nécessité de certaines opérations d'urbanisation afin d'offrir de meilleurs cadres aux populations.

Parmi ces opérations, notre étude s'intéresse au cas du lotissement. Ce choix s'explique par le fait qu'elle est l'opération, en même temps la plus pratiquée dans chacune des six communes du District de Bamako, mais aussi la plus décriée tant est elle joncée de pratiques de corruption. Justement, notre étude s'inscrit dans la réflexion sur les solutions d'assainissement des pratiques de corruptions liées à cette opération.

Quels sont les acteurs impliqués dans l'opération de lotissement ? Quels rôles y jouent-ils ? Quelles formes et pratiques de corruption développent ils ? Comment ces pratiques créent de l'insécurité foncière urbaine ? Enfin comment endiguer ces pratiques ?

A travers une approche d'analyse systémique, notre étude cherche à répondre à ces questions en portant un regard critique sur les jeux et pratiques de corruption des acteurs impliqués. A cet effet, dans un premier temps, nous avons fait une revue de la littérature et des textes législatifs et réglementaires sur le foncier au Mali, ensuite nous avons réalisé des enquêtes de terrain à travers le guide d'entretien auprès des acteurs concernés.

L'analyse des données recueillies, nous a permis de nous rendre compte que tous les acteurs impliqués développent des pratiques de corruption. L'opération de lotissement est comme un éléphant abattu où chacun aigüise son couteau pour avoir une bonne part. Par exemple, les autorités politiques ou administratives qui monnayent la délivrance d'un document ou le lotisseur (demandeur) qui soudoie ces mêmes autorités pour avoir les documents sans pourtant remplir les conditions de viabilisation exigées. Pour mettre fin à ce genre de pratiques, notre étude propose d'impliquer davantage les populations à la gouvernance du foncier.

L'accès A La Terre Agricole A Madagascar : Le Marche Foncier Comme Alternative Pour Les Migrants D'une Commune Rurale De L'ouest De Madagascar

Heriniaina Rakotomalala^{1,2,4}, Dr. Perrine Burnod^{3,5}, Prof. Emmanuelle Bouquet^{2,4,6}

¹Université d'Antananarivo; ²Montpellier Supagro; ³CIRAD UMR-TETIS; ⁴CIRAD UMR-MOISA; ⁵Observatoire du Foncier; ⁶Pôle foncier de Montpellier; rakotomalala.heriniaina@gmail.com

L'objectif de cette communication est d'analyser la contribution des marchés fonciers dans l'accès à la terre des ménages migrants. Pour y parvenir, des travaux d'investigation quantitatifs et qualitatifs ont été réalisés dans la commune rurale d'Ambatolahy, dans la partie Ouest de Madagascar. Les résultats indiquent que les migrants s'appuient surtout sur la prise en location de parcelle pour accéder à la terre. Les migrants sont par contre limités dans leur participation à l'achat de parcelle. Les analyses soulèvent l'importance des marchés fonciers pour des catégories de ménage comme les migrants qui ne peuvent pas s'appuyer sur l'héritage. Les politiques publiques devraient s'intéresser davantage aux enjeux autour des marchés fonciers pour permettre à un meilleur accès à la terre des ménages surtout les plus vulnérables.

DAY FIVE: Friday 29/Nov/2019

PS-29NOV: Plenary Session - Nov 29: Land, Ethnicity and Conflict

Location: [Salle Des Fetes 1](#)

Chair: **Prof. Kimani Njogu**, Twaweza Communications, Kenya;

kimani.njogu@gmail.com

notes

Her Royal Highness Queen ADEDAPO Zainab Ololade

Bamba Cheikh Daniel, Director of Rural Land Agency (AFOR), Cote d'Ivoire

Samuel Nguiffo, Secretary General, Center for Environment and Development, Cameroon

Oumar Sylla, UN-Habitat/ GLTN

TS29-B: Technical Session B - Nov 29

Time:

Location: **Salle Des Fetes 1**

Friday, 29/Nov/2019:

11:00am - 12:30pm

Session Chair: **Dominik Wellmann**, GIZ, Germany; dominik.wellmann@giz.de

Session Topics:

Empowerment of youth through strengthening their land rights

Nuancing Narratives On Labor Market Effects of Large Agriculture Investments in Sub Saharan Africa

Dr. Perrine Burnod¹, Dr. Sara Mercandalli², Dr. Aurélien Reys³, Dr. Ward Anseeuw⁴, Dr. Markus Giger⁵, Dr. Boniface Kiteme⁶, Dr. Tsilavo Ralandison⁷

¹CIRAD & Malagasy Land Observatory, Madagascar; ²University of Pretoria & Cirad; ³Independent & ex Cirad; ⁴International Land Coalition; ⁵CDE – University of Bern; ⁶University of Kyoto; ⁷CETRAD; perrine.burnod@cirad.fr

This paper compares the labour market implications of large scale farming enterprises in terms of both direct job creation and workers profiles in Kenya, Mozambique and Madagascar.

Using a common methodology, a total of 1,650 households were randomly selected and interviewed in impacted areas and in counterfactual areas. Labour Impacts in terms of i) quantity and quality of jobs created and ii) workers and households demo-economic profiles are analysed according to the business models of the enterprises, based, inter alia, on the crops produced and its intensity of labor requirements.

Results at both territorial level and between LSAI show that:

On the supply side:

i) overall gross LAIs' job creation in the 3 sites is significant at local level, although with strong differences according to business model. However, LAI job creation is lower than family farming labor requirement when calculated per cultivated hectares, meaning that LAI net employment creation strongly depends on both BM and previous land use by smallholders ;

ii) The quality and attractiveness of jobs depends again on regional and business model features.

On the demand side,

iii) despite existing LAI related decent employment supporting households livelihoods, widespread precarious jobs often benefit the most vulnerable segments of the population: poor households, migrants, youth and / or women. This can either be seen as a benefit in terms of poverty reduction or critically considered as the direct result of the absence of alternatives for the most vulnerable.

The comprehensive approach used, integrating both labour supply and demand dimensions, shows nuanced and context specific results. It provides insights to inform decision-makers on the models of agriculture to be promoted in different settings, to address SSA employment challenge.

Providing Secure Tenure For All: A Country Implementation Strategy for Fit-For-Purpose Land Administration. The case of Uganda

Dr. Moses Musinguzi¹, Prof. Stig Enemark², Naome Kabanda³, Danilo Antonio⁴

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In this paper, we present and discuss the principles, approach and provisions for a country implementation strategy for Fit for Purpose Land Administration in Uganda. The Fit-For-Purpose Land Administration (FFP LA) concept has gained recognition by governments, global professional bodies and international development agencies, as a complementary approach to conventional land administration. FFP LA puts into consideration the cultural, social, economic and political context of a country to build the components of land administration so as to benefit all the members of society. In Uganda, conventional Land administration approaches have only managed to record 500,000 parcels (2%) out of the estimated 23 million parcels country-wide, and this has taken more than 100 years. Yet, more than 80% of the land is held customarily and is characterised by underdevelopment, land conflicts, land grabbing and overlapping land rights. Uganda is therefore in need of faster, flexible and low cost approaches for land administration.

With Support from GLTN - UN Habitat, Uganda developed a country implementation strategy for Fit for Purpose Land Administration. It was developed through a bottoms up approach that utilised a combination of review of the country's land administration context, use of GLTN published guidelines for Fit for Purpose country level implementation, consideration of international best practices and local stakeholder consultations and endorsements. The overall goal of the strategy is to improve the existing complicated, sporadic, bureaucratic and expensive approaches to Land administration that have not delivered the expected impacts on national development at the desired levels. The Strategy will be implemented over a period of 10 years, divided into 4 phases at a cost of US \$ 500 million. An estimated 23 million parcels will be planned, mapped, documented and land administration infrastructure established at sub-county level. The cost of registration of each parcel is estimated at US \$ 10 while the cost of rapid physical planning appraisal and establishing land administration infrastructure across the entire country is estimated at US \$ 11 per parcel.

Youth Employment and Large-scale Agricultural Land Investments Nexus in Africa: Mixed Method Insights from Nigeria

Dr. Karakara Karakara², Dr. Uchenna Efobi¹, Dr. Felicia Olokoyo¹, Dr. Ibukun Beecroft¹, Prof. Evans Osabuohien^{1,3}

¹Covenant University, Nigeria; ²University of Cape Coast, Ghana; ³Chair, Centre for Economic Policy & Development Research; wakeel.kara@gmail.com

This study empirically examines youth employment and Large-scale Agricultural Land Investment (LALIs) by comparing youth located in communities with and without LALIs. The objective of the study is germane given the understanding that the agricultural sector (employing over 65% of active labour force especially in the rural areas) in many African countries has the potential of transforming local economies and creating employment opportunities. In addition, Africa has one of the most youthful populations of the world.

In the literature, there is no consistent direction regarding the effects of LALIs on employment. While some studies (Barbanente & Aisbett, 2016; Khadjavi *et al.*, 2017) found positive effect, other studies (Brown, 2012; Stickler, 2012) maintained that LALIs has deteriorating effect on employment. Thus, this study makes contribution by carrying out a comparative analysis using youth in communities with and without LALIs. The mixed method of analysis (quantitative and qualitative) is engaged in the study. The quantitative data is estimated using the Difference-in-Difference-*DiD* and Propensity Score Matching-*PSM* techniques while the qualitative aspect is carried using key informant interviews and focus group discussion.

The quantitative results show that the presence of LALIs in the communities leads to 1.24-percentage reduction in the amount of wage earned by youths, which was significant only at 10% level. On the employment of youth conditioned upon the presence of LALIs in a community, the study finds a reduction in the number of hours worked by about 6 hours, which is also only significant at 10%. From the qualitative analysis, the study finds varied wage levels across the sampled LALIs ranging between \$45.07 and \$281.69 per month with average working hours of 9 hours/day.

The above raises concern on the type of employment provided by the LALIs. Hence, in an effort to curb youth unemployment and create good reward for labour, the LALIs recipient African countries could promote better bargaining power for the host communities to ensure that employment of the people in the location where LALIs are situated is given priority attention.

TS29-C: Technical Session C - Nov 29

Time:

Friday, 29/Nov/2019:

11:00am - 12:30pm

Location: **Chandelier Lagune**

Session Chair: **Dr. Ousmane WAGUE**,
Université de Nouakchott, Mauritania;
wousmane@yahoo.fr

Session Topics:

Strengthening land administration institutions both at local and national levels including the adoption of technology and innovations

**Vulgarisation Du Régime Foncier Et Domanial Auprès De La Jeunesse Camerounaise :
Frein Durable A La Corruption Foncière**

Arnaud Junior TONGA TONGA

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Le Cameroun à l'image du continent africain se caractérise par la proportion élevée de sa jeunesse ainsi que la corruption qui prévaut dans son administration. Corruption qui mine la gouvernance et l'implémentation des politiques publiques, avec pour principale conséquence la dégradation de la qualité de l'éducation de la jeunesse. C'est pourquoi la connaissance des droits en général et des fonciers en particulier échappe aux jeunes, avec pour conséquences la résiliation face aux violations de ses droits fonciers. Les difficultés auxquelles font face les Gouvernements et leurs partenaires pour instaurer la transparence voire l'équité dans le secteur foncier relèvent davantage de la corruption ambiante qui prévaut dans ce secteur. Or, un moyen durable de combattre la corruption est la vulgarisation des lois et procédures afin que les usagers soient au fait de leurs droits et devoirs. Ce qui manque cruellement à la jeunesse donc la majorité présente des tares relatives au niveau de scolarisation qui n'est pas suffisant pour cerner les contours de la pluralité des textes qui encadrent la politique foncière.

Notre étude s'inspire des travaux de terrain de Dynamique Mondiale des Jeunes dans les régions du Centre, du Sud et de l'Est du Cameroun depuis deux ans. Nous y implémentons un projet de prévention des conflits fonciers et d'accès à la propriété foncière sécurisée pour les jeunes. Notre stratégie consiste à renforcer leur capacité sur la loi foncière et à transformer les relations sociales par des plaidoyers prouvant que l'appropriation de la loi foncière par les jeunes est la clé de voute du changement durable de leur condition socioéconomique précaire.

Dans cette perspective, nous facilitons l'instauration et l'animation permanente des cadres de concertation et de dialogue multi acteurs. Ils contribuent à influencer la qualité du service des agents de l'administration foncière au niveau local et les programmes publics pour qu'ils soient conçus et implémentés en tenant compte des aspirations et de la situation des jeunes. Nous envisageons la construction d'un modèle inclusif de politiques publiques de vulgarisation la loi foncière, combinant : facteur zone de résidence (ZR) - paramètre niveau d'éducation (NE) - tranche d'âge (TA).

L'Infrastructure Nationale De Données Geospatiales Pour Lutter Contre La Corruption Dans Le Secteur Foncier

Dr. Mohamed Timoulali

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D'après les études sur les risques majeurs de corruption dans le domaine de la Gestion du foncier au Maroc, il y'a lieu d'observer que *'La corruption est quasi systémique dans la gestion du foncier et constitue l'un des principaux filons de l'économie de rente et de clientélisme'*.

De même que les Marchés publics *'sont un domaine où la corruption est fréquente, flagrante, où les enjeux sont énormes, où les menaces sur la vie en collectivité sont réelles.'*

A ce propos, il y'a lieu de noter que rares sont les Appels d'offres qui font référence aux questions d'éthique, auxquels les professions réglementées au Maroc sont astreintes au respect. Notamment en référence aux principes déontologiques reconnus à l'échelle internationale en ce qui concerne les Conflits d'intérêt.

Dans tous ces cas, l'accès à l'information et la dématérialisation des services dans le cadre de l'e-Gouvernance pourraient contribuer positivement à améliorer la transparence, dans le cadre de la réadaptation de stratégie nationale de lutte contre tous les types de corruption. Pour ce on se réfère aux exemples suivants :

- **Le Domaine Privé** de l'état pour lequel la cour des comptes a consacré un rapport,
- **Le Foncier Industriel** pour lequel le rapport de la cour des comptes sur les Espaces d'Accueil Industriels (EAI) signale le manque de transparence sur les prix de commercialisation,
- **La melkisation des terres collectives** au sujet de laquelle les constats dressés à partir de l'expérience pilote dans le périmètre irriguée du Gharb, note la lourdeur de la procédure d'immatriculation en vigueur, surtout en l'absence d'un manuel de procédures.

On traite en suite **la lutte contre la corruption comme axe de la stratégie foncière nationale**, en se basant sur les bonnes pratiques et cadres internationaux et régionaux.

Le rôle de l'INDG est explicité comme moyen majeur de lutte contre la corruption, en permettant la disponibilité d'une information foncière à tous les échelons territoriaux :

- Dans une perspective des Agendas de Développement Durable,
- Un cadre institutionnel et légal facilitant la coordination et l'ouverture des données,
- Des SIG interopérables conçus selon une démarche participative inclusive,

Des données cadastrales actualisées faisant partie des données fondamentales de l'infrastructure nationale de données

La problématique Foncière Au Maroc Comme Entrave A La Promotion Des Investissements Et Au Développement Régional

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Cette réflexion est née à partir d'une interrogation relative aux disproportions et aux écarts de développement existants entre les régions. Au regard de ces décalages, cet article part du postulat selon lequel la politique foncière au Maroc renvoie à une diversité de statuts fonciers dont les conditions de mobilisation, de transfert ou de cession diffèrent d'un statut à un autre entravant ainsi la promotion des investissements et le développement régional. L'hypothèse sous-jacente sous-tend que l'analyse du statut juridique du foncier s'avère nécessaire mais insuffisante pour appréhender les inégalités de développement régional. Parallèlement au dispositif juridique de la composante foncière, ces déséquilibres peuvent être expliqués par l'attractivité du foncier en terme d'armature urbaine, d'accessibilité et de localisation. Au-delà de l'analyse des indicateurs socio-économiques traditionnellement utilisés pour mesurer et comparer les différentes situations de développement, l'objectif de cet article est de partir de la composante foncière, comme principale grille de lecture, afin de comprendre les inégalités régionales dans un contexte de divergence des besoins et de pluralité des configurations spatiales.

TS29-D: Technical Session D - Nov 29

Time:

Location: **Balafon**

Friday, 29/Nov/2019:

11:00am - 12:30pm

Session Chair: **Ibrahim Mwachane**, Land Development and Governance Institute (LDGI), Kenya; mwachane@landsca.co.ke

Session Topics:

Strengthening land administration institutions both at local and national levels including the adoption of technology and innovations

Re-Planning the Master Plan: The Corruption and Politics of Land Administration, Housing and Homelessness among the Urban Poor in Abuja Nigeria

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Abstract

Rapid urbanization has continued to occur in many post independent capital cities in Africa with serious competition for land and housing among urban dwellers thereby posing challenge to governments. Consequently, this paper examines how corruption and politics have constituted hindrances to efficient land administration and housing provision thereby promoting homelessness among the urban poor in Abuja as against the provisions of the Abuja Master Plan (AMP). The locale of this study is the Federal Capital Territory (FCT), Abuja. The study adopted a survey method of data elicitation with questionnaire and interview schedule as instruments. A sample size of 271 was generated via Raosoft sample size calculator to represent the city's estimated population i.e. 3,095,118. The generated data were presented and analyzed using Microsoft Word graphs and simple statistical percentage. The findings reveal that the government is yet to meet up with the development phases of the AMP as demands for access to land and housing by the ever increasing population of the city, particularly the downtrodden, are yet to be met. This was due largely to corruption and politicization of land administration as well as controversial provisions of the Land Use Act (LAU) and AMP. Consequently, this paper recommends among other things that the Federal Capital Territory Administration (FCTA) should collaborate with the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and Economic and Financial Crimes Commission (EFCC) in establishing Anti-Corruption Units at various strategic directorates of the FCTA and her agencies to curb sharp practices in land administration. Also, FCTA should synergize with the Federal Ministry

of Power Works and Housing (FMPWH), Federal Housing Authority (FHA), Federal Mortgage Bank (FMB), and UN-Habitat to declare state of emergency on housing and construct more affordable, accessible and quality mass housing across the FCT so as to address the lack of access to land and homelessness among the urban poor in Abuja.

Improving Tax Revenue Generation Through Property Tax Reforms: The Case Study Of Gaborone City-Council (Botswana)

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Purpose: The focus of the study was to establish ways of improving property tax system in Botswana mainly stressed by continuous low property tax revenue collections experienced by the Gaborone City Council (GCC). The main aim was to develop an ideal model of reforms that can revive the whole system and consequently improve tax revenue collections in Botswana. The review of available literature suggests that the current property tax regime in Botswana is tainted and highly susceptible to several operational changes. This situation leads to a major problem of failure by council authorities to maintain reliable service delivery due to limited funding. The supposedly main source of income, property tax, is failing to raise sufficient income.

Study Methodology: A purposive sampling technique was used to select respondents for the study. Highly open-ended questionnaires and interview discussions were used to yield primary data from property owners in Gaborone as well as ministry officials.

Findings: The study reveals that the consulted stakeholders share a common view that the current regime has a lot of inadequacies and dissatisfactory. The participants mainly suggested that MoLGRD needs to consider reorganising tax administration and their post responsibilities with GCC as well as to review policies on enforcement of property tax collections and ensure they are well implemented to tax defaulters as provided by the policy. Other reform strategies suggested was that property tax payment be bundled up with payment of other utilities in Botswana as well as that multiple Regression analysis (MRA) techniques be adopted by the system and that property valuations be regularly done as per the policy provisions at least.

Significance of Study: Major recommendations made include enforcing and implementation of tax compliance laws, bundling up payment of property tax with other utility bills, improving communication between taxpayers and tax authorities, raising awareness to taxpayers about the importance of taking their responsibilities and other vital matters concerning property taxation. All reform strategies identified in the study are to help resuscitate Botswana's taxation system and largely enhance property tax income payment and collections.

Technology for Land Governance: Ensuring that Women Benefit from the Revolution

Ailey Kaiser Hughes

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Innovative technologies for land governance can promote clear land tenure and effective land administration, reduce corruption, and support economic growth. Mobile technologies offer real-time access to information and open communication between people and government services. These technologies are revolutionizing land governance around the world; however, without additional steps to ensure that women and men equitably benefit from the technology revolution, the application of these technologies may amplify the preexisting inequalities that women face. This paper applies Toyama's amplification theory of technology to explore women's differential access, capacity, and perceived motivation for technology adoption and benefits. The paper proposes recommendations for ensuring that new technologies for land governance are responsive to the heterogeneous needs and desires of both women and men, including developing technologies with women in mind, user testing new technologies with women, and extensive sensitization.

Protecting Land Tenure Security of Women And Girls In Ethiopia: Evidence From The Land Investment For Transformation Programme

John Robert Leckie¹, Workwoha Mekonen², Gladys Savolainen³, Dr. Ziade Hailu²

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The UKaid-funded Ethiopia LIFT programme aims to improve the incomes of the rural poor and to enhance economic growth, through the systematic land certification of 14 million rural land parcels (approximately 6.1 million households) and improving rural land administration over the 5-year period from 2015 to 2020. This paper, supported by financing from the Research Consortium, reports on a large-scale quantitative and qualitative study to examine the effectiveness of this large-scale land certification programme on the protection of women and girls' tenure security. The research used a mixed method approach that integrated quantitative and qualitative data collected during the course of the LIFT programme's land certification activities from mid-2015 to mid-2018 and retained on the programme's management information system. Quantitative information was analysed from the profiles of *more than seven million parcels* in the implementation area.

Evidence from the programme suggests that the methodologies LIFT has employed to capture and register land rights for second level certification have indeed contributed to the tenure security of rural women and girls. Qualitative data also shows that LIFT methods have positively affected women and girls' tenure security. Women's participation in second level

land certification processes in LIFT programme areas was strong, and this participation can enable women to overcome some of the varied barriers they face in obtaining tenure security.

The implication of these findings is that land certification programmes that wish to promote gender equality through land governance must embed gender considerations into the certification procedures to ensure the rights of women and girls are protected during the process. Moreover, these procedures should be shaped by the implementation of gender-focused strategies which aim to understand the nature of the challenges faced by women in participating in land certification and realizing the benefits of the associated improved tenure security.

Breakout Sessions: Discussions and Development of the relevant topics of the Call for Action on Land

Time:

Friday, 29/Nov/2019:

2:00pm - 3:00pm

Stakeholder Reflections:

- Traditional leaders reflections: Coordinators - Odami-Larbi & Rexford Ahene
- Civil Society organizations reflections: Coordinators - Cheikh Ba & Eileen Wakesho
- Academia and researchers: Coordinator - Moha EL-AYACHI
- Government representative reflections: Coordinators - Ibrahim Mwathane & Richard Oput
- Development Partners: Coordinator: Everlyn Nairesiae

3:00pm- 4:00pm **Call for Action: Call for Action**

4:00pm- 5:00pm **Closing Session**