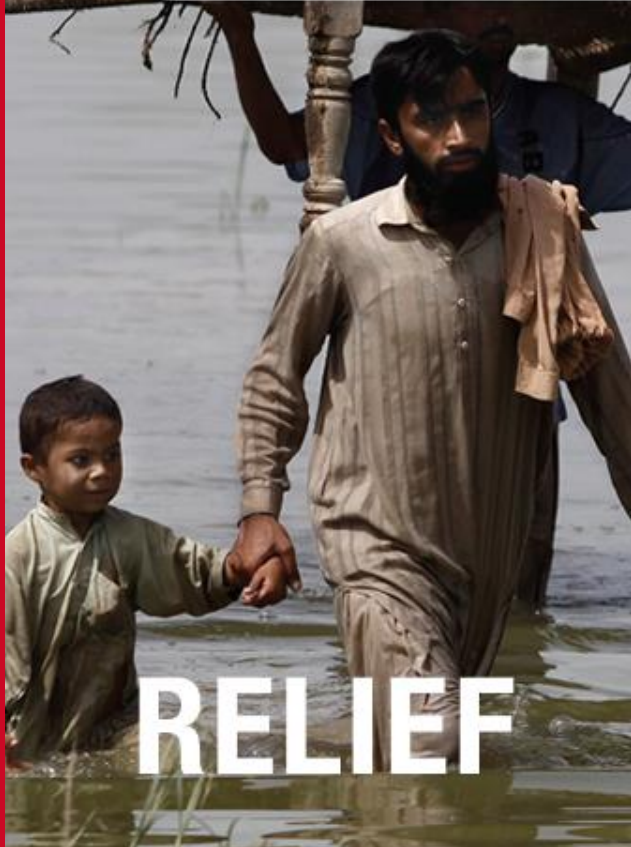


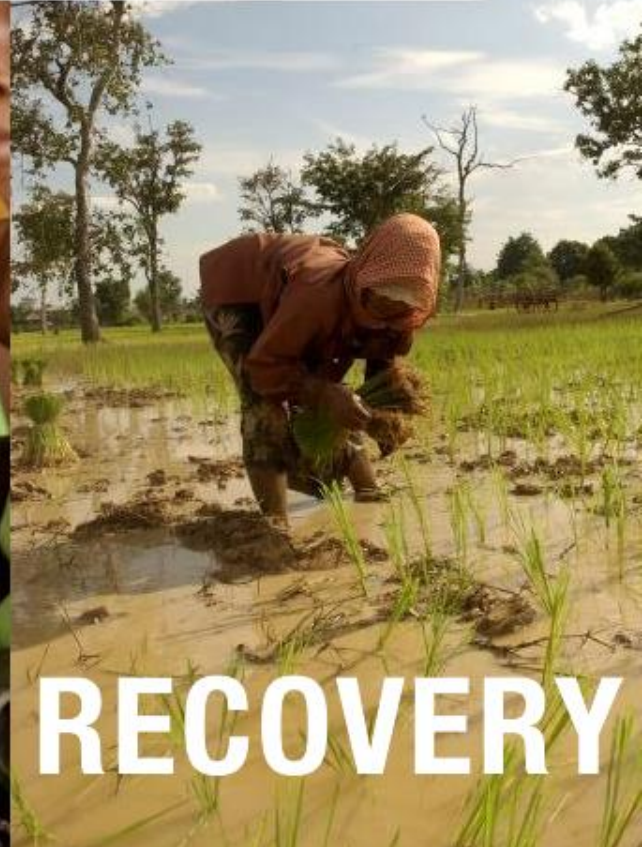
# Building an intra-organizational LR policy



**RELIEF**



**HOPE**



**RECOVERY**

Paper presented at the LandAc International Conference, 2017, Utrecht  
*David Betge, Christin Weigt, Hendrik Westerbeek*

# Developing a FFP land policy

- ZOA: Dutch Humanitarian Organization → Providing **Relief** to people affected by conflict or natural disasters – contributing to a perspective of **Hope** in which people work together for their futures – working with communities on the **Recovery** of their livelihoods.
- 17 countries.
- Livelihoods, Basic Education, WASH, Disaster Response, **Peacebuilding** → **Land Rights**.

# Developing a FFP land policy ctd.

## Review of involvement in land rights/land administration work for policy development:

- ❶ Policy must inform staff, addressing rights and opportunities of **heterogenic groups** of poor and dispossessed → taking into account complex range of stakeholders/interests.
- ❷ Policy based on existing frameworks, own practice and experiences.
- ❸ Recognizing the limitations of an NGO (mandate).
- ❹ Making use of the particular strenghts.

# Context for Burundi & Uganda cases

- People returning after conflict and displacement.
- High prevalence of land conflict.
- Lack of recognition of women's land rights.
- Mainly customary systems.
- Minimal registration of tenure rights.

## Basic Legislation:

- Burundi: Code Fonciere 2011.
- Uganda: 1998 Land Act, National Land Policy, NLP Implementation Plan, Guidelines and Regulations.

# Land tenure pilot programs in BDI

- Bridging gap between decentralized land registration and envisioned national level **registration**.
- Land registration and **conflict resolution** with local partner Mi-Parec in areas with high re-patriation rates.
- Generating **acceptance for registration** process and outcomes.
- Strong consideration of existing (secondary) **land rights of women**.
- Building capacity of state authorities to enforce land rights and manage records.



# Land tenure pilot programs in BDI ctd.

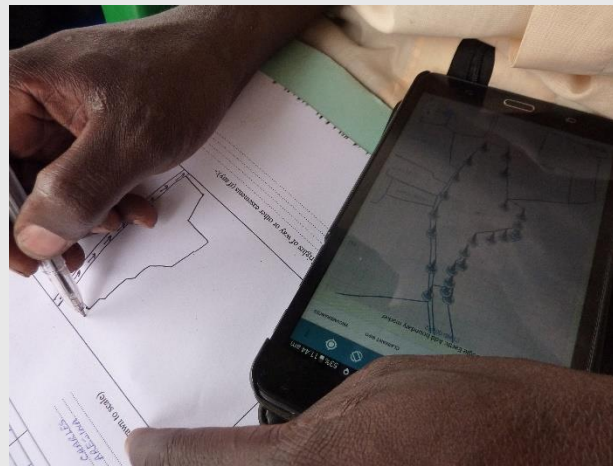
- ❶ Establishment of Recognition Committees to conduct **conflict resolution** and **collective demarcation**.
- ❷ Use of hand held GPS, KOBO and aerial photos  
→ integration into ArcGis.
- ❸ Door-to-door outreach.
- ❹ Public performances.



Demarcation in Burundi  
Source: Author

# Land tenure registration in Uganda

- Provision for **Certificates of Customary Ownership** (CCOs) as evidence of customary ownership.
- Land governance and subsequent transactions are subject to customary law.
- **Collective demarcation** using demarcation teams consisting of traditional and state authorities.



Source: Author

Demarcation in Uganda

# Land tenure registration in Uganda ctd.

- Parallel use of manual and digital system.
- Use of open source software (SOLA OT), Google Earth satellite image, GPS (integrated in tablets).
- Data to be migrated to **National Land Information System** (under development).
- **Conflict resolution** through demarcation team members and NGO mediation partner ARLPI



# Challenges

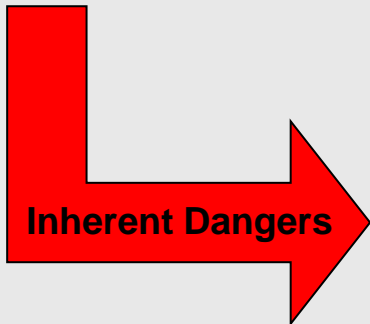
- ❶ Capacity of local government in terms of equipment and staffing.
- ❷ Capacity of local government in terms of skills and relevant education.
- ❸ Recording subsequent transactions.
- ❹ Integrating **vulnerable land rights holders**.
- ❺ Recognizing **secondary land rights**.
- ❻ Sustainability of **conflict resolution**.
- ❼ **Political will to fully commit.**

**SDG  
Indicator  
1.4.2**

# Conclusion

SDG target 1.4: “(...) ensure that all men and women (...) have equal rights to economic resources, as well as access to basic services, ownership and control over land (...).”

SDG Indicator 1.4.2: “Proportion of total adult population with **secure tenure rights to land**, with **legally recognized** documentation and who **perceive their rights to land as secure**, by sex and by type of tenure.”



**Quick Fixes**

**‘Isomorphic bias’**

**Ignorance of cultural embeddedness**

# Conclusion ctd.

1. Strong outreach/communication components need to be part of land rights related projects → Legal information of the target groups to be part of these processes → **dialogue on social implications** of land rights registration or documentation.
2. Any kind of documentation/registration of land rights needs to be based on a **sustainable and fitted technical infrastructure** → organizations need to integrate this aspect into their planning from the beginning.
3. A **conflict resolution** component needs to be part of any program related to land rights registration or documentation.

# THANK YOU!



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# Bibliography

**IDLO** (n.d.). International Development Law Organization. Promoting Land Ownership Certification in Burundi. Report: Impact Study: Phase 1 – Baseline, Unpublished.

**IDLO/ZOA** (2016). Rapport de l'Etude à mi-parcours, Report conducted by the International Development Law Organization (IDLO) on behalf of ZOA, unpublished.

**Mathys**, Gillian (2016). Congolese land law and interventions into land conflicts and improving access to land for peasants. Report conducted on behalf of ZOA, unpublished.

**ZOA** (2013). Communal Land Service in Mabanda and Vugizo communes in Makamba Province of Burundi. Planning Document, unpublished.

**ZOA** (2016). Land Security and Economic Development in Nwoya District. Donor Update, unpublished.

**Eickhoff** et al (2017). External Actors in Areas of Limited Statehood – Policy Recommendations from the SFB 700. Closing Conference, Collaborative Research Centre (SFB) 700, Freie Universitaet Berlin, 22-24-07

For further references please refer to the paper.