

Using Community Land Rights to Build Local Governance and Reduce Land Conflicts

The challenge

In recent years, governments across Africa, Asia and Latin America have been granting vast land concessions to national elites and foreign investors for agro-industrial enterprises and forestry and mineral exploitation. Currently, Mozambique and Liberia have some of the highest rates of land concessions in Africa. In Mozambique, between 2004 and 2009 alone, the government granted 405 large-scale investment projects more than 2.7 million hectares of land — 7% of the nation's arable land. In Liberia, during the same time period, the government either granted or re-negotiated land concessions totaling 1.7 million hectares — over 15% of the total national land area. In Uganda, despite the existence of land laws that provide for land management through the customary tenure system which covers about 80% of the population, many vulnerable populations including women are not fully benefiting from land rights under customary tenure. This is mainly due to low understanding of land rights under customary tenure, poor functioning of state and customary land management and protection institutions and unclear definitions of rules of statutory and customary institutions.

The research

Researchers are conducting the first known longitudinal study on the impact of community land registration efforts. The potential for community land protection to provide an alternative to individual land rights registration systems' remains largely unknown. Initial evidence suggests that community land protection may help to build more accountable land governance and management practices at the local and national level. This, in turn, can help increase communities' ability to negotiate with government and outside investors in cases of proposed land concessions. Efforts to secure community land titles have also produced important improvements in women's land rights and their participation in local decision-making processes. In parallel, the teams

are conducting country-specific studies in Mozambique and Uganda to complement the community land rights research.

The partners

- Sustainable Development Institute (SDI), Liberia
- Centro Terra Viva, Mozambique
- Land and Equity Movement in Uganda (LEMU), Uganda
- Namati, Inc., USA
- University of Michigan, USA



Community land protection efforts in Liberia. Photo: SDI

Country-level interventions

- In **Liberia**, the project is developing the initial phase of the longitudinal research study in River Gee, Maryland and Lofa counties. The total population of 90 communities will be randomly assigned into two groups of 45 communities each.
- In **Mozambique**, CTV is undertaking research designed to compare the relative effectiveness of individual titling and community land protection in securing women's land rights in Inhambane province. A combination of qualitative and quantitative methods is being used, such as baseline & post-service surveys and focus group discussions, key informant interviews, and direct observation.
- In **Uganda**, LEMU has adopted a family land Protec-

tion approach in Lango and Teso Sub-Region and community land protection approach in Lango Sub-Region. Both approaches are being implemented to secure land rights under the customary land system as provided for in the 1995 Constitution of Uganda and particularly to support and build capacity for land dispute resolution through customary systems, especially for the vulnerable.

- In addition to country-specific projects, a common study across countries is being designed to study the short-, mid- and long-term impacts of community land protection efforts.

The expected outcomes

The analysis and findings will

- Deepen technical and policy-relevant knowledge on the efficacy and positive impacts of community land protection, as a means of enhancing tenure security for communities
- Build capacity of local organizations to document community land protection processes and impacts and support other organizations in similar efforts
- Contribute to better-informed national and global debates on land tenure protection, by shifting the focus of community land protection, as a solution for communities.

The findings and achievements so far

- ⇒ In **Uganda**, researchers have engaged with 27 communities to discuss and identify action points towards protection of the land. Several communities have elected local leaders and adopted a written constitutions to govern their communal land and improved governance.
- ⇒ Two communities have been registered under the Land Act as a legal entity
- ⇒ Initial data shows that the number of conflicts on the lands have reduced in some communities.
- ⇒ Researchers have created family land rights tools to support the improvement of family land tenure security, reduce conflicts on family lands and increase respect for land rights.

⇒ Researchers have started to track and analyze the efficiency, efficacy, positive outcomes of the way in which land cases are handled and provide a comparison between performance of the customary and state institutions.

⇒ In **Liberia**, as part of the longitudinal study, over 2,000 household surveys were collected across 91 communities. Qualitative data collection have been completed in 16 communities, including focus group discussions with women, youth and minority groups.

⇒ The baseline report suggests that the community land protection presents a timely intervention to support communities' legal empowerment and improve tenure security and good governance. The data from the baseline survey confirm many of the fundamental assumptions about the status of community land and natural resource tenure security

⇒ The baseline report was presented at the World Bank Land and Poverty Conference 2015.

⇒ In **Mozambique**, project is securing documentation of individual women's land rights and promoting community land delimitation efforts that include the creation of intra-community protections for women's rights. A combination of qualitative and quantitative methods are being used, such as baseline & post-service surveys and focus group discussions, key informant interviews, and direct observation. The project has developed baseline questionnaires and trained research enumerators.

⇒ In its coordinating function, **Namati** has streamlined and strengthened the project's Monitoring & Evaluation tools. Interviews were conducted with all implementing partners about M&E challenges and gaps.

⇒ Namati has produced guidelines/manual to carry out community land protection work.

Project time-line

2013-2016

A key part of Canada's aid program, IDRC supports research in developing countries to promote growth and development.

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