

#### Land Use Planning and Land Tenure in Rwanda

# KAGERA TAMP/FAO REGIONAL TECHNICAL WORKSHOP ON LAND PLANNING AND MANAGEMENT

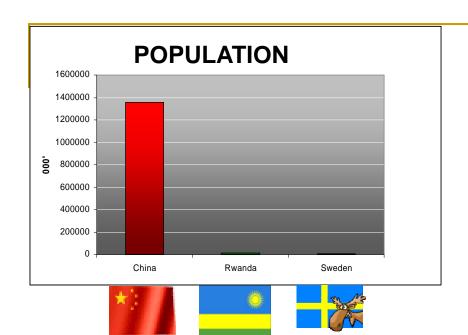
Eng. Didier G. Sagashya DDG RNRA - DLM

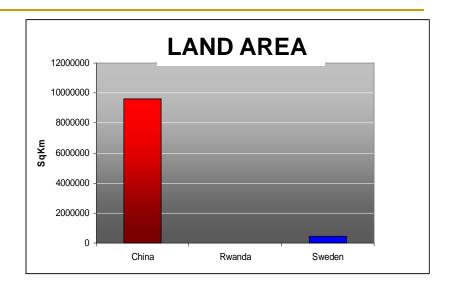
30th August 2011

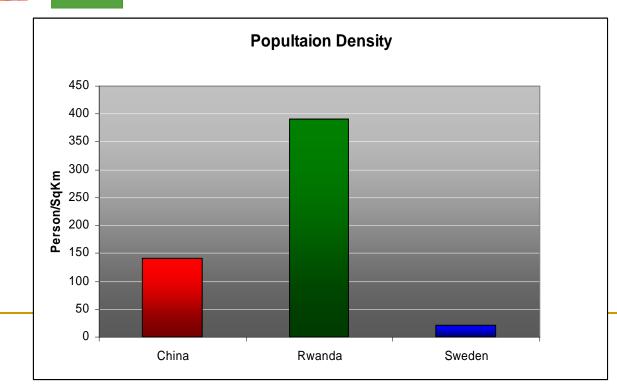


#### RWANDA IN BRIEF

- Area: 26,338 Sqm
- Pop (2011): 11m
- Pop Dens. (2011): +400inhabitant per sqm
- Constitution in 2003 art 29 and 30
- Best reformer in WB ranking in doing business in 2010 – easing property registration
- Vision 2020







2009 Figures

#### **OUTLINE**

- Land Policy From past to Now
- The Organic Land Law 2005
- Institutional framework
- Land Tenure Regularisation Systematic land registration? - Steps
- Challenges in land tenure regularisation
- Where are we today and Our Target?
- Land Administration Information System
- National Land Use Planning
- Implementing the National Land Use Plan
- Overall Land Strategy in Rwanda

#### Land Policy – From past to Now

- Pre-colonial period Customary law
  - Ubukonde, Ibikingi (Chiefs)
  - Gukeba, kugabirwa (King)
- Colonial period
  - Titles for foreign Written law
  - Customary law
- After independence to 1994
  - Land registration Elite
  - Right to use State ownership

### Land Policy – From past to Now

- After 1994
  - Same as before
  - Land redistribution and sharing
- From 2005: Organic Land Law
  - Right of ownership of customary land under lease
  - Freehold according to land use planning

### Organic Land Law

- Security of tenure through leasing art 5
- Category of land art 9-18
  - Individual land
  - State land (public and private)
- Land use according to planning art 19
- Land less than 1ha can not be subdivided Art 20
- Land allocation and leasing art 25
- Land registration obligatory Art 30
- Land transfer art 33-38
- Land Rights and obligations Art 45-68
- Prescription (ubuzime) art 69-72
- Penalties (repossession and requisition) art 73-85

Note: More than 15 Secondary legislations implementing the OLL

# Land Tenure Systems according to OLL

- Leasehold: from 3 to 99 years depending on use. All customary land getting 99 years lease.
- Freehold depends on completion of development in accordance with land use planning (residential, commercial, industrial developments).

# Categorisation of land

- State land and individual land
- State land:
  - Public domain
  - Private domain
- Urban and rural land

### Other important legal texts

- Succession law (1999)
- Environment Organic law (2005)
- Water law (2008)
- Forestry law (1988 now under review)

#### Institutional framework

- Ministry of Natural Resources
- National Land Commission
- Rwanda Natural Resources Authority and Office of Registrar of Land Titles – Department of Lands and Mapping (former NLC)
- Land Sub-sector Thematic Working Group
- District Land Commission
- District Land Bureaux
- Sector and Cell land committees



#### ONGOING PROGRAMMES

- Land Tenure Regularisation through Systematic Land Registration
- National Land Use Master Plan
- Institutions strengthening

# Land Tenure Regularisation Background

- Vision 2020
- National Land Policy 2004
- Organic Land Law 2005
- EDPRS

#### Advantages of Land Registration

- Guarantees ownership of land (both for Men and Women);
- Recognising people with interest on land (men, women, children)
- Increases security of tenure to land holders;
- Increase investment on land
- Reduce land related disputes;
- Establishes a reliable and transparent land registry across the country;

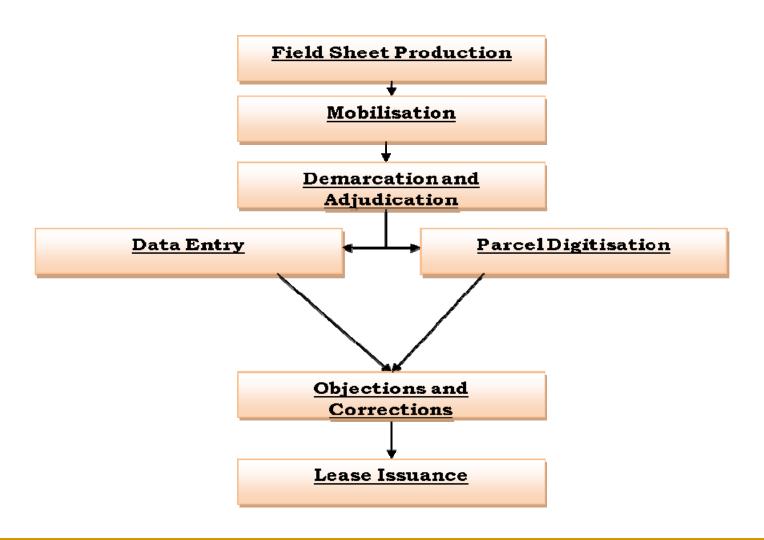
# Advantages of Land Registration (Con't)

- Access to credit/loan Land used as collateral
- Improve land market Transactions
- Improves planning and development of infrastructures
- Protection of women rights over co-owned land

# The Land Tenure Regularisation Programme

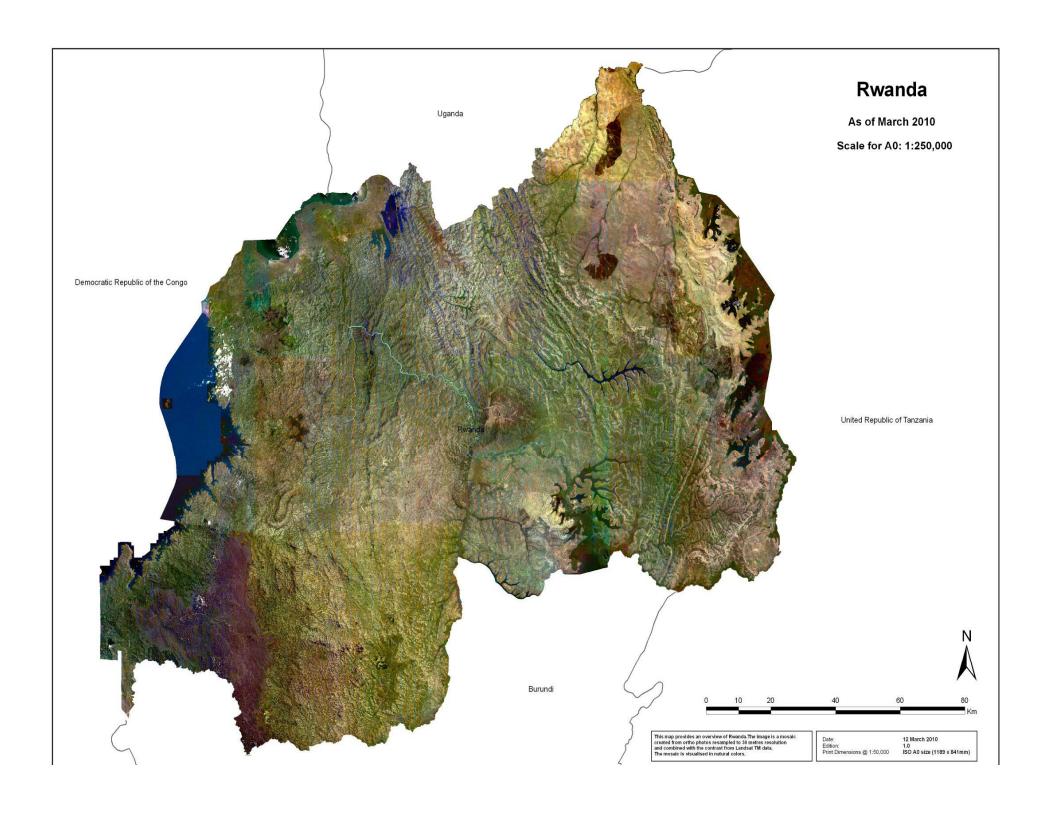
- Land tenure regularisation: parcel by parcel and cell by cell
- Estimated 8 to 10 million parcels of land in Rwanda in 2148 cells
- Participatory approach with Cell Land Committees and Village leaders
- General Boundary principle Land surveying with aerial/satellite orthophotos
- Supported by GoR, DIFD, SIDA, IFAD and EU

# Steps in Systematic Land Registration



# High resolution Area Photograph





#### Public Meeting

- Explain LTR process
- Explain roles of Adjudication Committee
- Explain Rights of men and women in land registration





#### Demarcation and ...

Para-Surveyors, Adjudication Committee and neighbours



# Adjudication

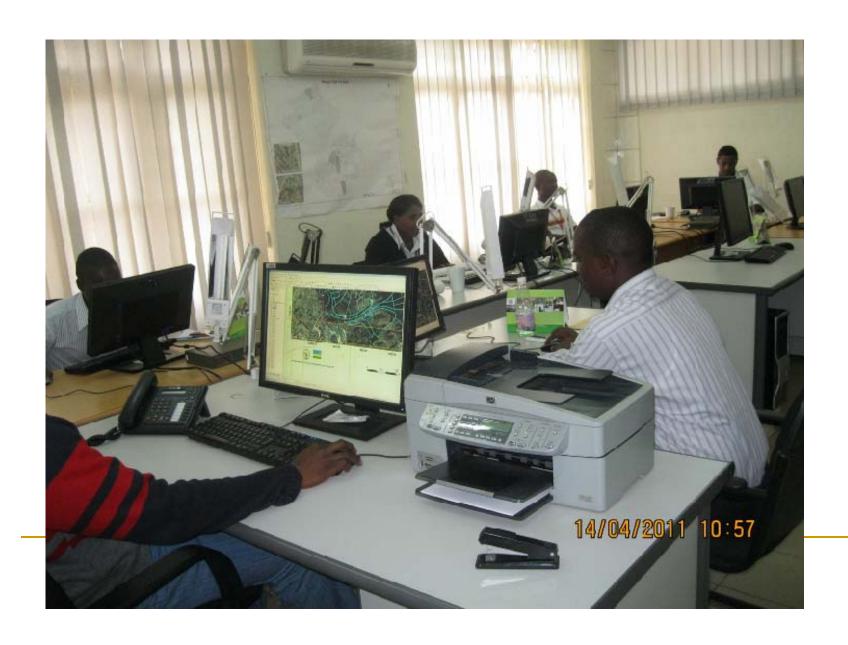
 A claim is recorded in the claim register and fee paid.

A claim receipt issued

Fees paid



## Digitization of Field Maps – Using GIS



# Map digitisation



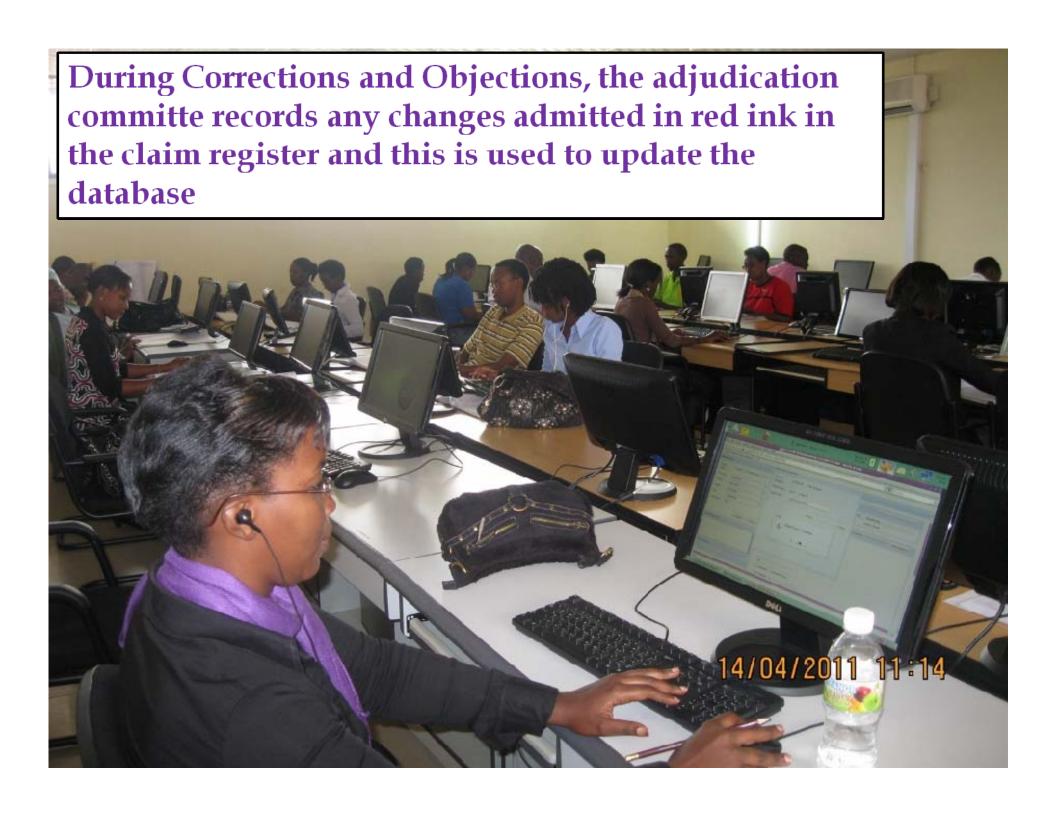
# Data Entry

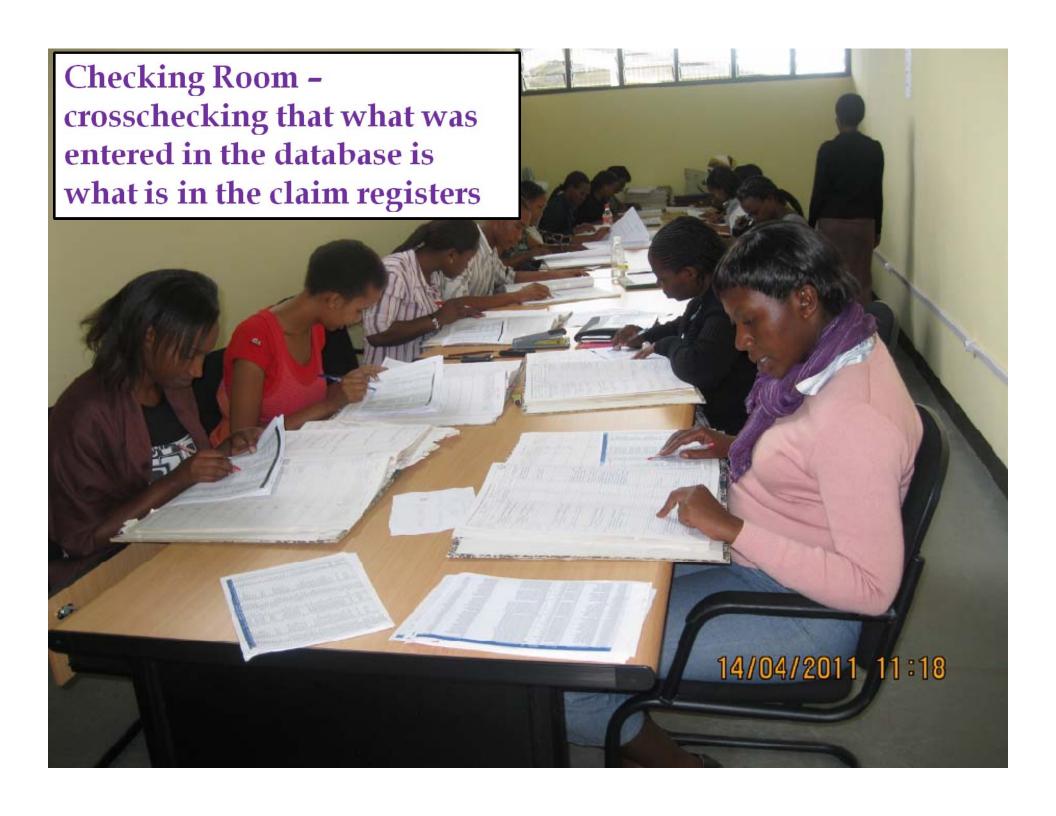


## Objection and Correction

- At cell level
- Land claimants correct information
- Objections to claim can be made



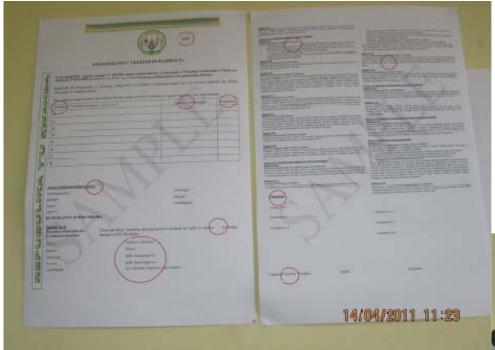




#### Printing leases and Certificates



# Checking and Sealing





#### Issuance of land leases and certificate of

#### land registration

URWEGO RW'UMUBITSI WIMPAPURO-MPAMO Z'UBUTAKA



#### AMASEZERANO Y' UBUKODE BURAMBYE No.

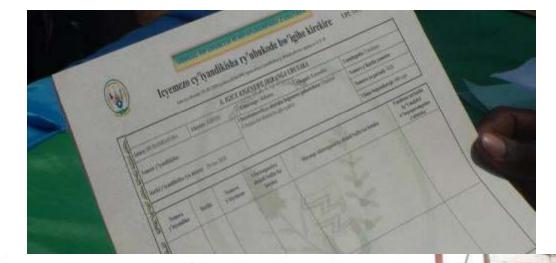
HAKURIKIJWE Itegeko Ngenga Nº 08/2005 rigena imikoreshereze n'imicungire y'Ubutaka mu Rwanda n'Iteka rya Minisitiri Nº 001/2008 ryo kuwa 01/04/2008 rigena ibyubahirizwa n'ibikurikizwa mu gukodesha ubutaka

HAGATI YA Repubulika y'u Rwanda, ihagarariwe n'Umubitsi w'Impapurompamo (ari we wiswe "Umukode"):

NA: umuntu (abantu) urangwa (barangwa) n'ibi bikurikira (ariwe wiswe "Ukodesha"):

	Amazina y'Ukodesha (Abakodesha)	Nomero z'indangamuntu	Umugabane				
1	1.						
	2.						
1	3.						
l	4.						
l	5.						
l	6.						
l	7.						
١	8.						

	Omining ar ar tye.		Cintal ariga.			
	Intara:		Akagali:			
	Akarere:		Umudugudu:			
	BUMVIKANYE IBI BIKURIKIRA: Ingingo ya 1:					
	Ingingo ya 1.  Ibyerekeye uburenganzira Umukode ahaye Ukodesha uburenganzira bw'ubukode bw'igihe cy'imyaka ku butaka					
5	bw'ubukode burambye burangwa n'ibi bikurikira:					_
	Intara:		Nomero y 'ikiba	mza:		
	Akarere:		Ubuso:			
	Umurenge:		Igihe buzatang	ira:		
	Akagali:		Igihe buzarang	ira:		
	Umudugudu:		Icyo ubutaka bi	ugenewe gukoreshw	va :	





#### Extract of Cadastral Plan

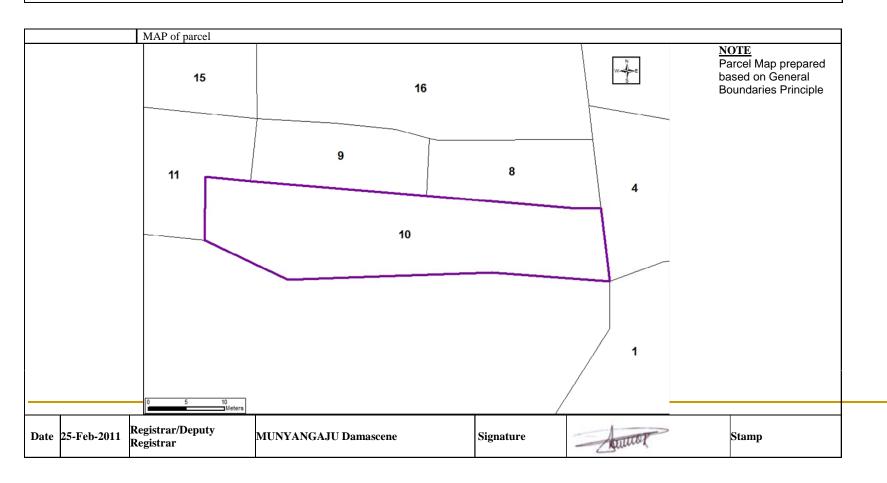
**ANNEX to Certificate of Registration of Emphyteutic Lease Title** 

Page 3 of 3

#### EXTRACT CADASTRAL PLAN

**UPI** 4/04/11/03/10

PROVINCE NORTHERN DISTRICT BURERA SECTOR KIVUYE CELL MURWA



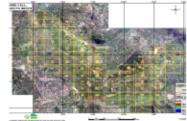


#### LTR PROCESS

Local information cumpaign and training of land cell committee

Preparation of index and field Sheets

Physical checking



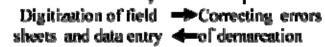








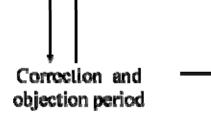




















### Challenges in land registration

- Unclaimed land (people outside Rwanda)
- Women do not know/understand their rights
- Polygamous marriages
- Children born out of marriage and orphans
- Inheritance and widowed women

#### Where are we today?

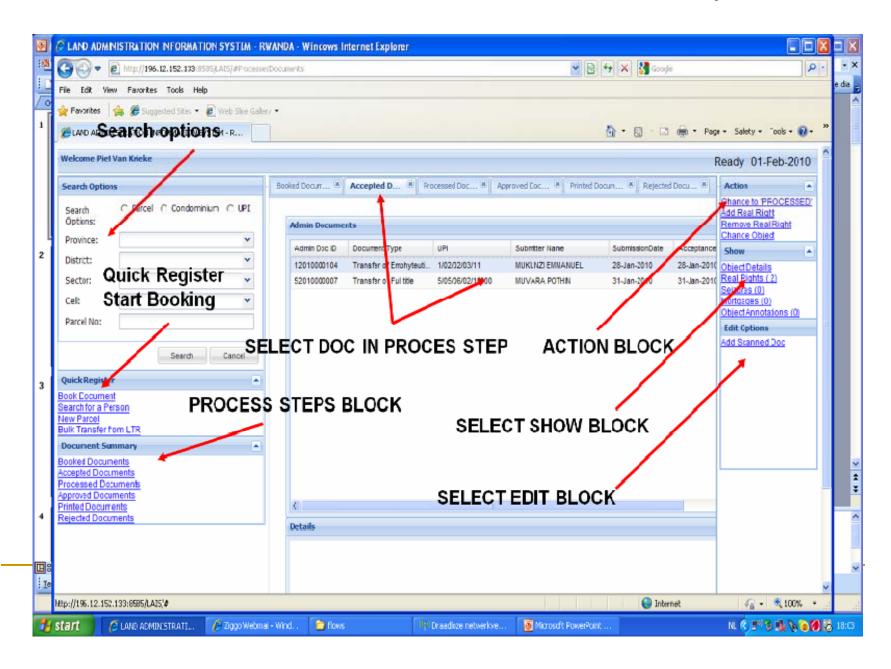


- In all 30 Districts with:
  - Kigali City covered in terms of Demarcation O&C ongoing
  - Kirehe District covered with KWAMP funding
- By July 2011, 1533 Cells covered (69%)
- By end of July 2011:
  - 6.9 millions parcels demarcated (86%) with less than 1% (5,811) disputes
  - 2.5 million parcels digitised
  - 3.5million parcels in our database and 257,041 Titles issued

#### Targets

- Finish demarcation and adjudication in whole country by June 2012
- Finish lease issuance in Kigali by October 2011
- Finish Issuance of all leases in all districts by December 2013

### Land Administration Information System



## National Land Use Planning

- Vision 2020
- National Land Policy 2004
- Organic Land Law 2005
- EDPRS
- Land scarcity and high population density
- Swedesurvey hired to assist the preparation

## PLANNING COMPONENT PROGRESS

- Multi-disciplinary Steering Committee 20 people
- Aerial Photo 96% and Satellite Image 4%
- Inventory of existing data and situation
- Specific in-depth studies
- Baseline studies, need assessment, risk and suitability analysis
- Scenarios
- Wide consultations

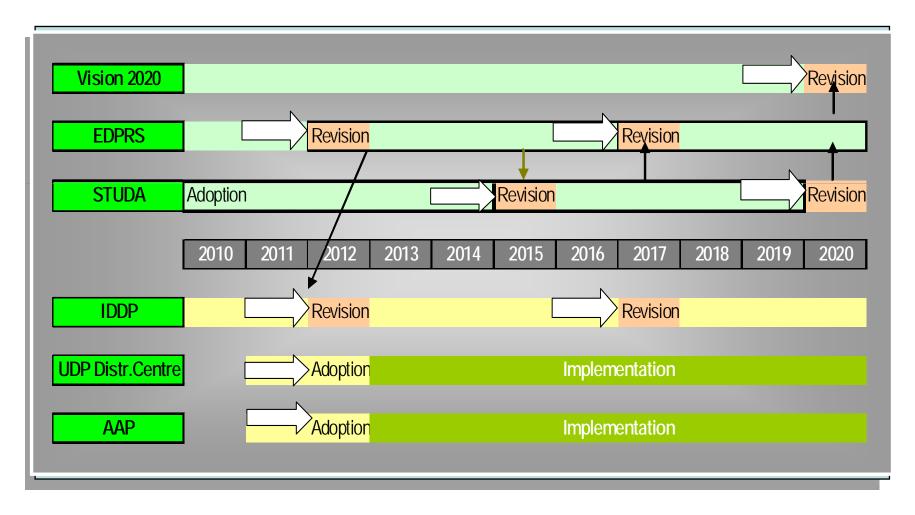
## PLANNING COMPONENT PROGRESS

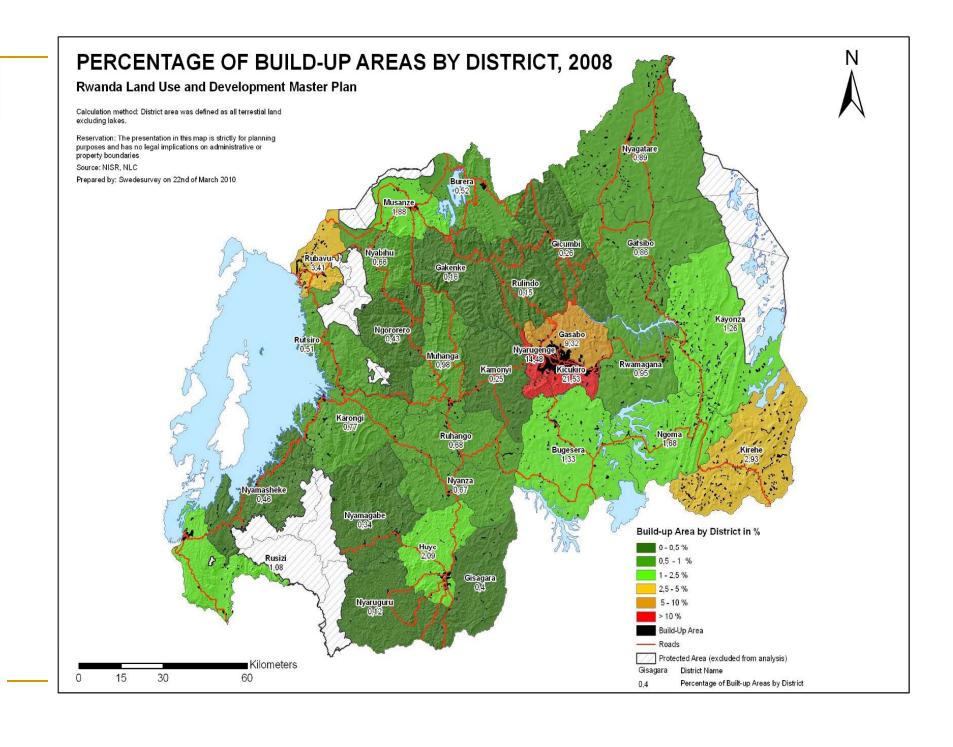


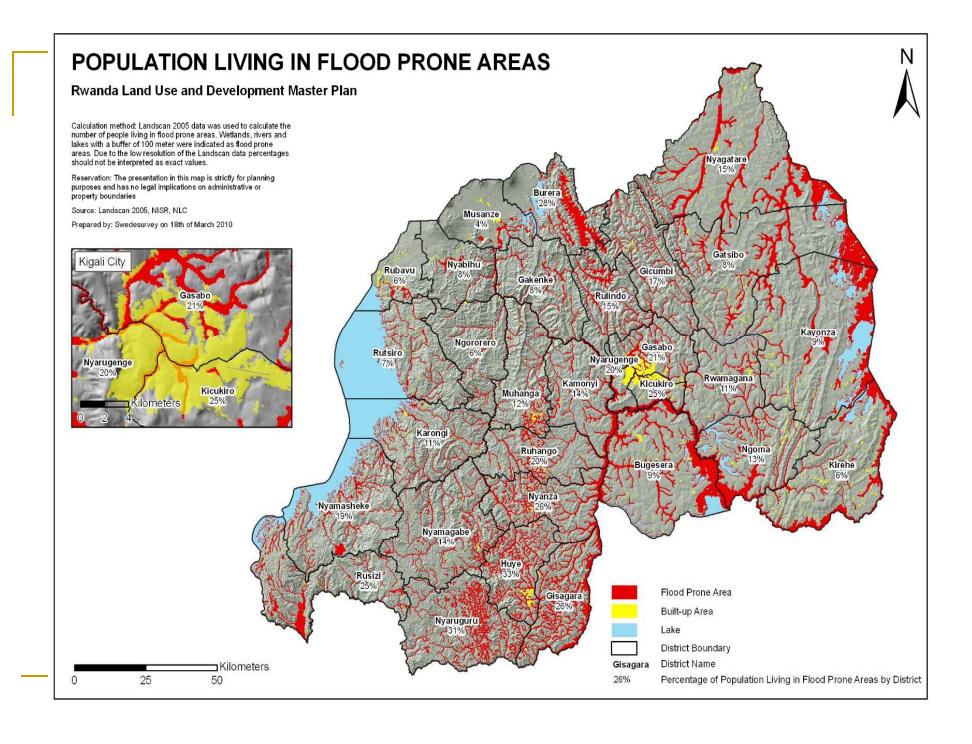


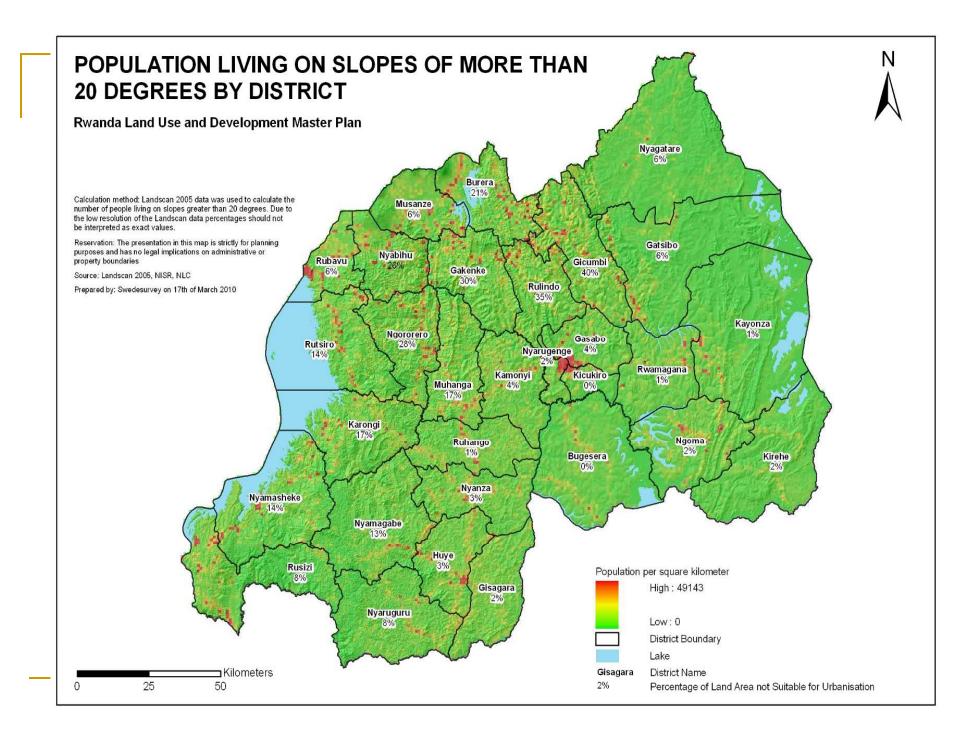


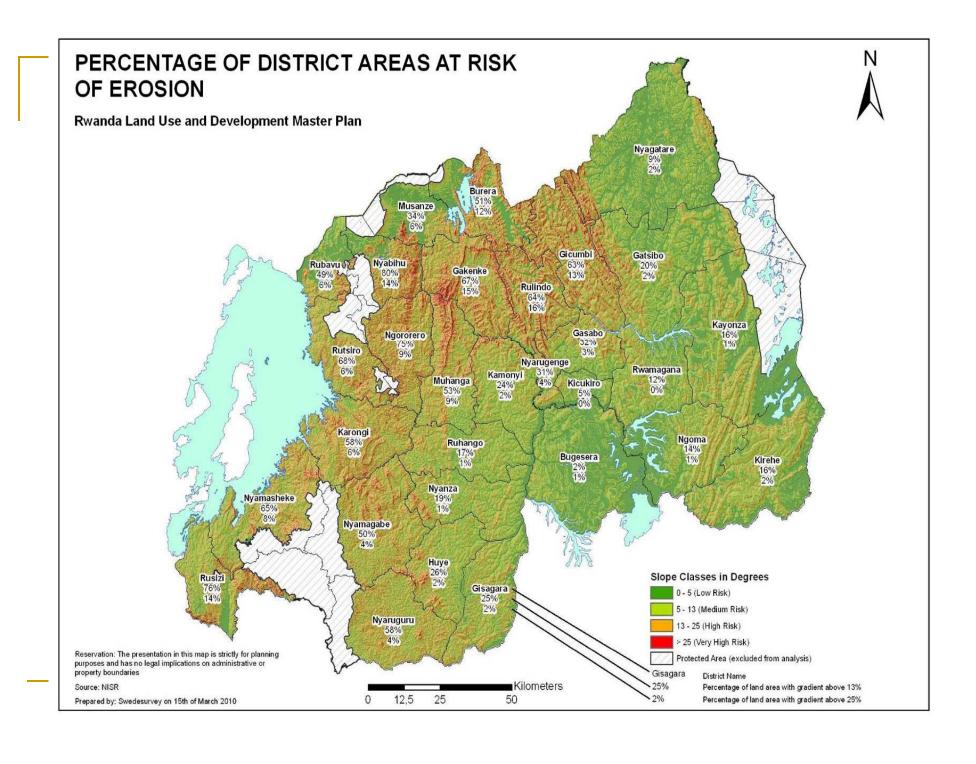
## HARMONIZATION

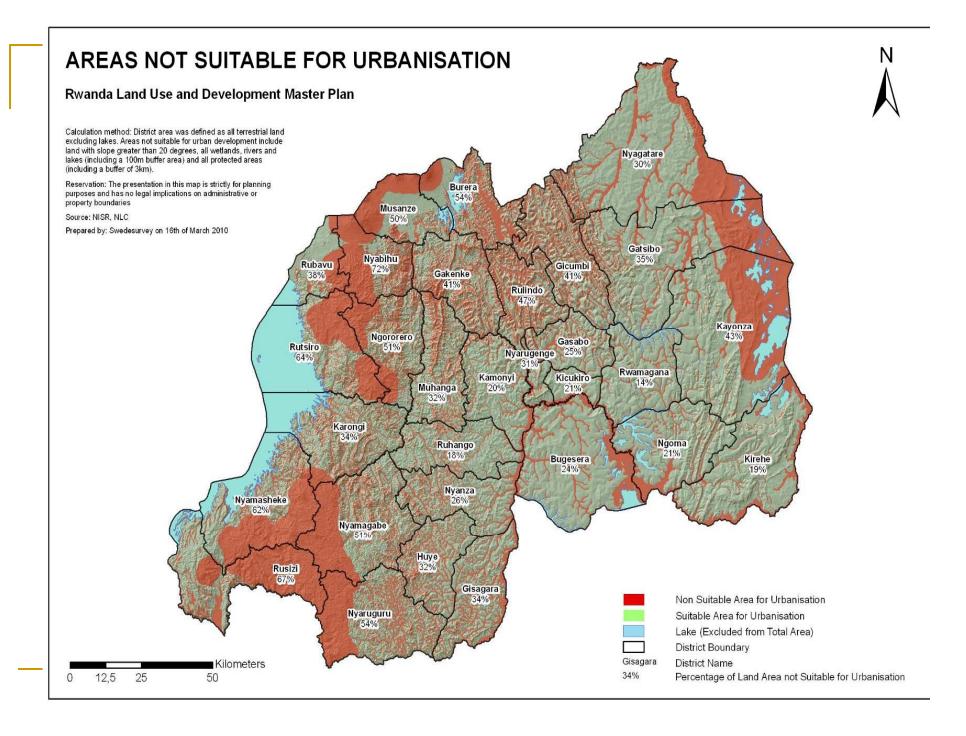


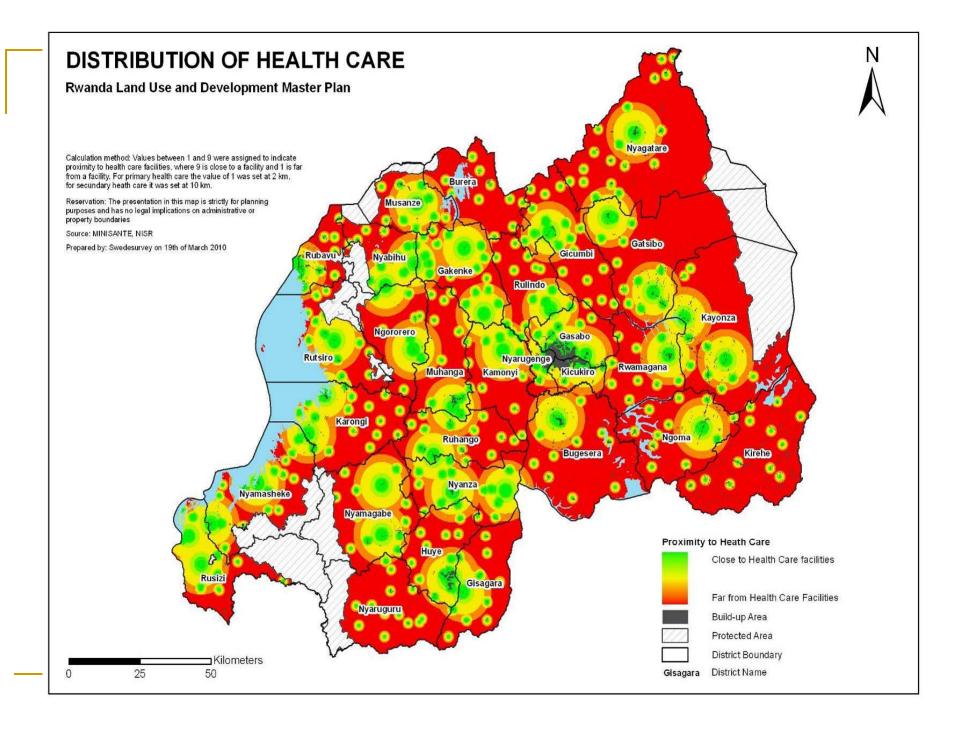


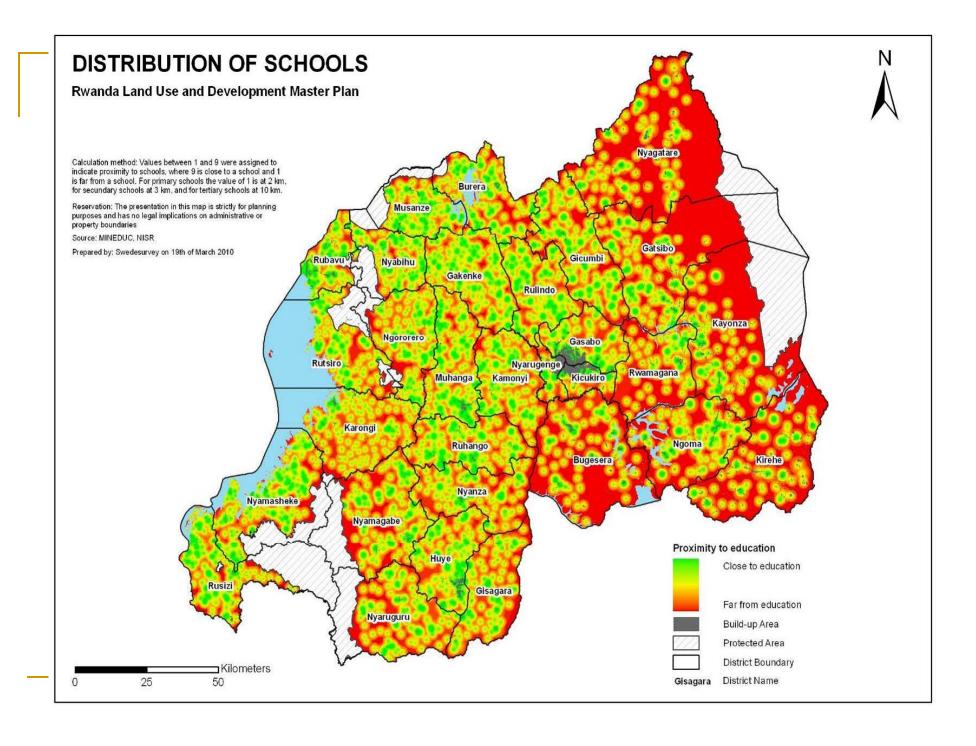


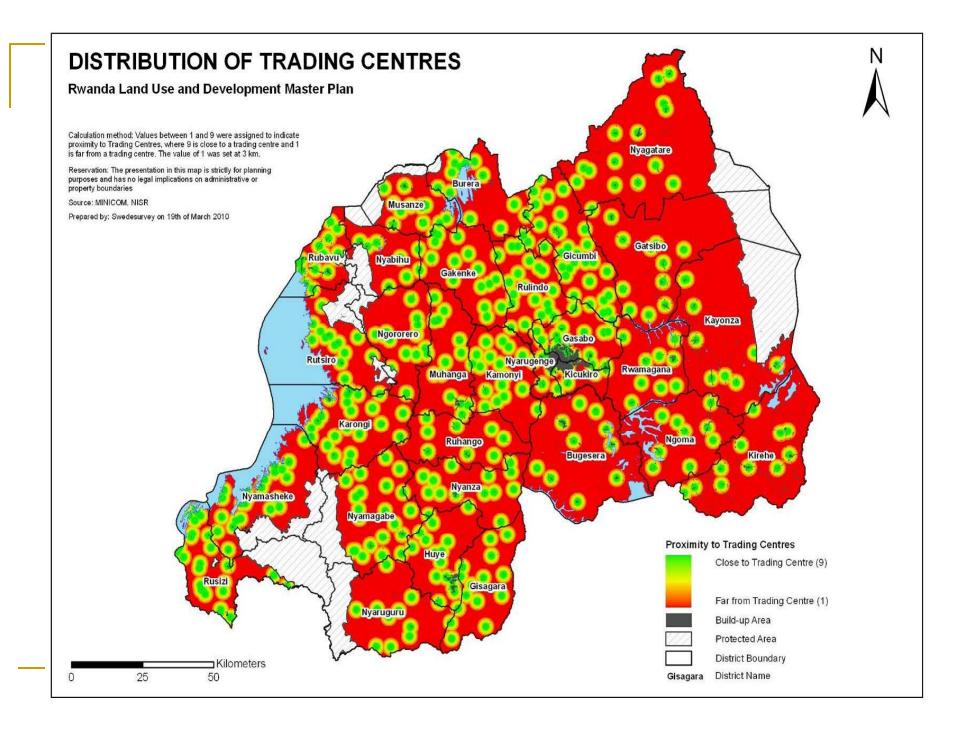


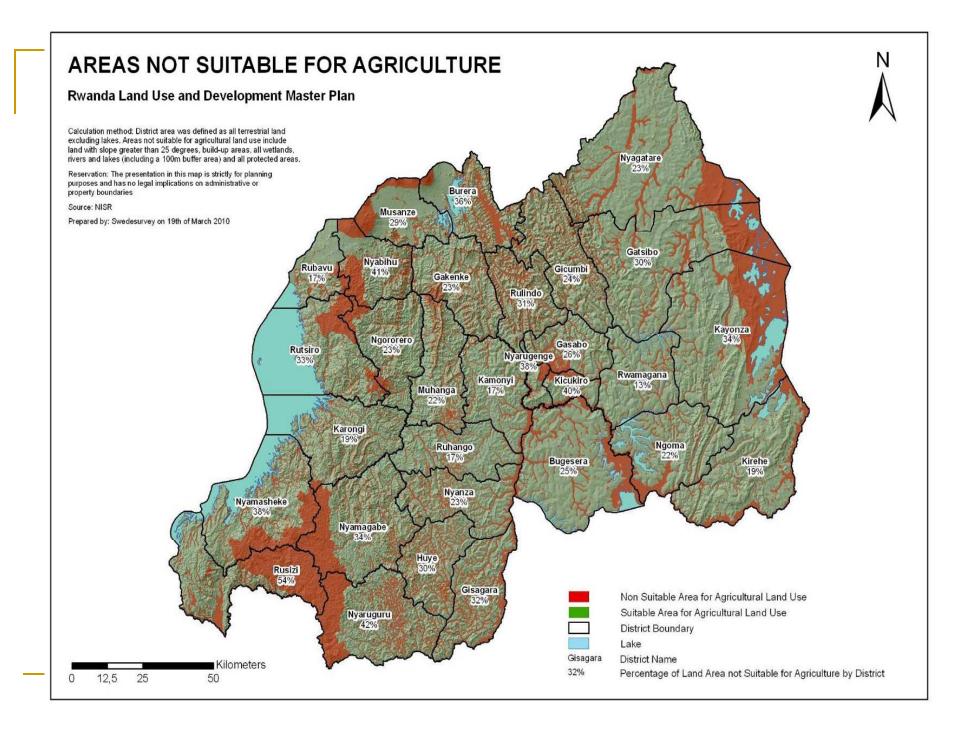














The Easter African Community has failed to introduce a toll free market which causes long delays at border crossings. Insufficient provision, distribution and capacity case rationed water and frequent electricity power cuts in urban areas. The Land Registration Project has stalled due to insufficient resources to solve disputes.

Kigali has 'exploded' due to uncontrolled migration of people Lack of international investors' from rural areas looking confidence in combination with for a job. poor institutional capacity cause slow gas production. Megal cutting has erased major parts of remaining forests due to absence of alternatives to fuel wood. International tourism seek other destinations due to unreliable and uncomfortable transportation and poor Fragmentation lodging services. of rural land causes decrease of agricultural productivity. No new airport. No international airlines are interested to fly to Kigali due to poor airport standard. Local airlines cannot coop with the situation which causes systematic delays and cancelled flights.

Global warming causes frequent droughts in the eastern part of the country while at the same time the western parts suffers from sever flooding and erosion.

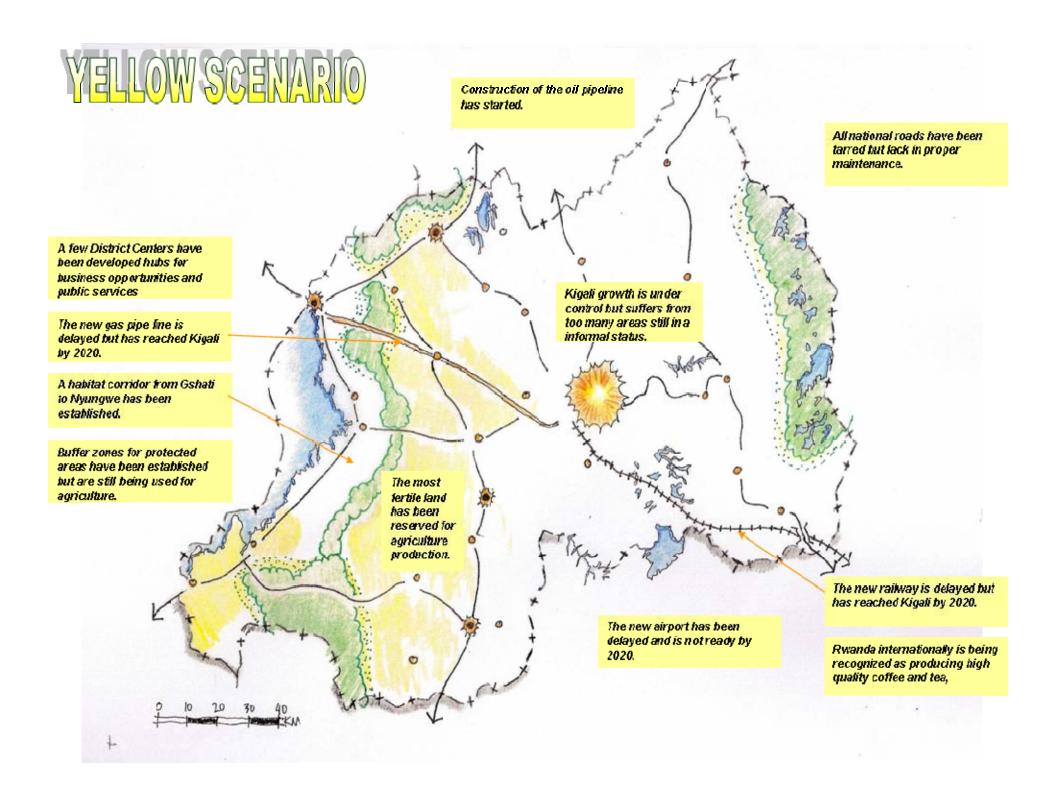
Increased prevavalence of malaria, HIV, child mortality etc. due to poor health services in the rural areas.

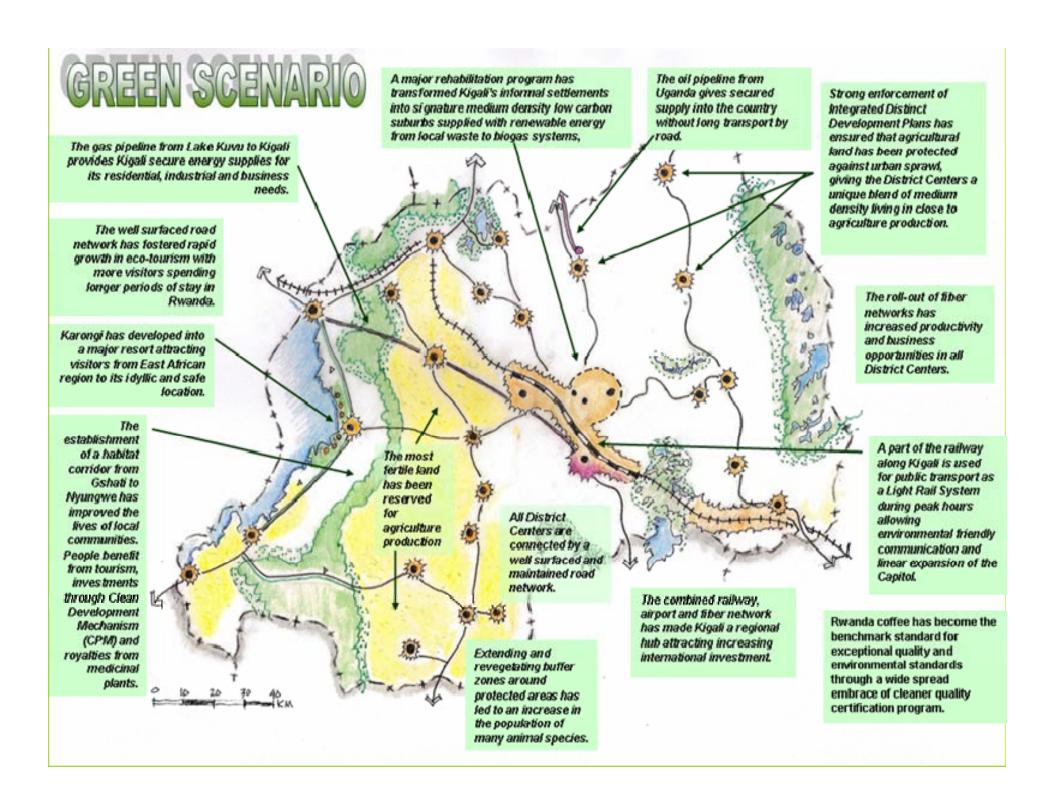
District centers are stagnating and are ineffective in providing services to the rural population.

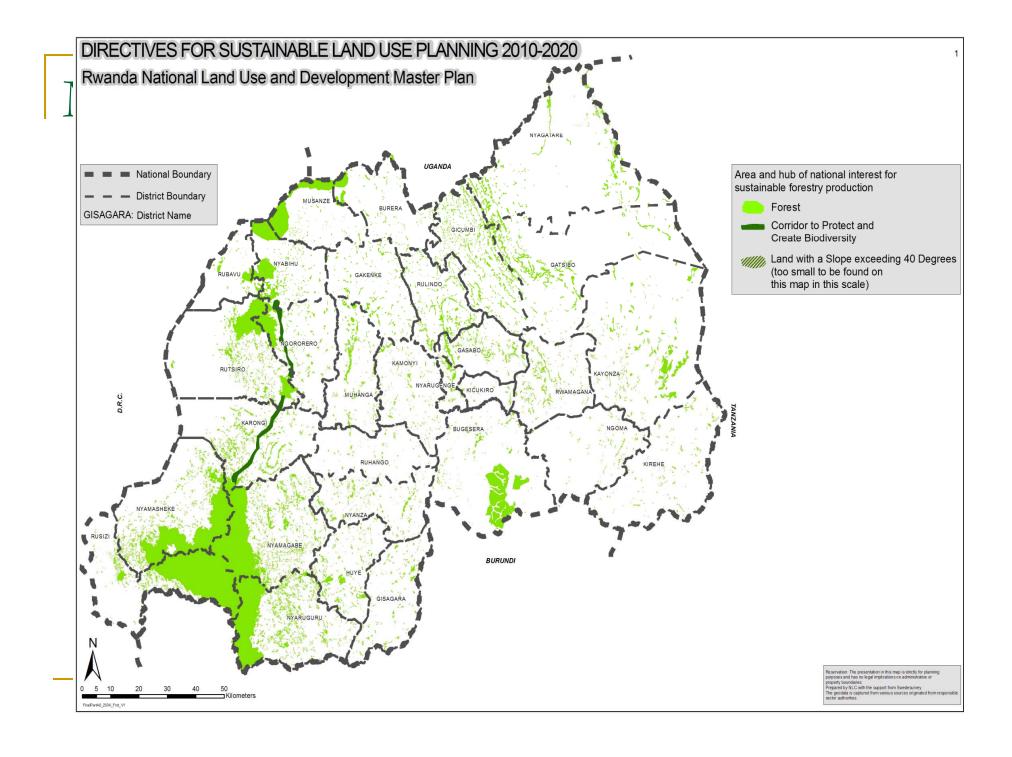
The road network is stressed by to many heavy vehicles and lack of maintenance,

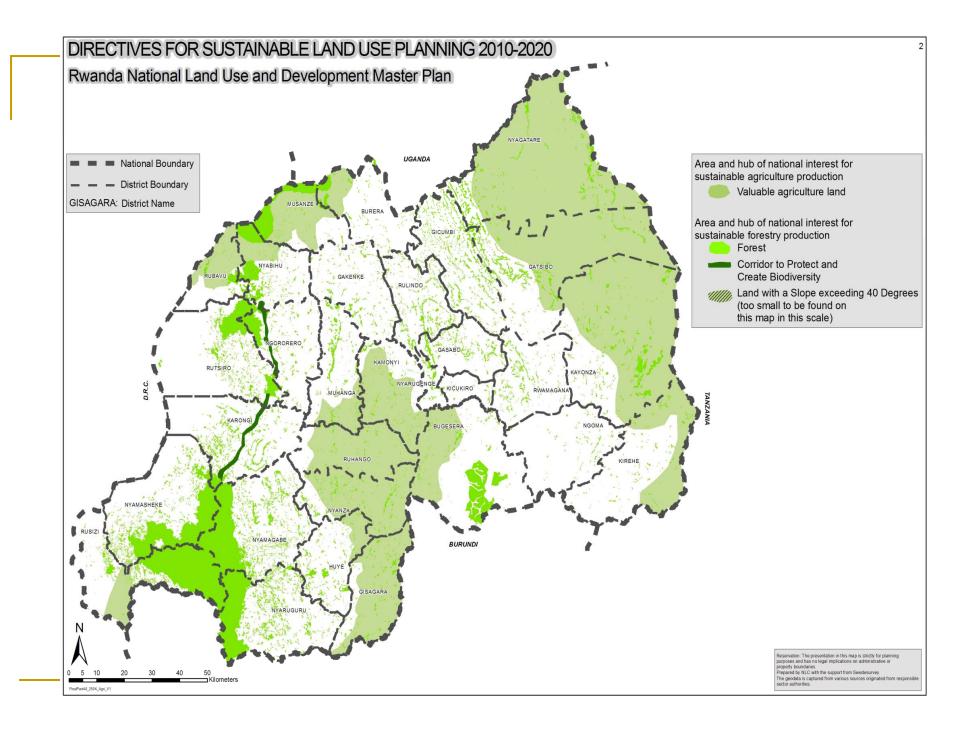
No railways results in higher transport cost and higher prices for most goods in the shops.

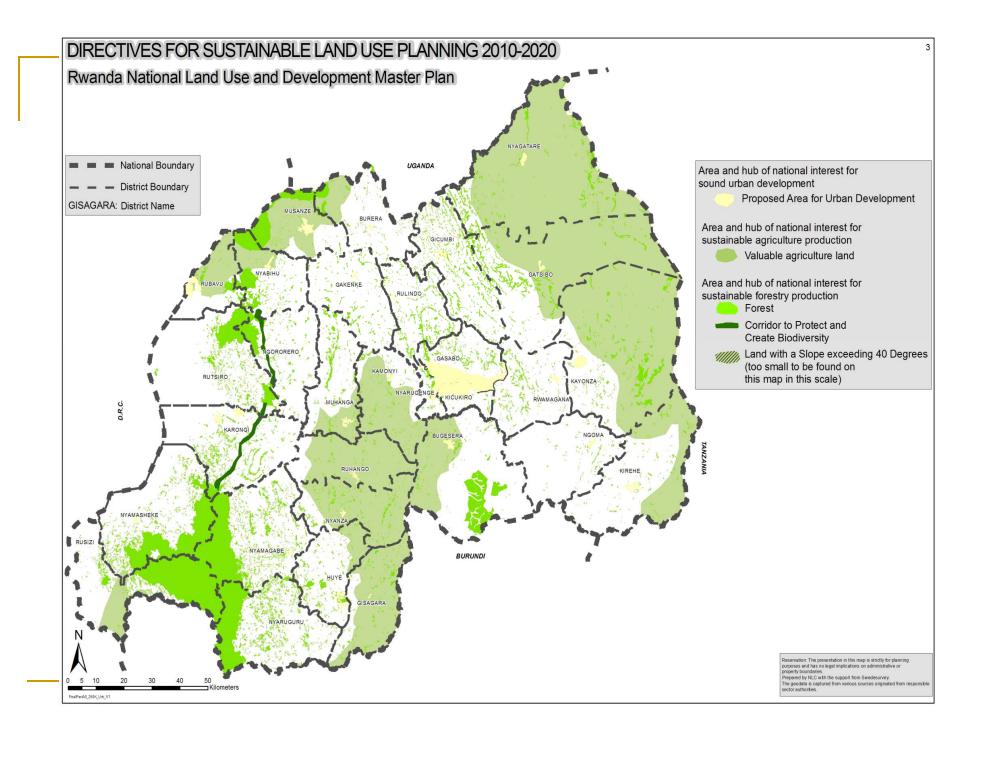
Skilled young professionals are leaving the country for better job opportunities abroad.

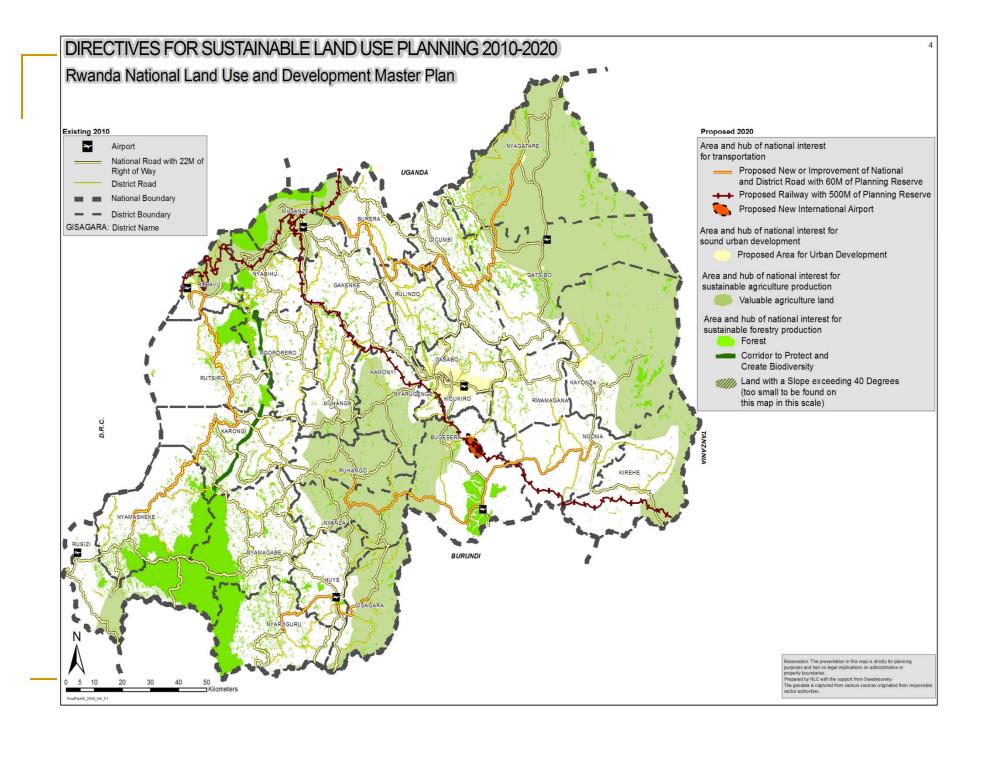


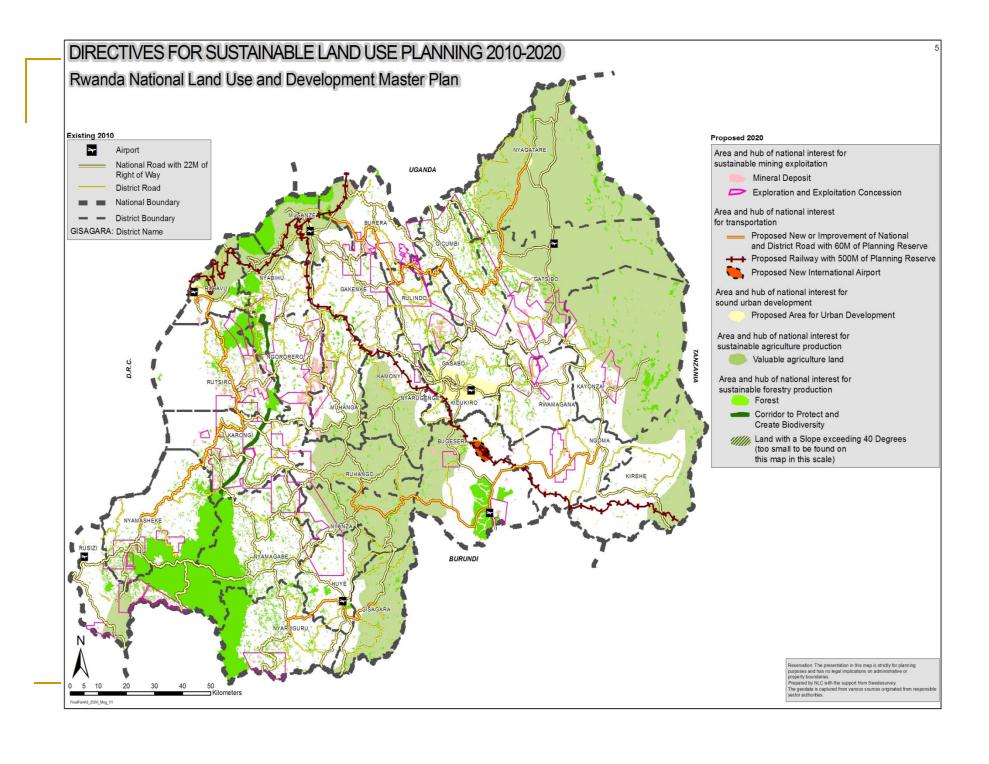


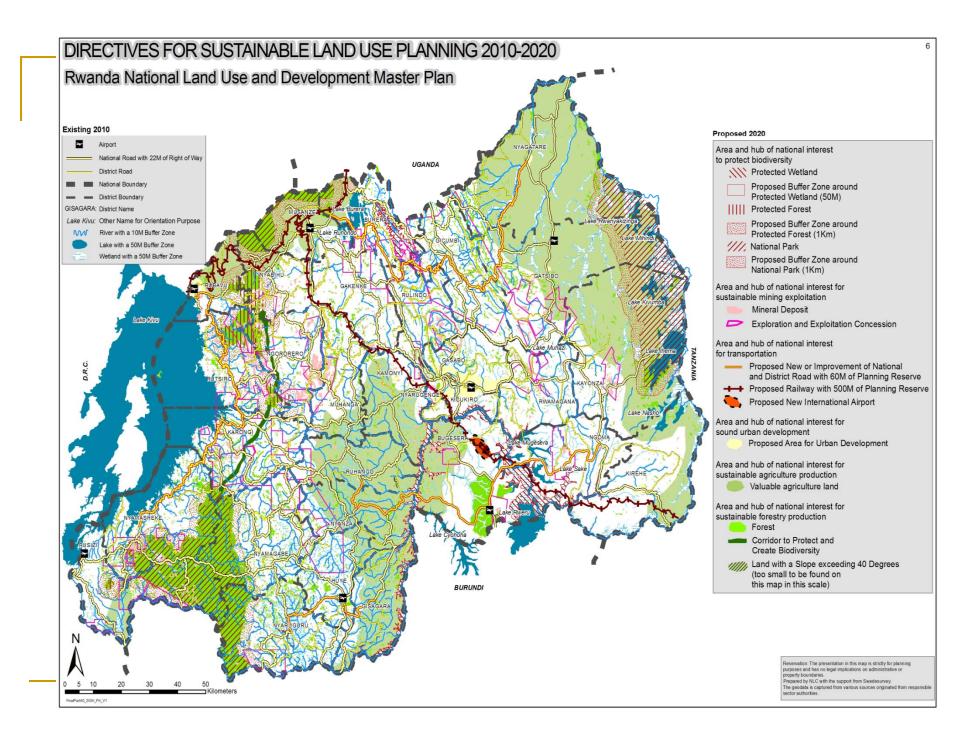


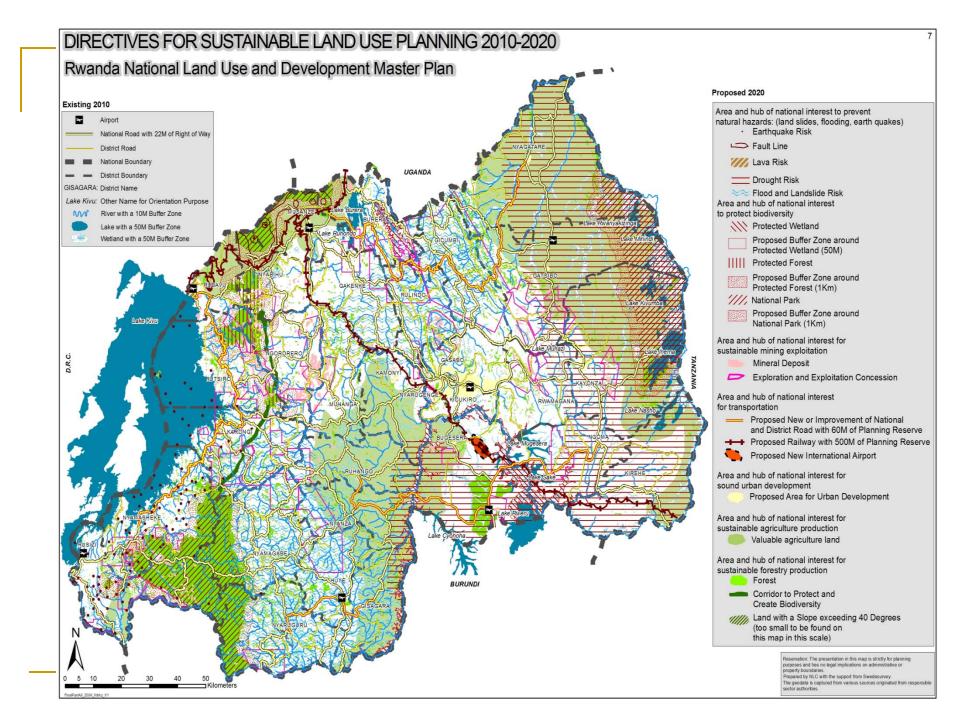






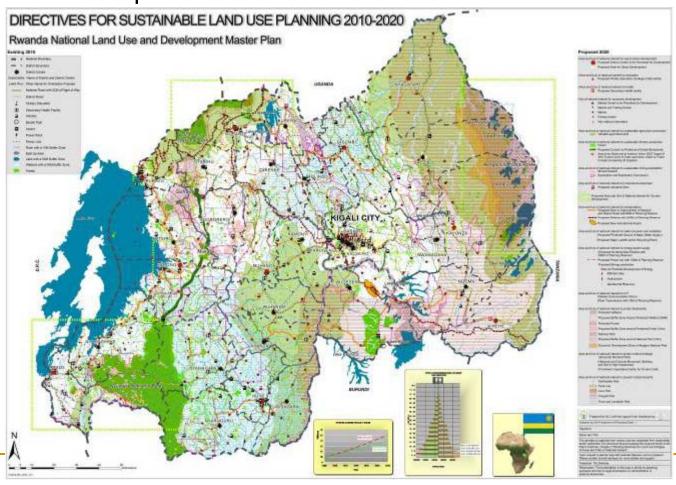






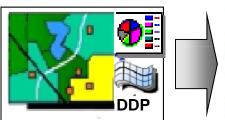
## Land Use Planning

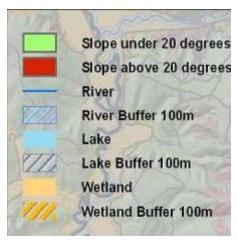
- National Land Use and Development Master Plan approved by Cabinet on 19<sup>th</sup> January 2011
- Now draft law in parliament commission

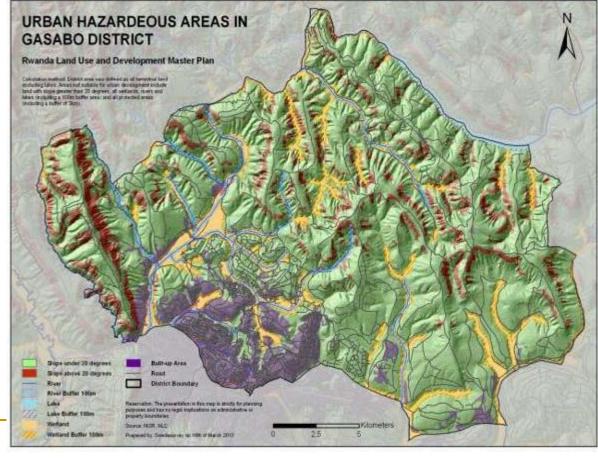


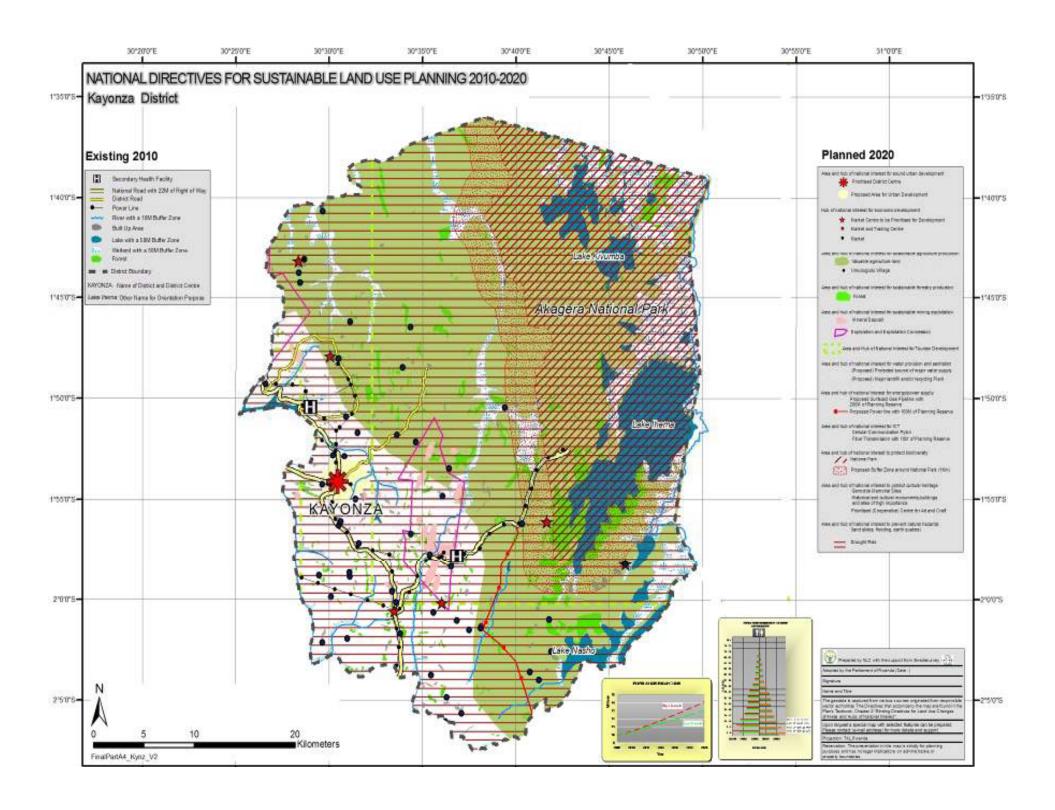
# NATIONAL PLAN IMPLICATIONS ON (INTEGRATED) DISTRICT STUDA DEVELOPMENT PLANNING







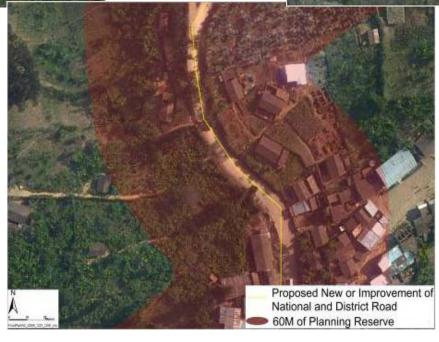






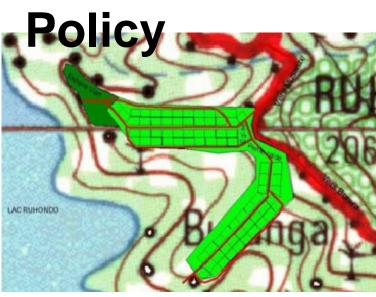


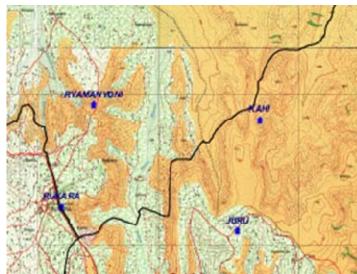
# EXAMPLES ON DETAILED ANALYSIS

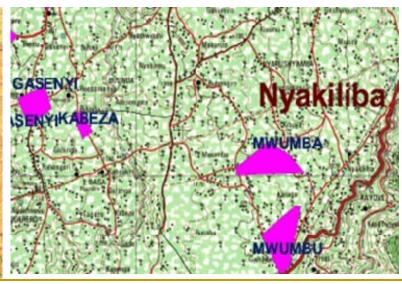


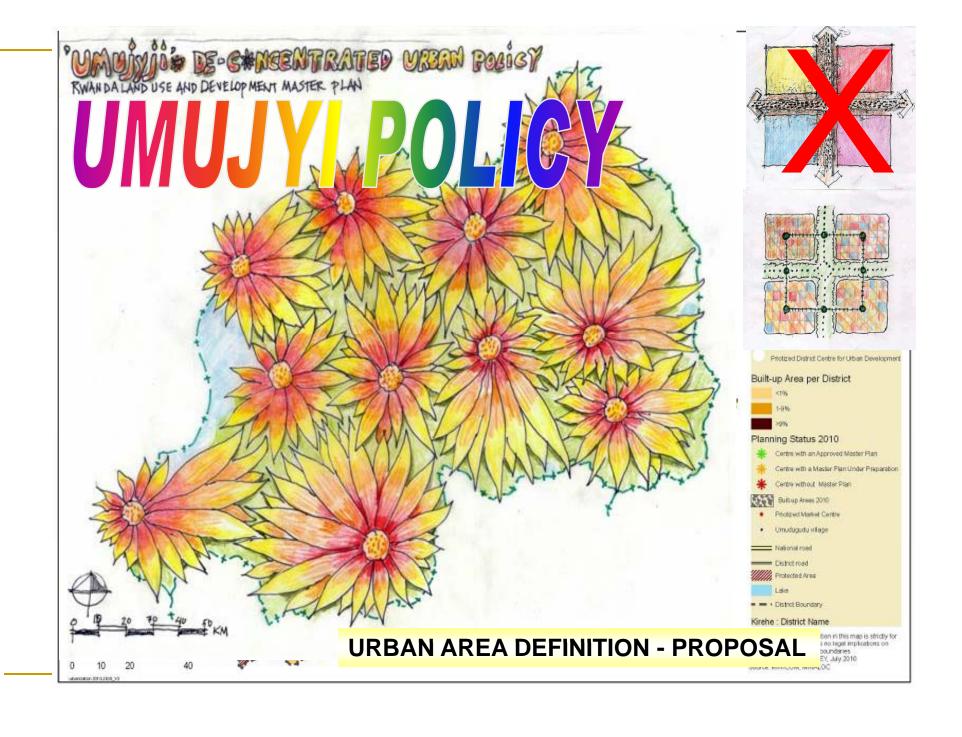
Umudugudu

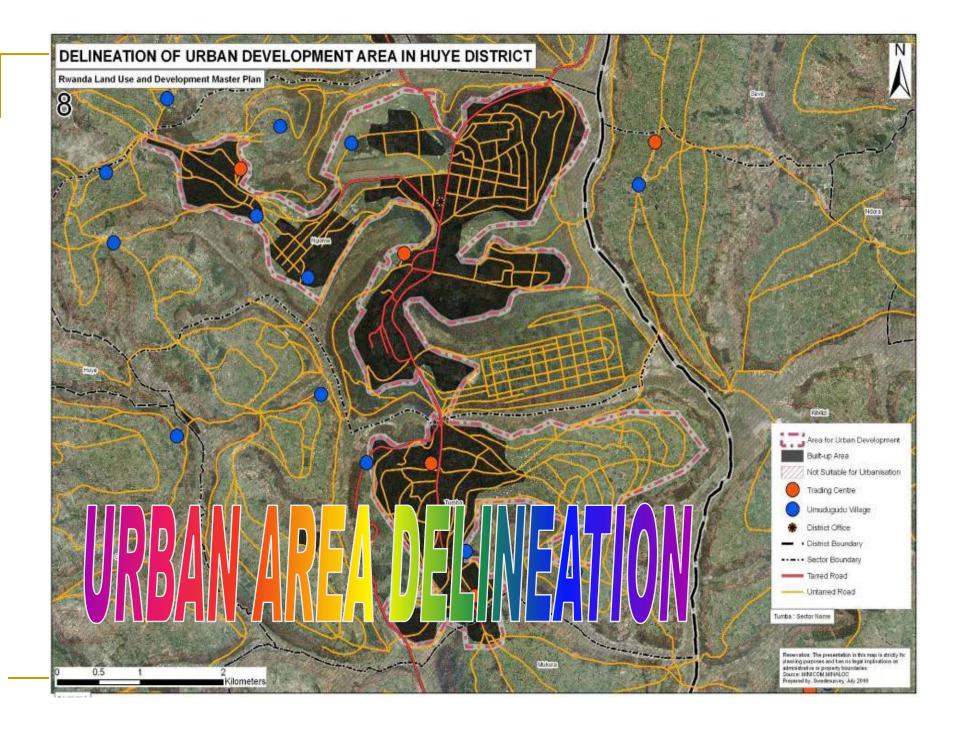








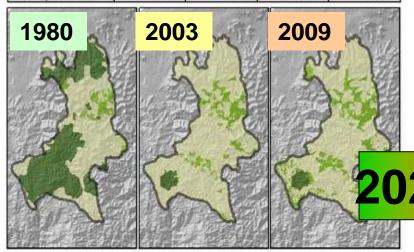




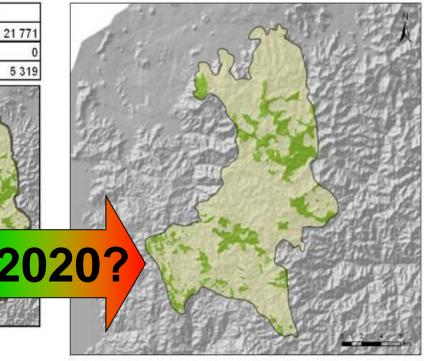
## RAPID DEFORESTRATION

#### Areas in hectar (ha):

	1986	2003	2009	2020
Non forest area	13 845	23 458	21 086	21 771
Natural forest	11 786	690	685	0
Forest plantation	1 460	2 942	5 319	5 319



#### Red Scenario: Deforestration in Gishwati Forest Reservation - 2020



and the same	1980	2009	2609	2020
Non forest area	13 945	23.458	21 086	21 771
Natural forest	11.786	600	485	
Forest plantation	1.460	2 942	6319	5.349
Charles	0	n l	C	U VA

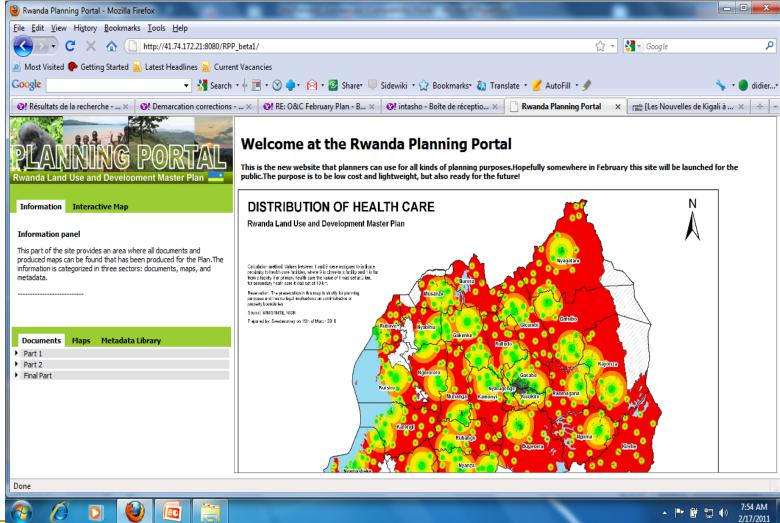


This map provides an overview of the red scenario for Gishwati Forest Reservation if the deforestation continues.

Interpretations of the forest for the year 1995, 2003 and 2009 were done by image processing, classification and, in some cases, digitalisation of Landast data and ortho photos.

Source: NLC, U.S. Geological Survey Prepared by: Swedesurvey on 23rd of March 2010





## RWANDA GOVERNMENT LAND STRATEGY

- CLEAR INSTITUTIONAL FRAMEWORK
- STRONG LEGAL FRAMEWORK
- NATIONAL LAND USE AND DEVELOPMENT MASTER PLAN
- NATIONAL SPATIAL DATA PORTFOLIO (Orthophoto and Base Map)
- NATIONWIDE LAND REGISTRATION

By 2013, Rwanda will be the most prepared nation in Africa to meet future challenges regarding land administration!





### IMPACT ON KAGERA TAMP

- Security of tenure Positive on investment
- Baseline study on impact evaluation of the LTR - B
- National Strategy (land use) to be translated up to catchment and watershed areas

For more information: <a href="www.nlc.gov.rw">www.nlc.gov.rw</a>

## Thank you very much for your attention!!



