



10th EASTERN AFRICAN LAND ADMINISTRATION NETWORK 2018 AGM & CONFERENCE 23-25 July, 2018 KAMPALA, UGANDA

TRADITIONAL LAND MANAGEMENT AREAS (TLMAs) ADJUDICATION & DEMARCATION IN MALAWI

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Sponsors





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INTRODUCTION

The Government of Malawi through the Ministry of Lands, Housing and Urban Development (MoLHUD) enacted ten land-related laws in 2016 and were assented to by the State President in January 2017.

One of them is the Malawian Customary Land Act 2016, which provides for the creation of customary estates through adjudication, demarcation and registration of TLMAs. Once the TLMAs are adjudicated, demarcated and registered, then land parcels belonging to inhabitants can also be adjudicated and demarcated.



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PROBLEM STATEMENT

The customary land in Malawi is still under the administration of Traditional Authority (TA) leaders called Chiefs and has never been mapped and registered by the government.

Land administration operates informally with the chiefs assisted by village headmen in matters of allocation, usage and disposal of land by the Malawians in the rural areas.

Boundary conflicts exist between neighbouring TAs and there has been little attempts to solve them through the DCs office as a result of absence of official agreed boundary maps.



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OBJECTIVE

The main objective was to use rapid and innovative tools and process for mapping the TLMAs boundaries to facilitate registration.

SPECIFIC OBJECTIVES

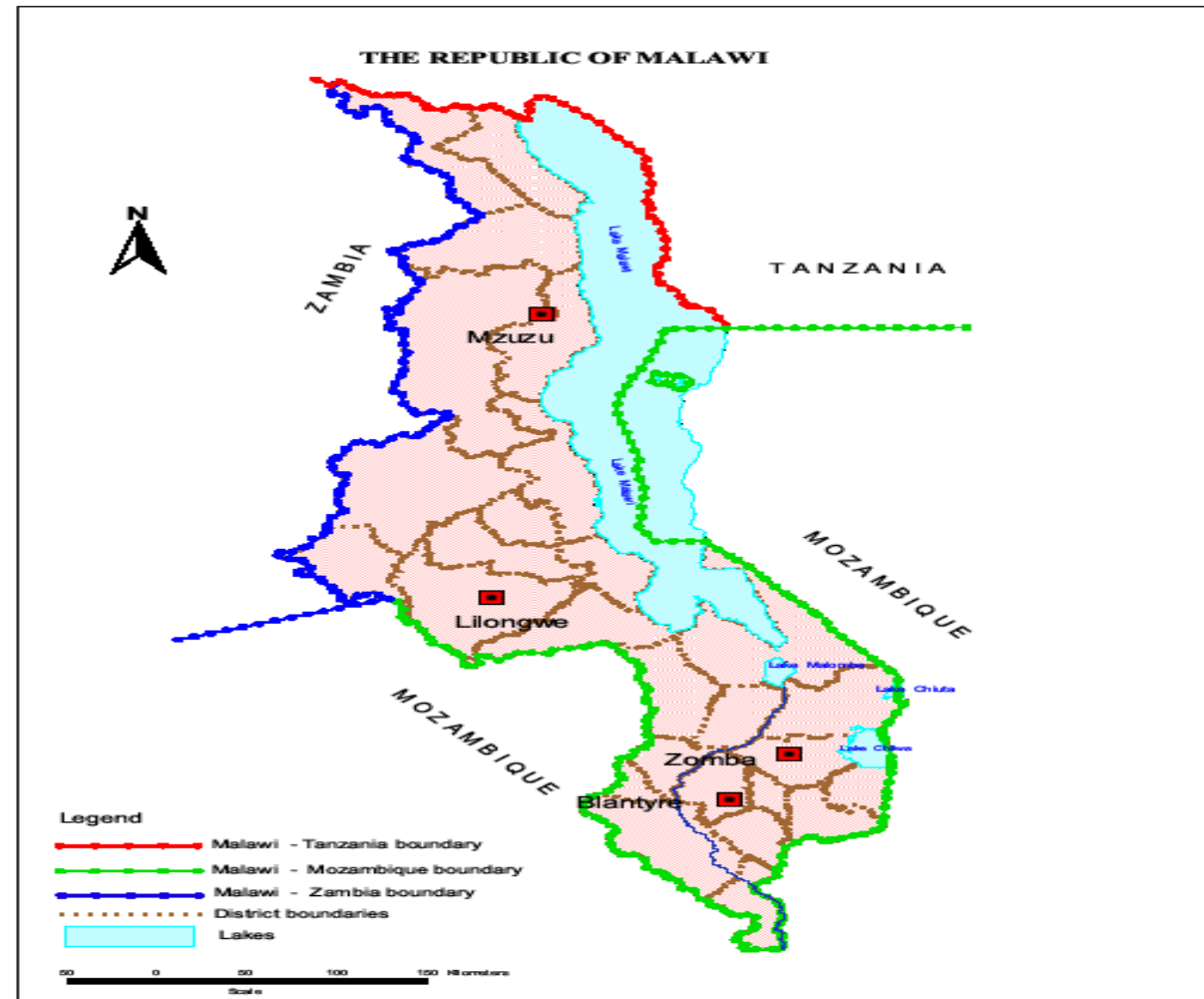
- Involve the chiefs in the identification of TLMA boundaries
- Use participatory approaches to demarcate agreed boundaries
- Defer disputed boundaries to the government for further mechanisms for dispute resolution



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STUDY AREA

- 28 Districts
- 4 Regions
- 293 TLMAs





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METHODOLOGY

Capacity Building



Training of Gov. staff

Participatory Mapping



Use of Satellite Imagery

GPS mapping

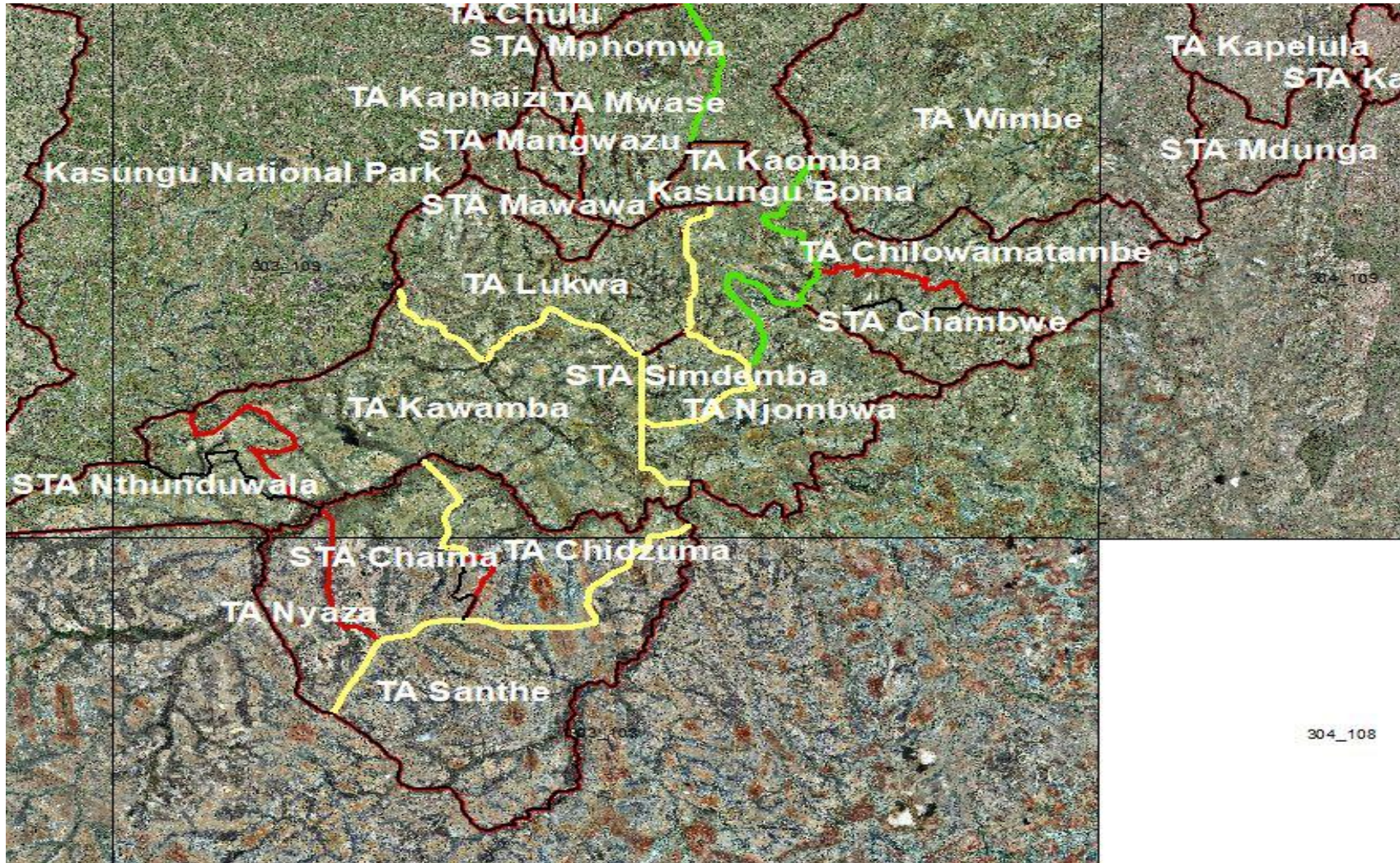


Tracking Boundary



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RESULTS & DISCUSSION

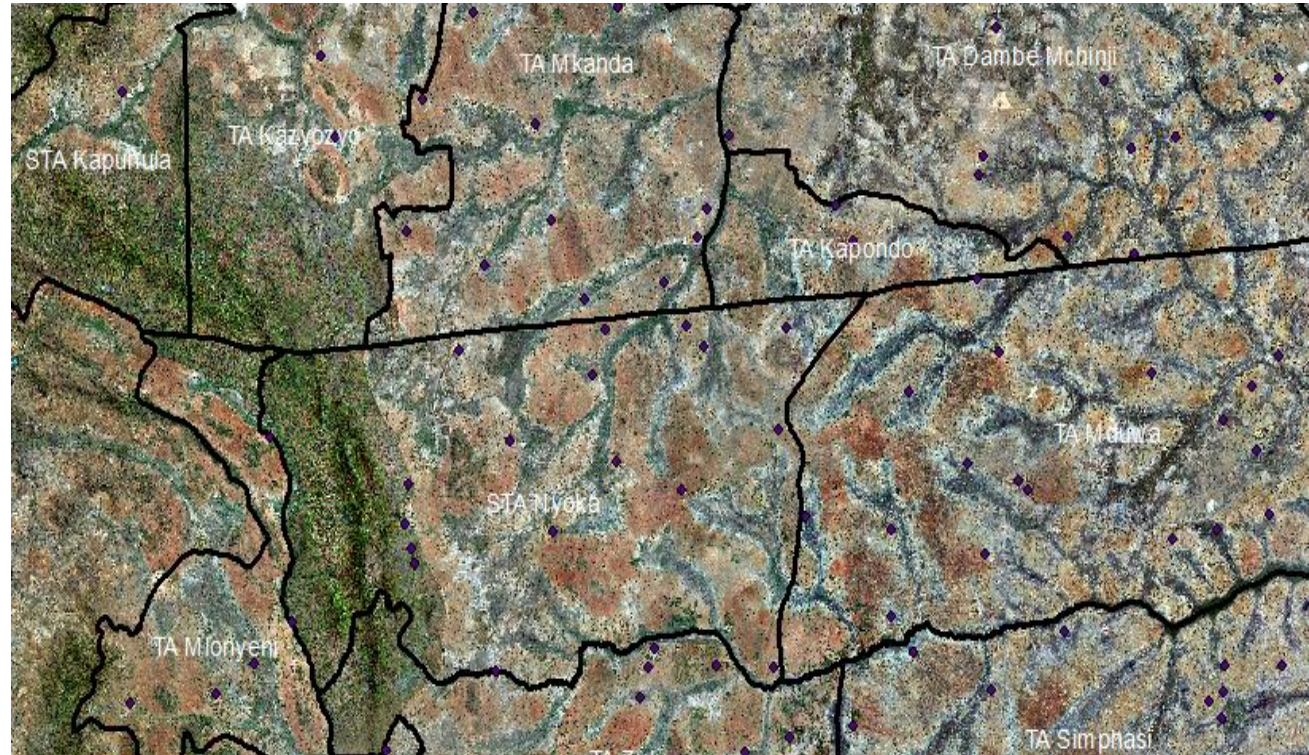
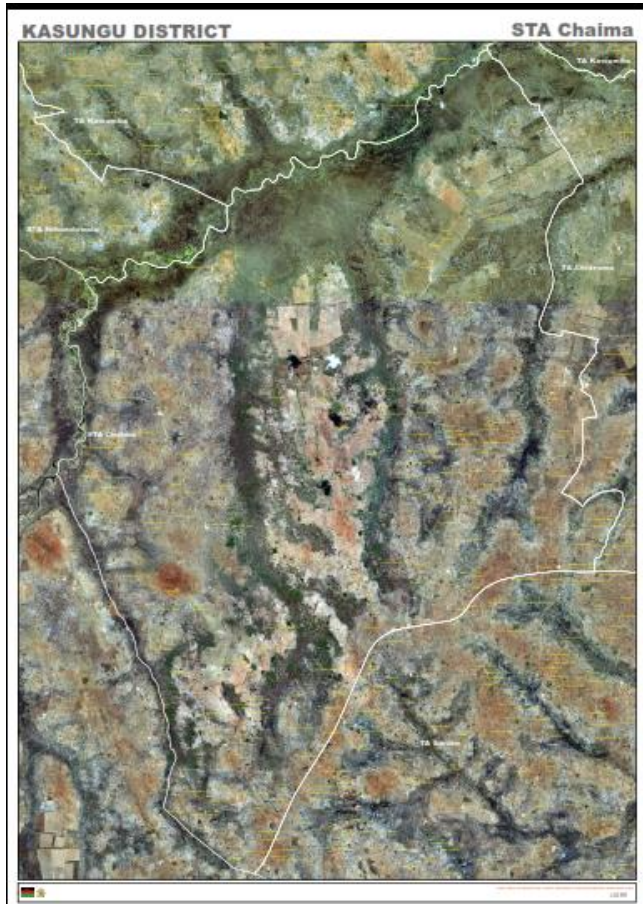


- Green=dispute is in court
- Yellow=disputed but not in court
- Red= new agreed boundary



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RESULTS & DISCUSSION CONT....





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CONCLUSION & RECOMMENDATIONS

Participatory methods with the help of satellite imagery enabled easier and quicker identification of boundaries especially where physical features exist. GPS tools complemented areas with no visible features but required neighbouring chiefs to have knowledge of where their boundary lies

There were few cases where the chiefs contested their boundary and some even sought judicial services. Such cases requires more time plus usage of alternative dispute resolution (ADR) therefore more government intervention was required.



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CONCLUSION & RECOMMENDATIONS CONT...

With the TLMAs adjudicated and mapped, some villages spread to more than one TMLA hence during individual family adjudication will pose some challenges, otherwise it was prudent not to introduce conflict where there was none.

Most TLMAs share boundaries along physical features whereas individual families denote their boundaries with the extent of farm area, therefore visible features will have to be created before commencing the individual customary titling.

THANK YOU