



**11th EASTERN AFRICAN LAND ADMINISTRATION
NETWORK**

**2019 AGM & CONFERENCE
21-25 July, 2019
ZANZIBAR, TANZANIA**

Conference Theme:

*“Quest for Smart Solutions for
Responsible Land Management and
Land Administration in Eastern
Africa”*

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ADLAND
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Responsible and Smart
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PROF. JOHN LUPALA

Director, Urban Planning, MLHHS

Topic

IMPLEMENTATION OF LAND TENURE SUPPORT PROGRAMME (LTSP) IN TANZANIA

Curriculum Vitae

Prof. Lupala holds an M.A.(Human Settlements) from the Catholic University of Leuven, Belgium and a PhD from the Royal Institute of Technology (KTH), Sweden in 2002 in the field of Built Environment Analysis. He was the Dean of the current School of Spatial Planning and Social Sciences (the former School of Urban and Regional Planning) and thereafter the Director of the Institute of Human Settlements Studies at Ardhi University, the Board Member of the African Association of Planning Schools (AAPS, 2007-2013), Board Member of the Tanzania Association of Planners, and the Coordinator in the preparation of the State of the Cities Report (on-going). He has several years of experience in teaching and research in urban planning at Ardhi University with a focus on transport planning and climate change. Dr. Lupala also served as the coordinator of the project on Preparation of the State of the Cities Report of Tanzania (2010-2013) and a project on the Impacts of Land Use and Climate Change on Coastal Forests Management in Tanzania (2010-2014). He is currently the Director of Urban Planning at the Ministry of Lands, Housing and Human Settlements Development (MLHHS).



DR. FELICIAN KOMU

Director, Majengo Estate Developers

Topic

INNOVATIVE LAND ADMINISTRATION IN EASTERN AFRICA AND ITS IMPACTS ON CUSTOMARY LAND TENURE

Curriculum Vitae

Dr. Felician Komu holds an MSc. in Construction Management/Maintenance and a PhD in Real Estate from the Royal Institute of Technology (KTH) in Sweden. He was a long serving academic staff at Ardhi University before his retirement in 2014. He is a Registered Valuation Surveyor since 1986, a member of the 2010 Scientific Committee, 10th Africa Real Estate Society (AfRES) Conference, the 2009 Scientific Committee, Euro Real Estate Society 23rd Conference, Stockholm, Sweden, the 2009 Conference Co-Chair, 9th AfRES, Lagos, Nigeria, the 2008 Conference Co-Chair, 8th AfRES, Johannesburg, South Africa, the 2007, the Conference Co-Chair, 7th AfRES Conference, Livingstone, Zambia, the 2003 Conference Co-Chair, 4th and 5th Africa Real Estate Society, Nairobi and the 2001 Conference Chair, 3rd AfRES Conference, Arusha

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Abstracts

Agrarian reform and transformation in Africa: the case of Ethiopia

Etenesh Bekele Asfaw
etenesh.bekelea@gmail.com

Abstract: Agrarian reform and agricultural transformation are recurring concepts in contemporary agriculture literature. It is however important to understand the two concepts that have different intensions and outcomes. There is no doubt about the importance of undergoing a reform in land tenure systems and power relations to reduce rural poverty, to lead to improved human rights, equality and social justice, and reduced rural conflict in agrarian nations. Nevertheless, though agrarian reform may address issues of social injustice, in favor of smallholders, it is important to highlight that it has limited solution to agrarian problems of the 21st century including tenure insecurity, land fragmentation, landlessness and concentration of land. Especially, agrarian reform does not easily fit neither as a policy and a political demand nor as a concept, in countries with ‘non redistribution’ policy setting like Ethiopia. This paper will present the outcomes of the 1975 radical agrarian reform in Ethiopia after three decades and the current thinking with regards to land administration and the evolution in agricultural transformation attributes: adoption of innovation and technology, productivity increase and commercialization of smallholders. The paper, based on an empirical case study undertaken in rural Ethiopia in 2016/17, as part of a doctoral study entitled ‘farmers collective action and agricultural transformation in Ethiopia’, highlights major challenges in attaining the intended transformation vision of the county and suggests some policy interventions.

Key words: agrarian reform; agricultural transformation; smallholders

Towards alternative cadastral information system in urban districts of Rwanda

Nkerabigwi Placide and Gatete Gilbert

nkerplac@yahoo.fr

Abstract: Since 2012, the decision of Rwanda government to shift from general boundaries to fixed boundaries system in cadastral surveys is actively being implemented in urban area at demand of client. The spatial update and maintenance of cadastral map is relatively quiet impossible and it creates subsequently the overlap between existing and the new map. This research seeks to design the cadastral information system susceptible to be updated, to store, retrieve and disseminate the data meeting actual cadastral surveys requirements. It does specifically intend to produce cadastral map surveyed using instruments with good accuracy, to build a spatial database, and produce the web interface for better sharing of the spatial data. Land parcels boundaries surveyed using GNSS receiver and total station were exported to ArcGIS for producing the cadastral map. This study has identified classes of Parcel, Sector, Cell, Village, Beacons, Population, Beaconing, Ownership for which UML conceptual, logical and physical models have been performed through MOSKitt tool; and PostgreSQL software with its spatial extension PostGIS supported the creation and management of database. The prototype has been tested by integration of shape-files of surveyed parcels, and related land ownership and use data provided by the District Land Offices. Queries were generated to evaluate and test the efficiency and efficacy of the constructed cadastral information system. The study created the webGIS platform that allows the public to access the data related to their parcels. The important recommendations have been formulated by the government authority and districts offices in charge of land use and management to adopt the system for improvement of land services.

Key words: Cadastral information system, Parcel, PostgreSQL, webGIS platform.

A Multi-Objective Biogeography-based Optimization (MBBO) method for optimal urban land use allocation in developing countries

Olive Niyomubyeyi, Petter Pilesjö, and Ali Mansourian

olive.niyomubyeyi@nateko.lu.se

Abstract: Urban land use allocation is a multi-objective optimization problem. Modeling urban land use planning involve economic realities, environmental standards, and requirements, resources, stakeholder's interests and social equity. Finding a balance between these factors is quite complicated for decision makers and planners. Sustainable development of a new area is one of the most challengeable task in urban development of most developing countries. In this study, we use a Biogeography-based Optimization algorithm for urban land use allocation. We consider a multi-objective function for urban planners, which simultaneously maximizing the compatibility of land use and minimize the travel distance among land uses for an area. The two objectives are highlighted for a case study area of the city of Kigali, Rwanda. The main objective of this study is to introduce and show how MBBO method as a multi-objective optimization decision-making method together with Geographic Information Systems tools can help urban planners and managers to find optimal land use plan in the study area.

Keywords: land use allocation, multi-objective optimization, Biogeography-based optimization, GIS, urban planning, Kigali-Rwanda

Current status in the development of land administration information system in Rwanda: is it effectively supporting land valuation?

John Mugisha and Ernest Uwayezu

jmugisha85@gmail.com

Abstract: Following the Land Tenure Regularisation Program (LTRP) undertaken in Rwanda, from 2009 to 2015, Land Administration Information System (LAIS) has been developed. This information system is serving different purposes such as securing property rights, spatial planning and the management of real property transactions. This paper explores the status of the developments in the Land Administration Information System (LAIS) and how it is supporting real property valuation. The study relies on the review of relevant documents on the development of LAIS and the land valuation practice in Rwanda. Other data were collected through interviews with land managers, officers in charge of LAIS, and real property valuers. Findings reveal that the current LAIS in Rwanda constitutes a repository of information on land, such as details on ownership, physical description, use, and sale prices. This information is shared with real property valuers in form of reports and upon request. The Institute of Real Property Valuers in Rwanda (IRPV) use such information to establish land reference prices for the purpose of valuation. However, data on sale prices are not recorded for the effective dates of real property transaction. Moreover, there is no indication whether these prices are for undeveloped or developed lands, and the LAIS is not linked with the valuation system yet. The LAIS design should be therefore improved so that the updated and disaggregated land prices can be recorded with respective dates of sale, including description of the property under transaction. The LAIS should also be linked to the valuation system in order to timely provide real property valuers with updated reference market prices. This would significantly reduce discrepancies in the results of real property valuation and claims from the clients, especially mortgagees and property owners affected by expropriation.

Keywords: Land Administration Information System, real property transaction, real property valuation, valuers, Rwanda

Land acquisition and aggregation practices in Tanzania: an evaluation of the impacts on neighbourhood functionalities

Samwel Sanga Alananga, Elitruder Makupa and Upendo Chamuriho Matotola
salanangasanga@gmail.com

Abstract: Land acquisition is an important tool for the creation of new developments and expanding of existing infrastructures but it requires large amount of money for clearing the rights of people on the land to be acquired as per statutory requirements. However, its application in Tanzania with specifics to projects implemented in Dar es Salaam region has been associated with notable mismatches between the requirements of the law and the practice which may partly be explained by the financing modality adopted. This study sets out to identify and evaluate the mismatch between statutory provisions for compulsory land acquisition practices based on interviews of 11 key personnel in selected land acquisition projects carried out in Dar es Salaam since 1995 to date and a survey of 28 government officials and PAPs. It also involved reviews of documents concerned with acquisition laws, valuation reports, and acquisition records from the acquiring institutions. It was revealed that, financing modalities adopted for selected compulsory land acquisition projects is mainly government budget and debt or mixing of the two financing but in very rare cases. The study observed that, there is a mismatch between the requirement of the law and the practice in terms of projects taking longer time to accomplish each implementation stage, use of flat rates in assessing land, transport, and disturbance compensation of project affected people instead of using stipulated formula under the law or regulations and skipping of stipulated procedures. All these are connected to poor coordination among land officials and poor planning of project finances adopted by the acquiring authorities thus hindering the full participation of the affected people during implementation process and un-detailed inventory list of project affected people. Dependence on government budget to finance land acquisition project is prone to funding failure thus leading to the inability of executing the projects to the desired outcomes, inadequate compensation and objections or disputation from project affected people. Thus, the study advocates for proper planning of finances by the responsible institutions prior to execution of land acquisition projects for proper implementation adhering to stipulated legal requirements.

Key words: Land Acquisition, Financing Modalities, Legal Requirements, Project Affected People, Acquiring Authorities.

Women empowerment and access to land under customary laws in Tanzania: lessons from Makete district

Kerbina Joseph Moyo

kerbina40@gmail.com

Abstract: Women empowerment either economically or socially is a tool to promote development in their areas including the ability to access resources such as land. The critical factor for women's empowerment is power and control over household's resources and other resources. Land for the most part remains to be a primary asset to women's wellbeing, social, political and economic empowerment as well, to a degree, their great effort toward justice and parity. Women empowerment is crucial to eliminate the unbalance wealth and biases in resource acquisition, allocation and possession including land. Consequently, access to land, land ownership and occupation, access to land information and participation are very essentials than other circumstances for women's empowerment as they may lead to economic benefits for women. Land plays a vital role in Tanzania whereas women significantly contribute their labour time producing on land. As well, rural land in many parts is administered by customary laws and practice in Tanzania albeit the provisions of regulatory frameworks. This paper intends to investigate the women empowerment strategies from local authorities (district councils and village councils) and other agencies in empowering women to access land in their areas of jurisdiction in rural areas as patriarchal system is very prevalent with experiences drawn from Makete District found in Southern highlands of Tanzania. The research was carried out in three villages of Bulongwa, Lupalilo and Mwakauta. A total of 112 women respondents were chosen randomly and purposely based on their availability and those women who were eager and capable to appear for an in-depth interview, Moreover, focus group discussions were supplemented the information obtained from the interviews; documentary reviews were also deployed in collecting important information. The study findings demonstrate that; land access is a driver for empowerment as it offers many benefits. Through access to land, women were able to engage in economic activities as well to participate in decisions at household level and less time spent in attending village meetings. Awareness and land information play a crucial as regard to women access to land in Makete. Besides, there are observable hindrances to women empowerment in access to land, ranging from land grabbing superiority of men, traditional beliefs and customs, prohibition to dispose/sell land. The measures on women empowerment should focus on supporting social changes relating to women's aptitude to possess and take over land within the existing cultural structure. Further, lack of land rights education; inadequate information; low participation and representation in decision making and in village meetings; heavy farm workload; lack of confidence and fear among women have resulted into poorer position on women in rural areas regarding land access even with those dynamics noted in customary land tenure systems in recent years.

Keywords: women, women empowerment, access to land, customary laws, Makete

The application of smart-tech Land Information Management System for land registration in Dar es Salaam

Erick Michael

erickbinmichael@gmail.com

Abstract: Despite Governments efforts to promote security of tenure and good governance, the land administration regime in Tanzania continue to face traditional land administration challenges and financial constraints to administer the 945,087 km² lands. Notwithstanding the requirement by law to impose land rent for facilitating land delivery services, only 379000 registered land parcels are covered, that is only 10% of revenue base, with poor compliance, and worse enough, hardly collected. To overcome this, the Ministry of Lands has come up with an application of a smart-tech Land Information Management System (LIMS), to recognize, register and impose land rent to all unregistered parcels of land in urban areas. To begin with, the project will cover Dar es Salaam with 1,393 km². The study found that the program is expected to bring the highest land rent income ever, increase the Ministry's capacity for effective land administration and provide services that cope with an urban growth rate between 5% to 8%. The program will also scale up to up-country for a significant number of land registration, increase revenue base and help improve the land governance system. Other benefits include increasing trust in authorities through improved integrity and delivery of quality services to all men and women, particularly the poor.

Financing modalities in land acquisition and aggregation practices for urban development projects in Tanzania

Upendo Chamuriho Matotola, Samwel Sanga Alananga and Elitruder Makupa
uchamuriho@gmail.com

Abstract: Land acquisition or aggregation exercise is used for implementation of urban development projects as well as implementing of land use plans for sustainable development. To achieve significant sustainable urban development requires adequate processes including financing modalities for land acquisition so that any displacement/resettlement does not become a constraint to much needed urban development. There are a number of financing modalities available for both compulsory land acquisition and land aggregation practices including budgetary allocation, non-financial compensation, debt financing, equity financing and voluntary contribution. Finances are required to facilitate acquisition processes including paying compensation to the affected population. The choice of good financing modality is a key to a successful land acquisition project, its absence may result to negative effects to the displaced people and the level of development intended to be made after the acquisition. The choice of these methods therefore has an impact on the acquisition process and therefore the development intended to be made. Therefore, different financing option may entail different levels of urban productivity due to restrictions, conditionality and timeliness of such financing modality. This study examines the implication of different financing modalities adopted during land acquisition and aggregation projects on the success of urban development projects in Dar es Salaam Tanzania. Both secondary data on 11 land acquisition projects from the Ministry of Land Housing and Human Settlements and survey data on 179 projects implementing entities purposively selected were analysed to determine project success factors. The analysis was carried out in two stages; in the first descriptive statistics were provided to explain patterns and trends in land acquisition and aggregation and then logistic regression models are implemented to determine success factors for land acquisition and aggregation projects. The findings suggest that equity and partner contribution financing modalities contribute positively towards bridging the fund gap with equity making the highest contribution. In most cases, approaches are applied by private entities that can provide a direct connection between land acquisition or aggregation processes and funding requirements. As a result, the funding gap is likely to be minimised.

Key words: financing modalities, land acquisition, land aggregation practices, urban development

Land use planning and food security in rural Tanzania: Case of Masimavalafu village in Ludewa district, Tanzania

Fredrick BwireMagina
maginafred@yahoo.com

Abstract: The Southern Highlands Zone of Tanzania is among the big five corridors which produce large amount of food in Tanzania. The Government is, therefore, trying to ensure food security under all weather conditions including drought seasons. Based on this idea, this paper investigates village land use planning as one of the land administration and management tools in the context of increasing food security to villagers and the country at large. This study aimed at establishing whether village land uses planning has enhanced food security in rural areas or not. Using experience of Masimavalafu village, which formerly experienced serious food insecurity trends before the preparation of a village land use plan, food security was achieved after the preparation of a village land use plan. This success was manifested by JAN DERKSEN donors from South Africa who facilitated the preparation of the village land use plan, registration of land rights and issuance of title deeds for each land parcel, including communal lands, in the village. The study draws its conclusion based on the implementation of appropriate land management measures and consolidation which were catalysts for increasing crop productivity. In most cases, these steps are not undertaken due to insufficient funds. This is a major policy issues which also requires swift policy attention.

Key words: Land use planning, food security, rural areas, external donor support.

Challenges and opportunities of land expropriation practice in East Africa

Juliet Akola, Tendayi Gondo and Emmaculate Ingwani

okirorjuliet@gmail.com

Abstract: Expropriation of land for public purpose has often been used by the public sector worldwide as a mechanism of acquiring land for the provision of infrastructural services. As the demand for more land in both urban and rural areas is increasing, it would be virtually impossible for the public sector to provide services required for the public and also accepting the trade-offs of individual rights for greater public purpose. Yet in an attempt to expropriate land for public interest they are faced with challenges and opportunities towards this practice. East Africa is not an exception to these challenges and opportunities. Therefore, the central aim of this study was to assess land expropriation practice in East Africa, specifically, analysing the procedures used during the process of land expropriation, ascertaining the challenges and opportunities of land expropriation and its implications on to the affected Environment. The study adopted a descriptive type of research design, whereby a review of articles on land expropriation from accredited journals on East African experience was undertaken. This was then followed by a strength weakness opportunities and threats analysis of the data accessed from Journals, Government technical reports and national policy documents. The analysis involved generation of descriptive and inferential statistics. Results indicate that programs that aim at expropriating land from affected households are often faced by inadequate funds to fully compensate them from their losses associated with the location, which by itself affects their source of incomes, living conditions and standards, means of transportation and the natural environment. Despite the affected parties being compensated, the analysis also revealed that some compensation was not fair. This is vital for East Africa in an attempt to expropriate land with compensation in the interest of the public. Therefore, Governments need to set up committees specifically responsible for valuation methods used to determine the amount to be compensated to the affected households and assess the extent of landscape change, a practice that would promote sustainable land reforms in East Africa.

Key words: expropriation, land, compensation, challenges, opportunities, africa.

Land administration options for resolving urban land management challenges for improved food security in Ethiopia

Tendayi Gondo
gondotee@gmail.com

Abstract: The unfolding technical complexity and context specificity of land issues and associated food security outcomes in most Urban and Peri Urban Areas (UPAs) of Africa has seen many researchers and policy makers calling for improved land administration practices. Despite this call, the breadth of engagement with such issues has been minimal. In spite of meaningful strides taken by Ethiopian authorities in improving urban land administration practices, serious spatial disparities exist. What land administration factors drive such disparities and associated interventions in addressing them is not yet known. This study sought to explore land administration options for resolving urban land management challenges for improved food security in 20 Ethiopian cities. Building on literature emerging best practices in land administration, the analysis first develops an innovative land administration assessment framework (LAAF) comprising of 12 land administration related variables that is later used to assess the land administration status of the sampled cities. Data was obtained from published government sources. Data from published government sources was also used to explore the four dimensions of food security, including food availability, access, utilization and stability was also obtained from existing published government sources. Hierarchical Agglomerative Cluster Analysis (HACA) was then used to group cities that had common land administration and food security outcomes. Study results revealed that cities whose land administration systems were constrained in terms of recognition and respect for existing land rights, Land use planning and management system, resolution of land disputes and the general performance of existing land information systems were food insecure. We conclude by noting that land governance strategies that seek to improve urban food security outcomes in Ethiopia, should systematically target addressing specific land administration contextual realities of each city.

Comparison and differences between linear and cyclic project life cycle approach on urban land delivery projects by private companies

Meckson Lorden

meckslody11@gmail.com

Abstract: The study describes the adoption of linear and cyclic Project Life Cycle Approach (PLCA) on the processes that are followed by the private companies during urban land delivery projects. The projects run through various stages from land acquisition, planning, surveying and plots selling. The study was carried out at two companies: Ardhi Plan Ltd and Land General Planning Co. Ltd with the objective of comparing and differentiating between linear and cyclic PLCA as applied in their projects. The study employed a qualitative research design whereby in-depth interviews were conducted to urban planners, surveyors and project managers of the two companies. Checklist was also used to collect information from the Survey plans of the projects delivered under linear and cyclic PLCA. Thematic analysis was used to analyze data. The findings reveal that both linear and cyclic PLCA can be applied into urban land delivery projects as they both show the processes that are followed in urban land delivery; however, this depends on the complex nature of the project. It was revealed that projects with few plots such as below 500 plots can adopt a linear PLCA while huge projects like those with above 500 plots compels for adoption of cyclic PLCA as the huge project would require for extra flexibility and change to be able to meet project objectives. The study recommends the adoption of cyclic PLCA in urban land delivery projects as it is change tolerant and therefore can accept changes in scope, budget, time-frame and the like to enable for success of the projects. On the other hand, the adoption of linear PLCA is discouraged due to its rigidity to changes that hampers the ability of project staffs to make necessary mid-course corrections during project implementation and thus may lead to urban land delivery project failure.

Keywords: linear PLCA, cyclic PLCA, urban land delivery projects, private companies

Updating land information: process, opportunities, and challenges in Amhara region, Ethiopia.

Yidenkchew Jember
yjember5@gmail.com

Abstract: Up to date information on land is a basic resource for the development of a country. The main objective of the research was assessing the process, opportunities, and challenges of land information updating in Amhara region, North Wollo Zone by using household questioner, focused group discussion, field observation, and document analysis. In the Amhara Region, land registration and certification process started in 2003. In North Wollo Zone 98 % of rural households have registered their land and got first level land certification. The process of updating is undertaken when there are changes in land holder, change in size and shape of the parcel from its first registration. In the study area these changes are occurred mostly through donation, inheritance, bequeath and exchange of land between owners. To update the land information; a sporadic approach is being used. The analysis revealed better awareness of the rural community about the right and restriction of land holdings and updating process, the availability of land administration expert in all kebeles of the study area, availability of updating technical guideline, and training about updating processes are important for updating land information. Informal land transfer by customary law, long distance travel to kebele and district land administration office, complexity of updating formats, expert's turnover, high fee required for registering the change, and the surveying approach used are the major challenges of updating land information based on the analysis. It is therefore recommended that workflows for updating land information need to be simplified. The process of land information updating should be improved by using the opportunities and should tackle the challenges to facilitate efficient land markets, protect the land rights of all, and support the long-term sustainable development and land management.

Keywords: updating, land information, land registration, land administration

Institutionalizing private planning firm in operationalizing detail planning schemes in urban areas: the institutional approach of institutionalization in Dar es salaam city, Tanzania

Nelly John Babere, Mr. Faraji S. Shemnga and Nimrod Mushi
gathiharry@gmail.com

Abstract: City planning and designing activity has evolved overtime across the global. This evolution included how actors who initiate and operationalize planning activity forged cooperation to contribute in urban service delivery. The global North had integrated private firms in planning and design activity as early as 1950s owing to the experienced limited capacity and government resources. In the global South, most countries up until late 1990s planning was a government activity. Cities had experienced growing urban population with increasing demands for urban service delivery whilst the capacity of the government to deliver it lagged behind. Since early 2000 Tanzania has taken a step to integrated planning private firms into urban service delivery arrangements. The purpose was to build the capacity in urban service provision and enhancing urban planning and management. Despite the integration of private firms in the government arrangement little contribution is noted. This paper draws the evidence from Dar es Salaam city by employing qualitative methodology were interviews and documentary analysis was done to understand how the process of institutionalizing private planning firm in Tanzanian was carried out. The study revealed that little contribution resulted from the inadequate stakeholders' participation, exclusion of the local knowledge, weak political will clarified through policy documentation and insignificant translation and inadequate capacity of the regulatory board. The success of institutionalization of private firms lays on the commitment of governments to allow full participation and capacity building of regulatory authority to effectively engage other stakeholders in planning and design activity. It is argued that the model of contract arrangement through the practice of private planning should conform to the existing local knowledge practice to ensure workability of urban development policy. Moreover, strengthening of the politics of urban planning and management through political will, clear policy documentation and translation and, knowledge harmonization of Town Planning Regulatory Board, the private firms and the municipality.

The need for spatial data infrastructure for sustainable development in Tanzania

Zakaria Robert Ngereja
ngereja@gmail.com

Abstract: Spatial data infrastructure (SDI) enables the discovery, access, management, distribution, reuse, and preservation of digital geospatial data. Location information is imperative in managing everything that the government manages. SDI is now recognized by governments in both developed and developing countries as an essential resource that supports the economic, social and environmental interest of the nation in support sustainable development. This paper explores the use of spatial data for sustainable development in Tanzania. It is primarily an exploratory study based on literature review, best practices and data collected from the user community in Tanzania. The paper underscores the reasons Tanzania is lagging behind in the establishment of National Spatial Data Infrastructure. Using documentary analysis, strategically designed interviews and questionnaire, data was collected from a range of spatial data user community. Upon simple analysis of the data the following were the findings: Firstly, it has been revealed that spatial data is not well managed, data is not reused nor shared among users. Secondly, there are difficulties in availability and accessibility of spatial data from data custodians. Thirdly, there is no coordination and collaboration in data collection, sharing and dissemination of spatial data. In order for the country to fully and effectively utilize the huge spatial data scattered in various organizations, coordination and collaboration is a necessity. The country need to use its existing national IT facilities, namely, the National Internet Data Centre and eGovernment Agency to create a common gateway for spatial data discovery and sharing. The government should include National Spatial Data Infrastructure in the national agenda and work towards fulfilling the UN's geospatial data frameworks, such as the strategic framework on geospatial information and services for disasters, global statistical geospatial frameworks, and the integrated geospatial information framework. Finally, all stakeholders, i.e. the private sector, government institutions, academia, and NGOs should be fully involved and collaborate in data sharing for the benefit the country's economy, sustainable development and land administration.

Keywords: spatial data infrastructure, spatial data, geospatial governance, spatial enablement.

Analysis of land transaction controls in freehold agricultural areas of Kenya

George Konguka & Robert Wayumba
rwayumba@gmail.com

Abstract: Land adjudication, consolidation and registration have been carried out in Kenya for over fifty years. The adjudication and consolidation have been carried out systematically sponsored by the Government of Kenya with the aim of creating individual freehold land tenure from communal land tenure systems. In the process, a number of laws were enacted to facilitate land management. One such law is the Land Control Act, 1967 Cap 302 of the laws of Kenya. This Act is meant to control and regulate dealings in agricultural land. The aim of this Act is to ensure that all transactions involving agricultural land are carried out in accordance with the procedure laid down by this Act thereby eliminating fragmentation of agricultural land into uneconomically viable units and also ensuring that agricultural land is transferred to people who are able to put the land to productive agricultural use. This paper reviews the procedures under the Land Control Act, 1967 and provides an insight into the behaviour of land holders in dealing with land transactions in a land control area. The paper shows some transactions are carried out in disregard to the procedure laid down by the Land Control Act. It reveals that there is an alternative de facto procedure in which transactions in agricultural land are carried out. The paper recommends the need for inclusion of the de facto procedure into the agricultural land transaction control system and ensures up-to-date land registers.

Key words: land transaction control, land control act, freehold land

UAV technology: opportunities to support the updating process of the Rwandan cadastre

Claudia Stöcker, Mila Koeva, Jaap Zevenbergen
e.c.stocker@utwente.nl

Abstract: Amongst others, Unmanned Aerial Vehicles (UAVs) are emerging as a tool for alternative land tenure recording. The advent of low cost, reliable and lightweight UAVs has created new opportunities for collecting timely, tailored and high-quality geospatial information. Even though UAVs appear a promising technology, it is not clear to what extent it can contribute to existing land tenure recording workflows of communities and governments. To address these questions, field data collection was carried out in Rwanda in February 2019, which encompassed several UAV flights and the consultation of relevant stakeholders. Additionally, a participatory mapping pilot study was initiated to allow the comparison of the existing cadastral base data with the boundaries that were delineated on top of the plotted UAV orthophoto. Results revealed a clear discrepancy of the spatial location and extent of both parcel datasets and pinned the need to update the cadastre. It was found that especially in areas with large developments and a poor quality of the first level registration, UAV-based orthophotos provide a profound and reliable base data for participatory boundary delineation to update the spatial extent of the cadastre. This paper is based on the achievements of “its4land”, a European Commission Horizon 2020 project. Grounded on cutting edge approaches such as fit-for-purpose land administration, “its4land” is using strategic collaboration between the EU and East Africa to deliver innovative, scalable, and transferrable ICT solutions that respond to sub-Saharan Africa’s immense challenge to secure land rights.

Keywords: UAV, participatory mapping, cadastre, tenure security, Rwanda

Resettlement projects and their contribution to peri-urban expansion: a case of PuguKinyamwezi, resettlement areas in Dar es salaam city

Dawah Magembe-Mushi and Ms. Eunice Kapinga

dimushi2000@yahoo.com

Abstract: Urban development projects are among causes of land use changes which lead into land acquisition and displacement and resettlement of previous occupiers. These projects are defined as schemes that are intended to improve cities or large towns. Urban development projects also described to cause development-induced displacement and resettlement (DIDR) which focuses on physical development projects that require land expropriation. Through the process of displacement and resettlement, these projects have contributed into urbanization through urban expansions in areas where the displaced populations are resettled. Due to land availability and values, available areas are the Peri-urban. Changes in population and land uses in these areas have direct effect on urban expansion, whereby peri-urban area spreads into rural areas; causing social, spatial and economic growth. This paper engaged case study approach, whereby qualitative data collection methods where observation and photographic registration, in-depth interviews and mapping; and quantitative where through household and official interviews with resettled households and the local leaders in PuguKinyamwezi located at the outskirts of Dar es Salaam City in Tanzania. The official interviews also involved concerned experts from Ilala Municipality, resettlement project implementers, that is Tanzania Airport Authority, the concerned Ministry and local government authority in PuguKinyamwezi subward. Findings show that the resettlement project in PuguKinyamwezi has brought some changes in social, economic and spatial aspects that have contributed into expansion of the area and made it change its status from farmlands to urban neighborhoods. Different social characteristics, in both positive and negative ways were observed since more population was attracted by the availability of surveyed plots in the area. Increase in population also facilitated the changing in building uses from residential to commercial-residential as the result of economic changes. Also, high demand for housing causes rise in land values hence spatial expansion.

Key Words: Dar es Salaam, peri urban, resettlement, urbanization, urban expansion.

Financing land acquisition in Tanzania: aligning legal requirements and practices

Eltruder Makupa, Samwel Sanga Alananga and Elitruder Makupa
trudarich@gmail.com

Abstract: Land acquisition is an important tool for the creation of new developments and expanding of existing infrastructures but it requires large amount of money for clearing the rights of people on the land to be acquired as per statutory requirements. However, its application in Tanzania with specifics to projects implemented in Dar es Salaam region has been associated with a notable mismatch between the requirements of the law and the practice which may partly be explained by financing modality adopted. This study set out to identify and evaluate the mismatch between statutory provisions land acquisition practices with presumption that financing modalities used could be behind the mismatch. The examination was based on selected land acquisition projects carried out in Dar es Salaam through interviews with project executers, project affected people and government officials to obtain information on the land acquisition process and financing modalities used. It also involved reviews of documents such as acquisition laws, valuation reports, and acquisition records from the acquiring institutions to explore the projects implementation activities. Findings revealed that, financing modalities adopted for selected compulsory land acquisition projects is government budget and debt financing in very rare cases. The study observed that, there is a mismatch between the requirement of the law and the practice in terms of projects taking longer time to accomplish each implementation stage, use of flat rates in assessing land, transport, and disturbance compensation of project affected people instead of using stipulated formula under the law or regulations and skipping of stipulated procedures. All these are connected to poor coordination among land officials and poor planning of project finances adopted by the acquiring authorities thus hindering full participation of the affected people during implementation process and un-detailed inventory list of project affected people. Dependence on government budget to finance land acquisition project is prone to funding failure thus leading to the inability of executing the projects to desired outcomes, inadequate compensation and objections or disputation from project affected people. Thus, the study advocates for proper planning of finances by the responsible institutions prior to execution of land acquisition projects for proper implementation adhering to stipulated legal requirements.

Key words: Land Acquisition, Financing Modalities, Legal Requirements, Project Affected People, Acquiring Authorities

Spatial temporal geographic information systems role in sustainable governance of dynamic land rights - a case of upgrading of roads in Tanzania

Martine Hagai

martinehagai@gmail.com

Abstract: Roads are drivers of national economic activities and growth. While national economies are directly linked to mobility, road transport contributes significantly to national GDP. Existing national roads in Tanzania as in many developing countries do not meet evolving needs of local communities, prompted by such factors as uncontrolled population growth, increasing socio-economic activities, rural-urban migration phenomenon etc all leading to rapid urbanization. This situation calls for frequent roads upgrading to meet the demand. National Roads upgrading projects commonly are coupled with acquisition of a land corridor to accommodate the road reserve area and the Right of Way. Often this result in demolition of properties found within the corridor. Management of National roads in Tanzania is governed by two legislations which are The Highway Ordinance of 1932 and Road Act of 2007, stipulating 45 and 60 m respectively to either sides of the Centre Line of the road into the road reserve. Operationally, the two legislations are used in tandem to grant or deny compensation of properties found within the road reserve area. After lapse of time, rights of properties built in the road reserve areas become obsolete (as they are informal and dynamic) without legal documentation. This situation poses a problem of failure to identify rightful encroachers of the road reserve areas thus eligible for compensation as per the Highway Ordinance of 1932 as almost all property owners tend to claim to have had their properties existing prior to 1932, thence eligible for compensation. This is a problem of lack of spatial temporal data of properties in the road reserve areas, a circumstance which makes it difficult for authorities to identify beyond reasonable doubts the rightful-encroachers of road reserve areas for eligibility for compensation. This situation adversely affects road upgrading projects, resulting in huge compensation and relocation costs leading to exacerbation of project costs causing delays in implementation of road upgrading projects and social conflicts. This paper is reporting on a Prototype Spatial-temporal GIS developed to monitor, visualize and properties change detection analysis using Arc GIS software and Visual Basic Programming as a mechanism to model dynamic land rights, thereby improving land administration in areas in proximity of roads right of way. Orthorectified satellite images (Quick bird) of 2002, 2005 and 2012 epochs for (part of) Dar es Salaam – Ruvu Highway have been used. Results indicated that Spatial-temporal GIS is a solution for monitoring dynamic properties in informal settlement areas indeed a tool for dynamic land administration.

Keywords: Geographic Information Systems, spatial-temporal GIS, dynamic land properties

CONFERENCE PROGRAM

EALAN AGM and CONFERENCE 2019

PROGRAM BOOKLET

Meeting venue

Ngalawa Hotel and Resort

Bububu Kihinani, Zanzibar 21235, Tanzania

Phone: +255 773 404 430

www.ngalawahotel.co.tz

Local Contacts

- Dr. Agnes Mwasumbi
Email: anmwasumbi@yahoo.ca / agnes@aru.ac.tz
Mobile: +255 755 382 622
- Dr Hidaya Kayuza
Email: hidaya.kayuza@gmail.com
Mobile: +255 754 277 128

THE 2019 EALAN AGM AND CONFERENCE (23 – 24 July 2019)

**QUEST FOR SMART SOLUTIONS FOR RESPONSIBLE LAND MANAGEMENT AND
LAND ADMINISTRATION IN EASTERN AFRICA**

Coordinator : Dr. Agnes Mwasumbi

TIME	ACTIVITY	RESPONSIBILITY
Tuesday 23 July 2019		
12:00 - 13:00	Registration and Lunch	Conference Secretariat
13:00 – 13:10	Welcome remarks	Dr. Hidaya Kayuza (Chairperson, LoC)
13:10 – 13:20	Outgoing EALAN Chair to welcome the new Chairperson of EALAN	Outgoing Chair
13:20 – 13:30	Welcome remarks by EALAN Chair	New Chair elected by AGM
13:30 – 13:45	A word by the GIZ Country Director	GIZ Country Director
13:45 – 14:00	Official opening remarks by the Vice Chancellor, Ardhi University	Prof. Evarist Liwa
14:00 – 14:10	Group Photos	Conference Secretariat
14:10 – 15:10	KEYNOTE ADDRESS 1 Implementation of Land Tenure Support Programme (LTSP) in Tanzania	Prof. John Lupala –Director Urban Planning, MLHSD
15:10 – 15:40	Tea break	Conference Secretariat

TIME	ACTIVITY	RESPONSIBILITY
15:40 – 17:10	Panel Discussion Policy Topic 1: Implementation of Land Titling Projects in the Eastern Africa Region	Moderator: Prof. Wilbard Kombe Discussants 1. Ms. Mary Ndaro 2. Dr. Adam Nyaruhuma 3. Ms. Eileen Mwangae 4. Dr. Gaspard Rwanyiziri 5. Dr. Ronald Ssendendo
17.10 – 17.40	stand4herland	Ms. Tike Mwambipile Executive Director, TAWLA
18:00 – 19:30	Conference DINNER	Conference Secretariat
Wednesday 24 July 2019		
8.30 – 9.30	EALAN Comparative Research 1. Access to Land by Vulnerable Groups – Dr. A. Mwasumbi/Dr. R. Ssendendo 2. Land Administration – Prof Achamyeleh/ Dr. H. Kayuza	Chair: Prof. Monica Lengoiboni
9:30 -10:30	Technical SESSION 1	
	ROOM 1	ROOM 2
	SUB-THEME 1 Land Tenure Support Schemes in Eastern Africa-digitization of land administration systems. Chairperson: Prof. J.L. Kironde	SUB-THEME 2 Innovative land administration in Eastern Africa and impacts on Customary tenure systems. Chairperson – Prof. Achamyeleh
	Towards Alternative Cadastral Information System in urban districts of Rwanda Nkerabigwi Placide and Gatete	UAV Technology: Opportunities and Limitations to support Land Administration. Claudia Stöcker, Mila Koeva,
9:30 – 9:42		

TIME	ACTIVITY	RESPONSIBILITY
	Gilbert	Jaap Zevenbergen
9:42 – 9:54	The application of smart-tech Land Information Management System for land registration in Dar es Salaam. Erick Michael	A Multi-Objective Biogeography-based Optimization MBBO method for optimal urban land use allocation in developing countries Olive Niyomubyeyi, Petter Pilesjö, and Ali Mansourian
9:54 - 10:06		
10:06 -10:18	Spatial Temporal Geographic Information Systems role in sustainable governance of Dynamic Land Rights - A case upgrading of Roads in Tanzania Martine Hagai	Comparison and Differences between Linear and Cyclic Project Life Cycle Approach on Urban Land Delivery Projects by Private Companies Meckson Lorden
10:18 – 10:30	The Need for Spatial Data Infrastructure for Sustainable Development in Tanzania Zakaria Robert Ngereja	Updating land information: process, opportunities, and challenges in Amhara region, Ethiopia. Yidenkchew Jember
	Private Firms for Tenure Security in Informal Settlements: The Case of Mburahati Settlement in Dar Es Salaam City. Dawah Magembe-Mushi and Ms. Eunice Kapinga	Women Empowerment and Access to Land under Customary Laws in Tanzania: Lessons from Makete District Kerbina Joseph Moyo
10:30 – 10:50	Tea break	Conference Secretariat

TIME	ACTIVITY	RESPONSIBILITY
10:50 – 11:50	Technical SESSION 2	
	<p>SUB-THEME 3 Standards of Practices in Land Administration – (national and regional laws, performance safeguards and practices). Chairperson: Dr. Gaspard Rwanyiziri</p>	<p>SUB-THEME 4 Dynamics of monitoring land transactions in informal settlement of Eastern Africa. Chairperson: Prof. Katcho Karume</p>
11:50 – 11:02	<p>Current Status in the Development of Land Administration Information System in Rwanda: Is it Effectively Supporting Land Valuation? John Mugisha and Ernest Uwayezu</p>	<p>Land Acquisition and Aggregation Practices in Tanzania: An Evaluation of the Impacts on Neighbourhood Functionalities. Samwel Alananga</p>
11:02 – 11:14	<p>Agrarian Reform and Transformation in Africa: the case of Ethiopia. Etenesh Bekele Asfaw</p>	<p>Analysis of Land Transaction Controls in Freehold Agricultural areas of Kenya. George Konguka & Robert Wayumba</p>
11:14– 11:26	<p>Land Use Planning and Food Security in Rural Areas: Case study of Masimavalafu village in Ludewa District. Fredrick Bwire Magina</p>	<p>Financing Land Acquisition in Tanzania: Aligning Legal Requirements and Practices. The Case of Selected Projects in Dar Es Salaam Eltruder Makupa</p>
11:26 – 11:38	<p>Institutionalizing Private Planning Firm in Operationalizing Detail Planning Schemes in Urban Areas: The Institutional Approach of Institutionalization in Dar es Salaam City, Tanzania. Dr. Nelly John Babere, Mr. Faraji S. Shemnga and Dr. Nimrod Mushi</p>	<p>Challenges and opportunities of land expropriation practice in east Africa Juliet Akola, Tendayi Gondo and Emmaculate Ingwani</p>

TIME	ACTIVITY	RESPONSIBILITY
11:38– 11:50	Land administration options for resolving urban land management challenges for improved food security in Ethiopia. Tendayi Gondo	Financing modalities in Land Acquisition and aggregation practices for Urban Development Projects in Tanzania Upendo Matotola
11:50 -12:50	Its4land Research Presentation	Ms. Sophie Crommelinck (ITC)
12:50 – 13:50	Lunch	Conference secretariat
13:50 – 14:50	KEYNOTE ADDRESS 2 Innovative Land Administration in Eastern Africa and its Impacts on Customary Land Tenure	Dr. Felician Komu (Tanzania)
14:50 – 15:20	Tea break	Conference Secretariat
15:20 – 16:40	Plenary Session (Discussion of the keynote presentations) <ul style="list-style-type: none"> • What is the policy implication of innovative land administration on land tenure landscape/typology in the region? 	Moderator: Abdallah Henku <ol style="list-style-type: none"> 1. Ms. Mary Ndaró 2. Mr. Jonathan Ochom 3. Prof. T. Masharabu 4. Prof. J.L. Kironde 5. Prof. M. Lengoiboni
16:40 – 17:40	NELGA Presentation	SLGA
17:40 – 17:50	Closing	Conference Secretariat
18:00 – 21:00	Cocktail	Conference Secretariat

5. ADLAND CONFERENCE (25 – 26 July 2019)

Thursday 25 July 2019			
Time	Activity	Person	Moderation
09:00-09:30	Opening session	ADLAND staff	
09:30-10:00	ADLAND Book Bring up-to-date information on joint publication	ADLAND staff	Prof. De Vries
10:00-11:30	ADLAND presentations 3 présentations (15 min + 10 min Q&A) 1. Shambel Worku Sinshaw - Woldia University Expansion of chat and its impact on farming system: the case of Bahir Dar City and Bahir Dar Zuria District 2. Charles Chavunduka - University of Zimbabwe Land readjustment: the missing link in progressive urban land management in Zimbabwe. 3. Elias Danyi Kuusaana - University for Development Studies Land Revenue Generation and its Administration in Ghana: Emerging Discourse on Family Land Proceeds in Ghana	Participants	Dr. E. Chigbu
11:30-12:00	Coffee break		

12:00-13:30	<p>ADLAND presentations 3 presentations (15 min + 10 min Q&A)</p> <ol style="list-style-type: none"> Sam Mooze Mwando - Namibia University of Science and Technology An exploratory sequential mixed methods approach to understanding effects of land use regulations on residential property values in Windhoek, Namibia. Germain Muvunyi - INES Ruhengeri Integrating GeoICTs technologies into property taxation and land lease fees collection system. Bupe Alinanuswe Kabigi - University of Dodoma Process and implications of land formalization on local land tenure security in Tanzania: case study of Babati and Iringa Districts 	Participants	Dr. A. Hendricks
13:30-15:00	Lunch break		
15:00-17:00	<p>ADLAND presentations 4 presentations (15 min + 5 min Q&A)</p> <ol style="list-style-type: none"> Fatima Mandhu - University of Zambia Tenure reform: Is the Social Tenure Domain Model (STDM) under the continuum of land rights a suitable land reform tool for Zambia's agricultural land. Luke Mitai Obala - University of Nairobi The Effect of Urban Sprawl on Rural Land Rights in Eastern Africa. 	Participants	Dr. Pamela Duran

	<p>3. Gbenga Morenikeji - Federal University of Technology Minna On the need for land planning and governance in Suleja, Niger State, Nigeria; What it is and what it ought to be</p> <p>4. Jossam Potel - INES Ruhengeri The Paradox of Persistent Poverty Amidst Availability of Rural Rwanda (joint paper Rwanda team)</p>		
17:00-17:15	Wrap up End of session	ADLAND staff	Duran/de Vries
Friday 26 July 2019			
09:00 – 14:00	Excursion Jozani Forest. TBC	All	Mwasumbi / Duran
14:00 – 15:00	Lunch break Back to Ngalawa Hotel		