

## Improving Land Sector Governance in Africa: Case, Tanzania

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## Land Governance Assessment Framework: Processes in Tanzania

- Expert Opinion: A well renowned lawyer/academic and practitioner as well as an activist in land rights (esp pastoralists)
- Panels: Panelists found it difficult to read the LGFA as well as the instructions, but were knowledgeable.
- Needed individual briefing and follow up
- Decided on a preparatory stage and a one day workshop

## Processes *contd...*

- Field survey in three authorities (registries) in order to reflect the picture in the country: A major city, a medium-sized city, and a small municipality
- Captured both urban and surrounding rural areas
- Presentation based mainly on panel findings

## Land Use Planning in Rural areas

- (LGI2-iv) There is a lot of expropriation on account of improvement of infrastructure and the expansion of reserved land. Primary land owners compensated. Secondary rights: tenants, migrants, sharecroppers etc not compensated.
- Compensation due to land use changes: Recent years have seen a lot of land being converted into detailed urban land use. There is universal dissatisfaction with the process

## Land Use Planning in Rural areas *contd*

- (LGI 3-iii) There is little demand for upgrading tenure in rural areas because this has financial and development condition implications. Moreover, since rural property has generally low value the cost of sporadic upgrading is high for the individual land owner.
- (LGI 8 i, ii) Village Land Act, National Land Use Planning Act require a high level of consultation before land use plans or their change can be approved. Needs enhancement

## Land Delivery and Use Regulation in urban areas *contd*

- (LGI 3 iii) Upgrading on demand: The cost of sporadic first time registration is very high if the whole process from land planning, surveying and registration is taken into consideration. Upgrading on demand is almost impossible. Inclusion of communities and private sector important
- (LGI 8 i, ii) Preparation and changes in land use plans legally must include a lot of public input. In practice this is short-circuited and the publication and availability of land use plans is limited. Need improvement to increase community ownership and minimise corruption

## Land Delivery and Use Regulation in urban areas *contd*

- (LGI 9 i-iv) The process of urban expansion seems to be sporadic and in some cases informal and impacts adversely on rural areas. The result has been a displacement of poor people and their shutting out from planned land, creating new or densifying existing informal settlements. Urban expansion was resisted in one of the study areas (Moshi). Intensive urban land use called for. Sophisticated urban expansion

## Land Delivery and Use Regulation in urban areas *contd*

- (LGI 11 ii-iii) The law requires that any development should have a building permit. However, the standards for preparing the applications are too high and many poor people avoid them
- The legal time to issue a building time is 3 months, but the minimum time to get a permit as around 12 months. Panelists suggested the inclusion of a dimension of cases where permits are never issued
- Most urban development contrary to regulations

## Dispute Resolution

- A separate system for dispute resolution is in place aimed at speeding up resolution
- However, the system is working slowly and only between 25-35% of cases submitted in a year are disposed of. Appeals take years to determine. Need to encourage informal systems
- Community disputes: pastoralists and farmers, people vs the state, people vs investors are on the increase leading to loss of life and property

## Climate and conflicts in Africa



## Land Governance Assessment Framework

- The Framework is seen as a useful tool to assess a country
- Public officials may be wary of it since they want to paint a good picture of the country, and they believe they are doing a good job to improve matters
- There is need to make sure their fears are understood and they are taken on board since they are the final owners

## Thank You for Listening



Tanzania the Land of Kilimanjaro