

## **PRRPB: a project to secure the land rights of the most vulnerable people.**

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### **SUMMARY**

Burundi, which is part of the "Bonn Challenge" – that involves the restoration of 150 million hectares of degraded and deforested land by 2020, and 350 million hectares by 2030 - and the African Resilient Landscapes Initiative (forest and ecosystem restoration, biodiversity conservation, smart agriculture, pasture management), has committed to restore one million hectares of land by 2030.

The World Bank has supported the Burundian government in this effort through the Burundi Landscape Restoration and Resilience Project (PRRPB).

Government of the Republic of Burundi, through the Ministry of Agriculture and with support from the World Bank (through the International Development Association and the Global Environment Facility), has designed and developed the Burundi Landscape Restoration and Resilience Project (PRRPB). This is one of the government's strategic priorities, notably through the National Development Plan (PND), the Burundi Vision 2025, the National Agricultural Strategy (SAN), the National Agricultural Investment Plan (PNIA), the National Forestry Policy, the National Climate Change Policy and Action Plan, the National Water Policy and the Environmental Code. The Landscape Restoration Project is also in line with international and regional commitments ratified by Burundi.

Thus, from 2018 to 2024, the project will contribute to the implementation of the Sustainable Development Goals, the Bonn Challenges, AFR100, CDN/Burundi and the various international commitments ratified by the Government of Burundi regarding the sustainable management of natural resources.

The specific objective of the PRRPB is to restore land productivity in targeted degraded landscapes and community resilience and, in the event of a qualifying crisis or emergency, to provide an immediate and effective response to said qualifying crisis or emergency.

The expected benefits of landscape restoration in Burundi include improved soil fertility, increased agricultural productivity and food security, improved water availability and quality, reduced desertification, biodiversity, green jobs, economic growth, climate change mitigation and resilience.

The PRRPB is overseen by the Ministry of Environment, Agriculture and Livestock (MINEAGRIE) and implemented in collaboration with other partners, both ministerial (Ministry of Finance) and institutional (Permanent Secretariat of the National Land Commission - SP-CFN; research actors; universities), local and international NGOs and local authorities.

### **1. THE AREA OF THE PROJECT**

The project covers three communes in Burundi: Isale in Bujumbura rural province, Buhinyuza in Muyinga province and Matongo in Kayanza province.

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Isale was chosen because of its steeply sloping terrain, severe land degradation and high land tenure fragmentation. Due to its proximity to the city of Bujumbura, pressure on land is high, leading to many land transactions, sometimes accompanied by questionable practices such as intimidation and witchcraft. This has led to frequent and sometimes violent land disputes, often brought before the local court. The commune also experienced a period of insecurity during the civil war, resulting in the displacement of many residents to the city of Bujumbura.

The commune of Buhinyuza is characterised by lower population density, less land pressure, larger parcels sizes and large tracts of state land. Part of the territory extends into the Ruvubu National Park to the east. The commune faces severe poverty due to the low agronomic potential of the land and periods of drought, leading to emigration to neighbouring provinces and Tanzania. Some of the commune's own households are absent due to these migrations. There are also repatriated households with no ties, not originally from the area, who have settled on state land.

Finally, the commune of Matongo was prioritised because of its high level of land degradation and the concentration of coffee farmers. The landscape in this region is characterised by coffee as the main crop, steep terrain, fragile soils, high population density, high levels of poverty and over-exploitation of the land. The community is also home to important natural habitats such as the Kibira National Park.

Intervention in this area is considered essential to stabilise and increase agricultural productivity and to protect infrastructure from landslides caused by heavy rainfall. The intervention area also includes parts of Kibira and Ruvubu National Parks, which are important for their natural habitats and ecosystem services, but face threats such as resource extraction by riparian communities, logging, poaching and other human activities.

### **1.1 The Land Component of The PRRPB Project**

The land certification sub-component is part of one of the 6 components of the project, component 2 "Sustainable landscape management and practices". The other sub-component 2 activities are the construction of terraces, the reinforcement of vegetation cover and the improvement of cultivation practices to prevent erosion and thus increase productivity. To carry out these activities, it is necessary to establish a clear, systematic and reliable vision of boundaries in order to clarify rights of way, in particular private property (individual and collective) and the national domain (including protected areas), to identify and know the owners, and to identify and try to resolve land-related conflicts. Indeed, pressure on land is increasing, especially as it becomes scarcer (Burundi has a population density of more than 460 inhabitants/km<sup>2</sup>, and land disputes account for more than 70% of cases brought before Burundian courts) in the communities and hills where the project operates.

It is expected that systematic land registration and amicable conflict resolution, which should lead to a reduction in land disputes, in combination with other development activities (notably erosion control and improved productivity systems), will be important factors in the development of sustainable and peaceful agricultural productivity, as well as in the strengthening of lasting social peace.

Among the more detailed objectives, the project also aims to improve and formalise the rights of women and vulnerable social groups to access land.

### **1.2 The challenge of certifying for women**

In Burundi, women make up the bulk of the productive labour force in the agricultural sector: 97.3% of women of working age are employed in this sector, which remains the dominant

activity in the Burundian economy, contributing over 50% of GDP in terms of value added (FAO data, 2011).

Despite women's significant contribution to Burundi's productive system, their limited access to land rights remains a major challenge. This problem is rooted in legal loopholes, notably the absence of an inheritance code, which creates an environment conducive to gender discrimination. Traditional socio-cultural practices exacerbate these inequalities, often relegating women to a secondary role in land management.

Beyond their individual impact, these land inequalities have repercussions for the community. Women who play a leading role in agriculture and food security are often denied full ownership of the land they farm. This not only limits their ability to invest in sustainable farming practices, but also hinders overall rural development.

In this context, the PRRPB is positioned as a strategic response to these systemic challenges, seeking to rebalance land relations in an inclusive manner. The remainder of this article examines in detail the PRRPB's efforts to mitigate these inequalities, particularly through innovative approaches to land certification with a focus on gender equity. According to the project's intervention framework, 16,956 land certificates are expected to be issued by the end of the project, 50% of which will be in the name of women or spouses.

### **1.3 Editorial statement on this article**

This article was written by experts from the IGNFI - GEOFIT - LADEC consortium, which was contracted to support the implementation of the land certification sub-component of the Burundi Landscape Restoration and Resilience Project. The work presented here is contextualised feedback on the implementation of this project, rather than a pure research approach.

## **2. OPERATIONAL FRAMEWORK**

### **2.1 Land tenure security**

Although perceived as an abstract concept by some, land insecurity is a tangible reality for the majority of the world's poor. The facts are stark: only 30% of the world's population has a formal title deed, making land rights a privilege rather than a norm. At the heart of this crucial issue is the challenge of land certification, which was highlighted at the World Bank's Land and Poverty conference in 2017. Formal recognition of land rights is emerging as an imperative to stimulate investment, promote economic growth, and prevent expropriation and forced migration, thereby contributing to countries' resilience in the face of challenges.

Securing land rights is emerging as a cornerstone for building sustainable societies. Well-established property rights, clear boundaries and accessible land services are essential for promoting economic growth, according to Ede Ijjasz-Vasquez, former Senior Director of the World Bank's Social, Urban and Rural Development Cluster.

### **2.2 Land formalization in Burundi**

Burundi has been engaged in land reform since the mid-2000s, with the adoption of a new policy, legal and regulatory framework. In 2010, the government approved a land policy letter, followed by the adoption of a new land code in 2011. A key innovation of this reform is the establishment of a decentralised land administration system, comprising a communal land department in each commune and a hill recognition commission in each hill.

This new system allows individual property rights to be recognised and formalised through a local, public and adversarial process. Owners can obtain a Land Certificate (LC), which confirms their ownership rights. The LC can also formalise other rights such as easements,

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usufruct, or leasehold rights. The system also encourages the peaceful resolution of land disputes through community mediation.

Compared to the previous land registration system, which issued land titles, the land certification approach is more accessible and affordable for rural households due to its proximity, lower costs and simplified procedures. Since 2012, a systematic approach to land certification, called the grouped rights recognition operation, has been implemented in certain regions, allowing for the recognition and formalisation of land rights in a comprehensive and inclusive manner. Each parcel of land is subject to a recognition session and each owner can obtain a land certificate, thus promoting the recognition of land rights of all individuals, regardless of their socio-economic status or the origin of their land rights.

### **2.3 Gender aspects**

The social and customary context in Burundi plays a significant role in gender inequalities in land ownership. The main method of acquiring land is through inheritance, but there is no law governing inheritance and marriage in the country. Inheritance is governed by traditional custom, following a patrilineal system in which only the father grants inheritance status to his sons. Daughters are excluded from inheriting land and benefit only from usufruct, and only for as long as the heirs allow.

With regard to international human rights law, Burundi has ratified a number of instruments enshrining the principle of equality, including the Universal Declaration of Human Rights (Article 17), the International Covenant on Civil and Political Rights (ratified on 9 May 1990), the International Covenant on Economic, Social and Cultural Rights (ratified on 9 May 1990), the African Charter on Human and Peoples' Rights and the Pact on Security, the International Covenant on Civil and Political Rights (ratified on 9 May 1990), the International Covenant on Social and Cultural Rights (ratified on 9 May 1990), the African Charter on Human and Peoples' Rights, the Pact on Security, Stability and Development in the Great Lakes Region and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, ratified on 8 January 1992).

With regard to the national legal and policy framework, Burundi has adopted several relevant laws and documents, such as the Arusha Agreement, the Constitution, the Personal and Family Code (articles 125 and 126), the law on the prevention, protection of victims and repression of gender-based violence, the Land Code, jurisprudence, the Land Policy Letter (axe 5) and the Politique Nationale Genre adopted by the Government in July 2012.

However, despite these legal instruments, shortcomings remain.

Legal loopholes in key legislation, such as the Penal Code and the Family Code, contribute to reinforcing inequalities in roles and responsibilities between men and women, both at couple level and within the household and community. At the community level, the traditional institution of the "Bashingantahe" is responsible for dealing with conflicts and breaches of the rules of conduct, and is made up exclusively of men, to the exclusion of women. Social roles such as power, decision-making and public speaking are reserved for young boys, who receive an education geared to these responsibilities.

The Personal and Family Code provides for joint ownership of property, including land, by legally married couples (which is by no means always the case). It stipulates that neither spouse may, without the other's consent, alienate or encumber with real rights any property or assets belonging to the conjugal community. This provision is not intended to guarantee women a right to land ownership, but it has the merit of protecting the household's land assets. At the

same time, however, Article 122 discriminates against women by stating that "the husband is the head of the conjugal community". This legal position strengthens the position of the husband, who is already in a dominant position under current customary law. Women's usufructuary rights, known as "Igiseke", such as the use of family land or rights to the husband's land for widows or women abandoned by their spouses, are defined by customary law. For example, a woman may find it difficult to assert her claim or defend herself if her brother wants to sell the land and argues that only his name appears on the deed. This insecurity hinders women's ability to invest and make autonomous decisions about the use of their land.

Finally, the absence of legal provisions that adequately protect women's inheritance rights creates a legal vacuum that leaves room for discriminatory interpretations of land rights that are particularly detrimental to women.

By combining land formalisation with in-depth gender analysis, the PRRPB aims to address existing inequalities and create a more equitable land tenure framework in Burundi. The following chapters detail the specific strategies implemented by the project, and more specifically by the group, to achieve these ambitious goals.

### **2.4 Methodology**

The IGNFI-GEOFIT-LADEC consortium has been awarded contracts PRRPB-IDA-D276-BI/99907/CS/QBS/2020 and Contract n°PRRPB-FEM-TF5320/263812/CS/CDS/2021 to implement the land certification sub-component of the Burundi Landscape Restoration and Resilience Project.

### **3. THE IGNFI – GEOFIT – LADEC CONSORTIUM, TECHNICAL OPERATOR FOR LAND CERTIFICATION**

Our group is built on synergy, combining, and pooling our diverse and complementary expertise, skills, and experience.

IGN FI, a French company, and a major player in the field of geographical information, assists major private and public sector clients in the implementation of their geomatics projects. It offers its expertise in the following fields: geodesy, metrology, cartography / national geographic data infrastructure, databases, geographic information systems, thematic portals, land information systems...

100% active in export, IGN FI applies its know-how to a wide range of sectors: land, agriculture, forestry, environment, civil security, borders...

Updating a country's cartography, metrological monitoring of high-risk areas, implementing a national geomatics plan, setting up a civil protection centre, supervising cadastral work, creating environmental databases, demarcating borders...: in each of these fields, IGN FI mobilises highly qualified experts to advise, assist and train the user at each stage of the project, offering innovative solutions tailored to the customer's needs.

GEOFIT Expert & GEOFIT is a firm of chartered surveyors and a consultancy firm with over 1,000 employees specialising in cadastral engineering and land administration, support for project management and implementation of land policies, design, implementation, monitoring and evaluation of field operations, and methods and tools for securing land tenure.

GEOFIT has developed its skills in a highly strategic sector for economic development: land administration. In this respect, GEOFIT has been called upon in many African countries (e.g.: securing 500,000 parcels of land through grouped land certification operations; creation and revitalisation of land tenure offices; preparation of local land tenure plans; establishment of natural resource and land management systems in the context of hydro-agricultural

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development; design and implementation of national land information systems; support for cadastral reform and/or decentralisation of land policies; etc.).

GEOFIT also specialises in topography, land description, technical and real estate assets, photogrammetry, geographic information systems and digital imaging.

GEOFIT's business is the production, structuring and integration of topographic, heritage and land data.

LADEC, Land and Development Expertise Center, is a Burundian social enterprise that promotes sustainable community development and social justice based on good management of land and other natural resources. LADEC works to promote a prosperous, peaceful and just Burundian society through equitable access to resources and development opportunities. It believes that social entrepreneurship is a model that can effectively contribute to building this society.

Through research, LADEC produces analysis and proposals to inform, influence and educate development policy. Based on its research, it facilitates dialogue between public authorities, technical and financial partners, civil society, and citizens. It initiates, designs, manages and/or implements development projects at different levels, considering the real needs of the beneficiaries. Based on these areas of expertise, it provides high-quality consultancy, monitoring, evaluation and support services for development projects and processes.

Its areas of expertise are research, capacity building, facilitation of policy dialogue frameworks and project management in the following areas: decentralised land administration, land conflict management, gender & land rights, land & food security, environment & land use planning, rural development.

#### **4. METHODOLOGY TO SUPPORT LAND TENURE SECURITY**

In accordance with the Terms of Reference of our contract, support for securing land tenure for the target communes and their populations, and for the target commune and its population was as follows:

- Informing communal authorities about the PRRPB project's intervention framework and the current regulatory framework for decentralized land management, with a focus on grouped operations.
- Carrying out a participatory land diagnostic in the intervention communes to identify and take into account (i) land tenure status (private land, state land, protected areas; ownership rights and secondary rights; etc.) and the main forms of land transaction, as well as local specificities; (ii) land issues specific to each commune; (iii) the problem of absent or displaced households due to emigration, displacement or other factors.) and the main forms of land transactions, local specificities; (ii) land issues specific to each commune; (iii) the problem of households absent or displaced due to emigration, rural exodus, the season, etc.; (iv) the level of community mobilization.
- Survey of commune and hill boundaries and delimitation of areas under SFC jurisdiction, integrating state land boundaries updated by the PRRBP and other available data.
- Support for the operationalization of land departments: (i) support for the administrative creation and recruitment of land agents, training, and equipment requirements; (ii) consideration of the issue of the sustainability of the land department; (iii) design and implementation of a conflict management plan including: training of stakeholders, preventive activities, measures to categorize the level of conflict, measures to strengthen mediation and conflict management mechanisms.

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- Massive information and awareness-raising campaigns for stakeholders, using radio messages and facilitators to inform people about (i) the parcels of land concerned by certification, (ii) the progress of activities, (iii) certification procedures, (iv) opposition and conflict management mechanisms, and (v) awareness-raising on gender issues and the inclusion of the most vulnerable.
- Support for setting up and training Hill Recognition Commissions
- Technical and logistical support for land department in carrying out grouped rights recognition operation (systematic approach) on 26 hills in the Communes of Buhinyuza (12 hills), Isale (10 hills) and Matongo (4 hills).

This methodology is presented in summary form, in order to understand the overall intervention framework and the actions specifically designed to promote women's access to land formalization.

#### **4.1 Implementation of a methodology for the improvement of women's access to and security of land rights**

The contractual target of 50% of certificates bearing women's names seemed extremely difficult to achieve, given the legal and customary constraints described above. In order to meet this challenge, the group decided to strengthen the position of the gender expert and also to position her as deputy head of mission, so that all decisions taken in the management of the project would be coloured by this issue.



Figure 1 Two of the support staff involved in digitising the survey data.

#### **4.2 Organizational decisions to promote women's participation and representation in activities.**

To achieve the goal of formalising land rights in women's names, we have activated a number of levers to ensure that women have a real place in decision-making and visibility: in addition to the Deputy Head of Mission, who is an expert in gender and social inclusion issues, we have paid close attention to the role of women in the recruitment of land service agents, as well as support agents in charge of the secretariat and monitoring of local recognition.

#### **4.3 Organize a scoping workshop to start the activities.**

In order to significantly improve women's access to land and secure their rights, the project's ToR recommended several actions: (i) a major awareness-raising campaign in the field; (ii) securing women's existing land rights (in particular ownership by purchase and usufruct); (iii) introducing land certification practices in favour of women.

At the start of the project (March to June 2021), the consortium established a baseline situation on the issue of access to land for women and vulnerable social groups (such as the Batwa) through bibliography and sampling (targeted semi-directed interviews). It was found that although the practice of certification in the name of both spouses had already been tried (Swiss Cooperation land project, PAAGF 2016, etc.), it had been done on a very small and unsystematic scale, and there was no legal framework specifying either the possibility or the modalities. For example, the official land documentation does not provide for the registration of two spouses. However, targeted surveys in the intervention communes revealed no hostility when the hypothesis of an experiment was put forward.

In order to discuss the results of this study and to develop the framework for the consortium's intervention on certification on behalf of women, a technical workshop was held in July 2021, bringing together land tenure practitioners (Permanent Secretariat of the National Land Commission, technical services in charge of land tenure) and representatives of the project and the consortium. The main objective of this workshop was to specifically discuss possible scenarios that would lead to the best results in terms of certification on behalf of women. It was concluded that the most favourable scenario in the current situation is the registration of both spouses on the land documentation. It should be noted that this process of securing women's land rights presupposes the existence of these rights, and the workshop decided to draw on international and national instruments promoting women's land rights in Burundi (detailed in the results section). The grouping was therefore authorised to apply this experiment to the scale of the project's intervention zones and to propose an adaptation of the land documentation to the Permanent Secretariat of the National Land Commission, which is responsible for validating it.

At the end of the technical workshop, other recommendations were made to promote access to certification for women and vulnerable groups:

- A national workshop will be held at the end of the project to review the experiment.
- The importance of considering and recording usufruct ("igiseke", the land occupied by daughter-mothers, widows, divorced women, etc.).
- Raising women's awareness of the need to register their land in their own names, thus giving them access to opportunities to buy more land.
- If children are registered on the land certificate, sensitise parents to register their daughters as well.
- Remember that promoting the certification of women's land rights concerns all women regardless of their status: women in legal marriages, women in customary unions, single mothers, divorced women, etc.
- Ensure the presence and participation of women (and girls) and the Batwa during land certification (information/mobilisation strategy, announcing and planning activities so that everyone can participate, etc.).
- Ensure that women and Batwa are represented in various land tenure structures/committees.
- Prior identification of the Batwa during land certification or adoption of strict administrative measures prohibiting the sale, purchase or transfer of land allocated to the Batwa.

#### **4.4 Operational execution**

In order to achieve the objective of formalising land rights on behalf of women, the consortium has decided to activate a number of levers to ensure that women have a real decision-making role and visibility: in addition to the deputy head of mission, who is an expert in gender and social inclusion issues, great attention has been paid to the role of women in the recruitment of land service agents, as well as support agents in charge of the secretariat and monitoring local recognition.





Figure 2 Inaugurating the Communal Land Department and opening the Grouped Recognition of Rights Operations in Isare (left) and Buhinyuza (right).

- The manual filling in of official forms during the hill surveys was combined with the use of digital tools (GEOSIF software suite designed and implemented by IGNFI to facilitate mass and/or systematic certification) to ensure that all questions were systematically asked, so that volunteering was real, and also to collect data disaggregated by gender, so that the achievement of this objective could be better monitored.
- The systematic approach to the hill surveys (the Commission visits each parcel on the hill) has also enabled usufruct to be better considered (previously, owners may have been reluctant to certify a parcel encumbered by usufruct).

## 5. MAIN RESULTS

Between January 2021 and March 2023, the group executed two contracts:

- Contract n°PRRPB-IDA-D276-BI/99907/CS/QBS/2020 "consultancy services to support the implementation of the land certification sub-component of the PRRPB" for the communes of Buhinyuza and Isare
- Contract n°PRRPB-FEM-TF5320/263812/CS/CDS/2021 "consultancy services to support the PRRPB in implementing the land certification sub-component in Commune Matongo".

These contracts allowed the Group to systematically certify the area covered by the project: 12 hills in Buhinyuza, 10 hills in Isare and 4 hills in Matongo.

### 5.1 Overall certification results

The quantitative results anticipated by the project were that 16,956 land certificates would be issued and handed over to the municipalities, and that 50% of these would be in the name of women or spouses.

In less than 26 months, the results of the group have exceeded these expectations: 103,525 land certificates have been issued.

The table above summarises the results in terms of the number of certificates issued.

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*Table 1 Certification results for the 26 hills*

<b>Communes</b>	<b>Number of recognized parcels</b>	<b>Number of parcels subject to CF</b>	<b>Certification rate</b>
<b>Buhinyuza (12 hills)</b>	30 873	30 581	99,1%
<b>Isare (10 hills)</b>	66 709	65 289	97,9%
<b>Matongo (4 hills)</b>	7 863	7 655	97,4%
<b>Total</b>	<b>105 445</b>	<b>103 525</b>	<b>98,2%</b>

The certification rates are below 100% because some files were rejected by the Hill Reconnaissance Commission, one or more objections were lodged against certain files, and certain exceptional circumstances prevented certification (death of the applicant during the procedure, anomaly in the file that could not be resolved within the allotted time, etc.). Nevertheless, the certification rate is extremely high, exceeding 97% of the parcels recognised everywhere.

The higher-than-expected number of parcels is largely due to the very high fragmentation of the parcels, especially in the municipality of Isare, as shown in the table below.

*Table 2 Average parcel size by Commune*

<b>Municipality</b>	<b>Average surface area in m<sup>2</sup></b>
<b>Buhinyuza</b>	<b>3 138</b>
<b>Isare</b>	<b>948</b>
<b>Matongo</b>	<b>1 122</b>

The origin of rights to parcels is almost equally divided between purchase (on average 50% of parcels) and inheritance (on average 48% of parcels).

All the land certificates were produced and handed over to the communities. Mass certificate ceremonies were organised to promote the actions carried out and to encourage beneficiaries to collect their certificates. Previously, in other projects, the owners felt reassured by the single stage of collar recognition (local, public and contradictory) and the existence of a process-verbal. They did not necessarily withdraw the certificate. In the PRRPB experiment, awareness-raising efforts, the organisation of ceremonies and the fact that the certificate was free of charge were all factors that led to a strong mobilisation of the beneficiaries when the certificates were handed over.



Figure 3 Land certificate ceremony in Isare

The rate of conflict measured was very low (<2%) and not entirely significant. In fact, landowners try to settle disputes prior to hill recognition in order to limit any obstacles to securing their land rights. During the recognition process, the number of land conflicts handled by the Hill Recognition Commissions is also low, and 70% of the conflicts reported during the recognition process are resolved directly through mediation.

Regarding conflicts, Mr Gilbert NIYONKURU, Isare Communal Administrator, testified during the World Bank delegation's visit in March 2022: "Certification has reduced social conflicts by more than 90%. Of the 180 cases of conflict dealt with up to February 2022, 118 conflicts have been resolved peacefully and 80% of the land certificates have been registered in the names of the couples".

### 5.2 Women's certificate results

The results of certification in the name of women are summarized in the table below.

Table 3 Sum of Certificates bearing women's names.

	Number of Land Certificats	%
<b>Mention of the woman</b> (alone or with spouse)	78 717	76 %
<b>No mention of the woman</b>	24 808	24%
<b>Total</b>	<b>103 525</b>	<b>100%</b>

This percentage varies

slightly from commune to commune: in Buhinyuza, the proportion of land certificates in women's names is 70% (i.e. 21,379 certificates), compared with 80% in Isare (i.e. 52,343 certificates) and 65% in Matongo (i.e. 4,995 certificates). The marked difference for the commune of Matongo can be partly explained by the importance of inheritance as a means of access to land for all the hills.

Table 4 Mode of parcels acquisition in Matongo

Hill	Method of acquisition (Origin) of rights			Total
	Purchase	Inheritance	Other	
Bwisange	529	741	8	1 278
Matongo	1 414	1 924	41	3 379
Mpemba	333	519	8	860
Nyakibingo	830	1 253	55	2 138
<b>TOTAL</b>	<b>3 106</b>	<b>4 437</b>	<b>112</b>	<b>7 655</b>
<b>%</b>	<b>41%</b>	<b>58%</b>	<b>1%</b>	<b>100%</b>

These rates of acquisition by inheritance are much lower for Isare (44%) and Buhinyuza (47%). However, the weight of custom remains stronger in the case of inheritance than in the case of purchase, which is more easily claimed by the household.

A specific analysis of the parcels applied for by women gives the following results:

- In Buhinyuza, 1,573 women applied for land certificates (5% of all certificates), of whom 272 registered their spouses (17%)
- In Isare, 6,586 women applied for land certificates (9% of all certificates), of whom 2,989 registered their spouses (45%)
- In Matongo, 353 women applied for a land certificate (4.5% of all certificates), of whom 100 registered their spouse (28%).

While the project expected a 50% rate of certificates in women's names, these results exceeded all expectations, raising the average to 76%. Moreover, this figure should be understood as the rate for all certificates, whether in the name of individuals or not. However, the proportion of certificates held by women remains well below 10%.

Figure 4 Certificate award ceremonies in Buhinyuza (left) and Matongo (right)

Testimonials: Illustrating the direct and indirect results of the project's gender approach

**Anastasié NDUWIMANA** is a wife and mother of 5, a hill veterinarian and a member of the Rushubi (Isare) Hill Certification Commission. Anastasié shares her experience of empowerment through the project: thanks to land certification, she has registered her land, strengthening the protection of family property. Anastasié stresses the importance of registering spouses' names on land certificates, pointing out that this benefits not only the woman but also the family, especially in the event of the death of the head of the family.

**Bella Carine GATEKA** from RUSHUBI Hill in Isare is a young single woman who was able to buy land. However, her purchase has been challenged, as she explains: "Soon after I bought my land, conflicts arose, and I had to defend my purchase in court. Fortunately, I won the case and immediately went to the municipal land office to register the land. Now I have the land certificate, which protects me from future conflicts. What's more, I have already presented it to Coopec (a microfinance cooperative) as a mortgage for a loan application to boost my commercial business". She asks the project to consider the many girls in this commune who are afraid to start their own business and buy land, and to raise their awareness of this important aspect of promoting gender equality in land management in Burundi.

Emmanueline NIYONZIMA, Nyarunazi's daughter and mother, recounts her remarkable transition from project assistant to successful entrepreneur. After using her bank salary to start a rice business, she has made significant profits and diversified her investments. IGFI-

GEOFIT-LADEC not only opened up economic opportunities for her, but also provided her with crucial knowledge on how to manage land issues and avoid potential conflicts.

Angeline BARANYETEREYE from Gasave Hill in Buhinyuza is a single mother of 4. She tells us how she came to own certified land. "I have two parcels of land, one I inherited from my family and one I bought. When I heard what the project was teaching during the awareness sessions, I decided to have the land certified to provide security, especially as single women are vulnerable when it comes to land rights. I've already collected the certificates. In the case of the land I bought, I had lost my certificate deed because it had gone up in flames, which had taken it with my first house. I was afraid that ill-intentioned people would come and evict me but thank God I now have these land certificate. With these certificates, my children will also be able to inherit my land without having to worry or justify themselves to anyone. As



Figure 5 BARANYETEREYE  
Angeline

we are also on the border of Ruvubu Park, it is very important to have these certificates because if one day the state tells us to leave, I don't want to leave empty-handed.

Véronique NDAYISABA, collecting her land certificate, says: "Land certification was introduced to give women a place in Burundian society. Before, as the only girl in a family of five, I had no right to a parcel of land. Thanks to the explanations given by the project specialists, my brothers agreed to register a parcel of land in my name".

Some of the women we met in Matongo confirm that the awareness campaign on joint land registration has made them aware of the interest and added value of this approach for the families that follow it. They are pleased to see that registering land in the name of both spouses is an innovation that gives women security and peace of mind: they have rights of access to land and will continue to exercise them even in the absence of their husbands. The registration of their names on land deeds is therefore a source of pride for them and a guarantee of the security of their property, they claim.

These women also explain that, prior to the PRRPB's activities, they were unaware that land certification allows the holder of a land certificate to apply for loans from financial institutions and to invest in their secured land. Women landowners are therefore ready to take out loans to carry out mini projects to support their economic empowerment, they conclude.

These stories are just some of the many examples of the tangible impact of the PRRPB. These stories reveal a variety of direct and indirect benefits, from the protection of land rights to the economic empowerment of women through the project.

## 6. RESULTS ANALYSIS

The National Workshop on Women and Land Tenure provided the main framework for collective analysis of the results and the approach used.

### 6.1 National workshop on women and land tenure

In line with the recommendations of the technical workshop, the PRRPB, the Consortium and the institutional land stakeholders jointly organised a national workshop to present and analyse the massive voluntary experiment of certification on behalf of the spouses.

This national workshop was held from 30 to 31 August at the Helena Hotel in Gitega, in the presence of the Permanent Secretary of the Ministry of Environment, Agriculture and Livestock

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(the supervising ministry of the PRRPB), the Permanent Secretary of the National Land Commission, the National Coordinator of the PRRPB and her team, and the IGNEFI-GEOFIT-LADEC team.

The Group presented the above findings and the approach adopted to achieve its objectives.

The consortium has developed a robust methodology that integrates various strategies to achieve the PRRPB's expectations on women's access to land, the main ones of which are presented below:

- **Enhanced, targeted awareness-raising:** Prior to any intervention, an awareness-raising phase is carried out, highlighting the importance of land formalisation and its specific benefits for women. The aim is to create a common understanding within the communities.
- **Normative support:** The consideration of women's land rights in the land certification process is based on (1) international conventions such as the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights, the ICGLR Pact on Security, Stability and Development in the Great Lakes Region, the Convention on the Elimination of All Forms of Discrimination against Women, adopted on 18 December 1979, entered into force on 3 September 1981, which entered into force on 3 September 1981 and was ratified by the Burundian State on 8 January 1992, and (2) in Burundi's domestic law and policy frameworks, such as the Constitution of the Republic of Burundi, the Code of the Person and the Family, the Law on the Prevention, Protection and Punishment of Victims of Gender Violence, the Land Code, case law, the Arusha Agreement, the Land Policy Letter, the National Gender Policy, etc. These texts were highlighted because they advocate equality, equity and non-discrimination between men and women, which is an obstacle to women's access to land rights. However, the lack of a law on inheritance and matrimonial regimes, and the lack of economic empowerment of women also hamper their access to land rights and have a negative impact on the inclusion of women in land certification.
- **Gender mainstreaming:** A thorough analysis of gender dynamics is integrated into all phases of the project. This includes the identification of barriers specific to women in the context of land tenure, with particular attention to customs, norms and laws that may negatively affect women's access to land.
- **Institutional support:** The group worked closely with local authorities and established strong partnerships with local governments and community organisations. This collaboration aims to ensure an institutional base for the successful implementation of the project.
- **Technology and innovation:** The use of modern technology, such as digital tools for data collection and mapping, improves the efficiency of the land certification process. This helps to speed up the process while ensuring higher quality and accuracy, as well as additional indicators (which are missing from paper land documentation).
- **Community mobilisation:** The approach focuses on community participation, transparency of processes and voluntary registration of spouses. Community members, including women, are actively involved in decision-making processes. Local land committees play a key role in community mobilisation and coordination. Community facilitators are trained, supervised and remunerated. This comprehensive methodology aims to create an environment conducive to equitable access to land for women, taking into account the cultural, social and economic aspects specific to the Burundian context.

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According to discussions during the workshop, one of the most notable results of the PRRPB's intervention has been the significant reduction in land conflicts. The clarification of property rights through formalisation has brought greater stability to communities, reducing land disputes. This stability fosters an environment conducive to economic growth, social cohesion and the general well-being of rural communities.

The formalisation process has also been a catalyst for local capacity building. Community members, especially women, have been involved in every stage of the process, strengthening their understanding of land rights and land management. This knowledge transfer helps to create a solid foundation for the long-term sustainability of the results achieved.

Finally, equitable land formalisation has had a direct impact on the economic empowerment of some rural women in the targeted hills. With formal recognition of their land rights, women have increased their access to financial services, using their land as collateral to obtain loans and invest in agricultural and business initiatives. This economic transformation not only contributes to poverty reduction, but also strengthens the role of women as key actors in local economic development. However, these cases are still few and far between, and the approach needs to be scaled up if it is to have a real impact.

Despite this adherence by beneficiaries to the good practice of including women's land rights in the land certification process, land certification in general, and on behalf of women in particular, still faces many challenges:

- Land users' awareness of the need to certify their land remains very low throughout the country, and it is important that authorities at the highest level become more involved.
- The models for land documents (Official report, Certificate, Land register) do not provide for, and leave no room for, the registration of spouses' names. These models for land documents are provided for in Ministerial Order No. 770/485 of 22 March 2017, which would need to be revised.
- The technology used by the consortium to carry out RMOs and issue the land certificates generated by the Land Information System (SIF) is very sophisticated and costly, and therefore beyond the reach of all municipalities.
  - Cooperation between the communal land services and the Land Titles and National Cadastre Department is weak, even though timely exchange of information is essential for good land management at both communal and national levels.

During the national workshop, fruitful discussions highlighted the need to scale up this approach, in particular by including the names of both spouses or women on land certificates. The involvement of state actors was highlighted as crucial to ensure ownership of the land certification process in all its dimensions, giving women a prominent place in access to land rights. The workshop strongly recommended that the legal framework and management tools of the customary land tenure system be updated, incorporating the PRRPB approach. The Ministry of the Environment, Agriculture and Livestock (MINEAGRIE) and the Permanent Secretariat of the National Land Commission (SP/CFN) are committed to carrying out this update, with technical support from decentralised land management stakeholders, including the Group. These actions aim to further strengthen women's participation in the land certification process.

Participants at the national workshop therefore made several recommendations to the various stakeholders in land tenure in Burundi.

The government was recommended to:

- Establish a national programme for land tenure security, with widespread awareness-raising among the population, to help secure rights and significantly reduce land conflicts and all their consequences.
- Regularise the situation of the Batwa so that the land they occupy (often state land) can be certified.
- Re-establish a framework for the exchange of information between the various actors in the land sector to promote coordinated action and the sharing of experiences.
- Revise Ministerial Decree No. 770/485 of 22 March 2017, which establishes the models for land documents, including the registration of spouses and the electronic management of these documents.

Donors were recommended to:

- Support the Government of Burundi in the certification of land throughout the country.
- Support the Direction of Land Title et du National Land Registry in registering state land.

The PRRPB was recommended to:

- Ensure that all uncontested land certificates are produced, signed by the municipal administrators and handed over to the beneficiaries before the end of the project.
- The PRRPB undertook to see the process through to completion. It emphasised that the responsibility of the service provider is limited to producing these certificates and handing them over to the community for signature.

Other stakeholders in the land sector were advised to

- Prioritise collaboration and information sharing in their respective interventions to avoid overlap and duplication.
- Redouble their efforts to raise women's awareness of the need to have their land certified.

## **6.2 Additional results analysis**

In addition to the considerations shared during the workshop, here are some limitations that are likely to weaken women's rights:

- Even if the certificate is registered in the name of both spouses, this does not fully solve the problem, as (i) the husband remains the head of the family under the Personal and Family Code; (ii) there is not yet sufficient case law to ensure that the wife's rights are fully recognised in the event of an intra-family conflict.
- The involvement of local authorities has been repeatedly highlighted as a key factor in raising awareness, particularly on gender issues. In the PRRPB project, local administrators were very supportive and involved, although this may not be the case everywhere.
- The certification in the name of the spouses in this experiment assumed that they were legally married, but there may be other forms of couples that are not currently taken into account (unmarried couples). It was also observed that in cases of polygamy, particularly in Buhinyuza, the second wife, who is not officially recognised, could not certify parcels with her husband. Women in such situations are likely to find their situation even more complex.
- Despite the progress made, it is likely that some women's situations have remained in the shadows and that they have not had access to, let alone formalised, land rights in the time available. Widows with children have the legitimacy of descendants, which gives them access to land after the death of their husbands. But in practice, childless widows have even less legitimacy to claim their deceased husband's land and are often forced to leave without any claim.

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- A major challenge for the sustainability of land certification is to secure the data generated on a large scale and to record the changes that take place on these parcels. While respecting the framework of decentralised land management, the implementation of a land information system would make it possible to
  - Harmonise the approaches of the different TFPs, projects and stakeholders
  - Standardise the land information produced
  - Facilitate the production, management and storage of community land data
  - Manage, display and archive land information at a national level.

### **GENERAL CONCLUSION**

The PRRPB project is part of a global vision aimed at improving the living conditions of rural communities. With regard to women's access to land, the project has deployed a strategic approach to address the specific challenges they face. The main expectations of the PRRPB include :

- **Securing women's land rights:** Recognize and formalize land rights, particularly those of women, thus ensuring a solid basis for their land security.
- **Reducing gender inequalities:** tackling the socio-cultural and legal norms that create gender disparities in access to and control over land resources.
- **Economic empowerment:** Facilitating women's access to land to strengthen their economic autonomy and contribute to the sustainable development of their communities.

By deploying innovative, inclusive and gender-sensitive strategies in all aspects of the project, the IGNFI-GEOFIT-LADEC consortium (technical operator of the PRRPB Land Tenure Certification Program) has achieved and greatly exceeded the expected results:

- Over 103,000 certificates produced and delivered to Communes.
- 76% of certificates bear the name of a woman. This dynamic has brought about a significant change in the perception and reality of women's land rights in the project's communes.

Land certification therefore meets a real need among the population for secure land tenure, and support for registration of the 2 spouses has also been strong, particularly for parcels owned by men.

The Grouped Recognition Operation approach, combined with the use of new technologies, provides an appropriate and effective framework for a massive and comprehensive formalization of all types of rights holders, particularly women, as well as for the peaceful management of land conflicts and massive formalization of rights.

Registering the 2 spouses on the CF is one strategy for strengthening the protection of women's land rights, but it cannot be the only one, and must be accompanied by changes to the regulatory framework, in terms of land tenure, inheritance, matrimonial systems and so on.

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