How to make secure land rights more accessible & affordable?

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A set of very simple principles

- Know why to secure rights
- Be aware of options & allow flexibility along the continuum
- Technology to empower people, not push them out
- Pilot carefully to allow quick
- Be prepared to ask strategic questions
- Ensure continued monitoring and multi-stakeholder feedback
Know the purpose – why secure rights?

- Protection against land loss & conflict
  - Land as a key asset; its loss can be (and often is) devastating
  - Particularly essential with higher demand – transparency; negotiation with investors
  - Impact will depend on pre-existing level of insecurity

- Female empowerment
  - Land rights traditionally highly biased against females (inheritance)
  - Impacts on household spending, fertility, education for next generation

- Investment, productivity, and environmental stewardship
  - Traditional incentive: Maintain soil productivity with high pop. pressure
  - Will automatically benefit the disadvantaged
  - Impact will depend on pre-existing level of insecurity

- Market transactions, credit, and taxation
  - Markets critical for structural transformation - credit traditionally overemphasized
  - Requires functioning registry & access to information
  - Scope for taxation historically a motivation for establishing registries

- These issues have rarely been posed before initiating programs
Know the options – continuum of rights

- Where are group rights adequate (and what is needed?)
  - Have many advantages (e.g. flexibility, insurance, cost)
  - Will require member inventory (gender), representation, decision rules
  - Usually exist in conjunction with individual rights within community
  - Interaction with outside investors often an issue

- Large spectrum of ways to recognize individual rights
  - Informal documents at local level (tax, utility, sales receipts)
  - Interesting options for VGI being ratified as ‘formal’ documents
  - Formal documents in various forms (transactions or rights); spatial reference
  - Costs can be a significant obstacle - gradual options to be considered

- Adapt to the local environment
  - Awareness & demand assessment essential (Tanzania example)
  - Systematic vs. sporadic ways of implementation
  - Differences between rural and urban areas - allow flexibility within fwk!!
Don’t think technology will solve issues

- **Technology can be a huge enabler**
  - IT helped to reduce corruption & reduce cost of land admin.
  - Spatial data acquisition still evolving (sub-meter accuracy, UAVs)
  - Synergies from linking domains (planning, taxation, poverty targeting)

- **... but it is not a panacea**
  - Cannot substitute for clarity of regulatory or institutional framework
  - Power & connectivity still an issue in many places – equity impact
  - Irrational ‘belief’ in survey standards (vs. publicity/recognition)
  - Most interventions degenerated into mapping exercises

- **Political economy issues cannot to be resolved by tech**
  - These need to be reflected in legal framework
  - Awareness creation and legal aid during implementation essential

- **Technology works only in a social/legal framework**
  - Disputes cannot be resolved by technology
  - Procedures need to be adapted to local contexts
Rwanda example as an excellent model
- 3 years to regularize 15,000 plots (gender effects)
- Regularized entire country (10.2 mn plots) in less time thereafter

Comprehensive coverage/access vs. unconnected islands
- Sporadic approaches can degenerate into giving benefits to well-off only
- Most desired effects will not materialize without comprehensive coverage
- Requires low-cost model with ample local input & gradual option

Maintenance and updating a challenge
- Most (high-cost) land systems fail in this regard
- Need for decentralization & local input & Awareness of value of updating
- Fee structure essential (issue in Rwanda)

Some broader issues to be addressed upfront
- Equity: Is there a public good aspect of securing rural rights
- Service delivery: If yes, how are land administration institutions to be monitored?
- Autonomy: Are land administration institutions autonomous (decide & set fees)?
Independent, real-time monitoring essential
- During process: Enormous long-term consequences that cannot be undone
- Adjudication work tedious, difficult to monitor, incentive to cut corners
- Based on community input

Certain groups may lose out in unforeseen ways
- Example: Women’s rights in Rwanda – identified & redressed quickly
- Check awareness of rights (preconditions for equitable outcomes)

Check assumptions satisfied – link to multi-stakeholder
- Demand for documented rights
- Gender balance, transactions, pending & resolved conflicts etc.
- Basis for longer-term transparency

Implications
- Better survey information (legal knowledge, demand & trust in inst’ss)
- More transparent institutions (with regular monitoring)
- Debated by relevant stakeholders
To sum up

- Know the problem - why to secure rights
- Be aware of options & allow flexibility along the continuum
- Technology to empower people, not push them out
- Pilot carefully to allow quick
- Be prepared to ask strategic questions
- Ensure continued monitoring and multi-stakeholder feedback
- Research & events like this will become of even greater importance