

TANZANIA NATIONAL BUSINESS COUNCIL LANDS WORKING GROUP REPORT

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EXECUTIVE SUMMARY

The Lands Working Group (LWG) was formed in June, 2007 and tasked to review and **recommend to the Government measures geared towards making land as a tool for economic development** for all Tanzanians. The LWG was constituted by a total of 13 members. Membership diversity was aimed at obtaining optimal results from an enriched group of professionals.

The LWG commenced its task by formulating a Concept Paper. The Paper started off by conducting situational analysis of the status quo in so far as land reforms in Tanzania are concerned. The Group identified the types of land as general land, village land and reserved land. The land use for each category indicates that there is gross land underutilisation.

The Concept Paper identified critical issues relating to land as follows:

- Proper land utilisation,
- Land availability,
- Land as source of urban development,
- Land as source of empowerment of the poor,
- Land as source of conflicts, and
- Degradation of the environment.

The LWG noted that, there are significant steps taken by the Government aimed at reforming both land tenure and delivery in Tanzania. Reform initiatives already implemented include the following:

- promulgation of the National Land Policy in 1995 and related policies,
- Enactment and review/amendment of various land laws and regulations,
- Reform of institutional framework within the Ministry of Lands, Housing and Human Settlements Development,
- Implementation of various programmes and projects related to land delivery, tenure security, and

- Dealing with land disputes settlements and the creation of public awareness.

The LWG observes that land is a very wide and complex subject as it cuts across the economic life of all Tanzanians. Nonetheless, for the purposes of the work of the LWG during its tenure, it was deemed necessary to identify strategic land uses, which are calling for immediate attention. The Report identifies three strategic land uses i.e. Agriculture, Housing and Investment. Thereafter, the LWG went on to assess the adequacy of the legal and institutional framework against each strategic land use. The assessment is presented in matrix format (Matrix 4.4 attached) in the Report. The LWG findings show that there a number of gaps that require attention by various stakeholders. The following are some of the shortcomings:

AGRICULTURE:

- Lack of reliable data relating to available and underutilized land,
- Slow pace in implementing land reform specifically the land formalisation process due to lack of capacity in terms of both financial and human resources,
- Small agricultural land holdings that are unsuitable for sustainable and economic farming,
- Ownership (number) and values attached to each land parcel for compensation and transaction purposes are not known,
- Persistent land conflicts due to, among other things, lack of land use plans and the prevalence of unsurveyed land parcels, continuing practice of migratory grazing of cattle and inefficient dispute resolution mechanism,
- Lack of a land resettlement policy,
- Village land is largely governed by traditional norms as such, it is generally unsuitable for transaction purposes/accessing credit,
- Inefficient/inadequate Institutional framework due to lack of resources,

- Lack of clear policies as regards use of land e.g. for investment, agriculture and housing,
- Lack of sources of long-term finance to support agriculture,
- An impending challenge of East African integration calling for right of establishment (land ownership),
- Lack of awareness on environmental aspects leading to land degradation.

HOUSING:

- Weak forward planning to provide for housing
- Slow pace in land formalisation and regularization,
- Population growth *vis avis* availability of housing stock resulting into urban sprawl,
- Proliferation of unplanned settlements on valuable prime urban land that is required for real estate development
- Underutilized land in prime areas such as condemned buildings located in urban centers such as Kariakoo, Magomeni and Ilala,
- Lack of properly planned urban centres including the setting up of satellite townships.
- Incremental development in planned areas resulting into either poor quality or semi finished properties e.g Mbezi and Tegeta,
- Most houses in urban areas are located in informal settlements. While efforts are underway to formalise the most prevalent form of houses located in informal settlements for poverty alleviation purposes, available evidence indicates that there are still major hurdles in using residential licences to access credit finance from financial institutions,
- Lack of long-term housing finance institutions.

INVESTMENT:

- Lack of demarcated land (land bank) allocated for investment purposes
- Slow pace of implementing land laws and reforms including land parcelling thereby restricting land owners to use land

for investment purposes e.g. entering into joint venture with foreign investors,

- Land rights conflicts caused by land acquisition for investment purposes,
- Poor infrastructure, particularly for land set aside for investment,
- Role of investors is generally not well received by the community,
- Rigid procedures relating to land transfer or re-categorization e.g. from village land to general land,
- Difficulty in availing village land for investment purposes due to customary ownership norms leading to land under utilisation,
- Lack of clear policies to support land owners whose land is acquired for investment purposes, such as mining, thereby leading to land conflicts.

RECOMMENDATIONS

After identifying the shortcomings as outlined above, the LWG noted that certain steps require to be taken in order to make land suitable for the socio-economic development of Tanzanians. In addition, it was observed that there are several stakeholders who will be involved in the implementation of the recommendations. A proposal on the timing for the implementation of the recommendations appears at the end of this report.

Here below are the specific recommendations of the Lands Working Group:

1. Stock taking in order to identify the current status of land use and ownership in the three categories: i.e. general land, village land and reserved land. Land should not be allowed to be owned by foreigners until it has been surveyed,
2. Scaling up provision of surveyed land through concerted action by the various stakeholders. This should constitute an urgent project that builds up on the experiences of the 20,000 Plots Project. Substantial resources require to be allocated for the

- purpose in planning, land acquisition, site servicing and the building of institutional capacity,
3. Speeding up land formalisation process which entails: master plans, cadastral surveys and issuance of residential licences and subsequently certificates of title,
 4. Enhancing the pace of creating an appropriate legal framework to support housing and the operation of land markets (unit titles, mortgage financing, Valuation Act and Estate Agents Act),
 5. Formulate appropriate land re-settlement policy to support the process of compulsory land acquisition especially when land is acquired for investment purposes,
 6. Institute fundamental reforms in the institutions that deal with land delivery process,
 7. Institutionalise forward town planning. Each city, municipality, town centre to plan ahead, say up to 20 years. The Government should make funds available for the purpose and this should go hand-in hand with institutional capacity building particularly at the Local Government level.
 8. Create an enabling environment for the establishment of long-term finance to support agriculture, housing and investment,
 9. Identify and demarcate land for investment purposes and Improve the quality of infrastructure, particularly for land demarcated for investment,
 10. Streamline dispute settlement process,
 11. Give priority to environmental issues by legislative action and enhancing institutional capacity to include Local Authorities,
 12. Implement a public awareness programme for the purpose of avoiding disputes and to enable Tanzanians take an active role in land utilisation.

1.0 INTRODUCTION

Land is one of the basic natural resources for economic development and a platform for various socio-economic activities including agriculture, investment and housing. This resource is expected to contribute positively to the achievement of national strategies and targets geared towards the attainment of economic growth and poverty reduction.

In support of the national strategies, land related policies and legislation are in place along with an institutional framework for implementation. All these are aimed at facilitating the optimal use of land resources so as to promote rapid socio-economic development of the country. Nevertheless, among the challenges facing the country is failure to maximize the utilization of this resource. Accordingly, currently, land is sometimes perceived as being the most abandoned resource.

Following a review of the existing situation along with the TOR issued to Land Working Group by TNBC; this report is therefore intended to present the identified constraints that affect the use of Land as a vehicle for economic development and make recommendations on ways of overcoming those challenges.

Approach

In executing the task, the LWG devised the following approach:

- 1 Review of the types of available land in Tanzania, identification of key land issues and strategic land uses,
- 2 Identification of challenges or barriers to the proper/strategic use of land.
- 3 Assessing the magnitude of the identified challenges vis-a-vis strategic land use.
- 4 Coming up with specific recommendations on how to eliminate the identified barriers to using land as a vehicle for economic development.

Thus, LWG started its task by formulating a Concept Paper. The Paper started off by conducting a situational analysis of the status quo in so far as land reforms in Tanzania are concerned.

2.0 TYPES OF LAND IN TANZANIA, KEY LAND ISSUES AND STRATEGIC LAND USES

2.1 TYPES OF AVAILABLE LAND IN TANZANIA

Following the situational analysis that was conducted by LWG, it was established that, Tanzania is endowed with a wide range of land resources. It has an area of about of 945,087 square kilometres (945,087,000 hectares) and an estimated population of 35 million. Out of it, arable land is about 487,100 square kilometres (48,710,000 hectares). The rest is either uninhabitable or difficult to manage because of either difficult relief, tsetse flies, unreliable rainfall, used as national parks, game and forest reserves, or forms inland waters notably lakes and rivers etc.

Under the provisions of Land Laws of 1999, all land in Tanzania is public land vested in the President as trustee. All citizens have equal and equitable access to land. For administration and management purposes, public land is divided into three categories as follows:

1. General Land

This is all public land which is not reserved land or village land. It constitutes about 2% of all lands and includes most of lands in urban areas and plots or farms under Granted Rights of Occupancy in rural areas. This category is administered and managed by the Commissioner for Lands. Urban areas accommodate 20% of the total population and depend on large and small urban activities. In urban areas, about 70% of its population lives in unplanned land

characterised by informal settlements prone to poor sanitation, lack of drainage, roads, safe water and electricity.

2. Village Land

This is land whose boundaries have been determined in accordance with law or administrative procedures, as village land for villagers' use. It constitutes about 70% of all land and involves mainly rural land. This category is under the management/administration of Village Councils on behalf of Villagers with approval of Village Assembly. Rural areas accommodate 80% of the Tanzanian population which depends on agriculture for livelihood.

3. Reserved Land

This is made up of all land reserved for conservation purposes such as Forest Reserves, Wildlife Reserves, Marine Parks, Highways, land reserved for public utilities, land declared as hazardous etc. It constitutes about 28% of all land and managed by Authorities responsible for conservation and/or Government Appointed officers.

2.2 KEY LAND ISSUES IDENTIFIED

Status of the land reform agenda shows that the following key land issues are matters of concern in land resource utilization. These are land unavailability, inaccessibility (including acquisitions, titling, transfers, provision for infrastructure etc.); land as a resource for urban development, land as resource for empowerment of the poor (including security for accessing credit), land as potential source of conflicts, Land and degradation of the environment.

1 Non-availability of Land

The LWG has taken note of the fact that Tanzania is endowed with an abundance of land. However, to-date, there is lack of research or situational analysis that has been conducted with a view to providing quality information on available and underutilized lands, land status (in terms of fertility, climatic condition, relief etc.), ownership (number and legality) and value attached to each land parcel for transparency in land dealings and compensation payment and identified challenges or barriers that make land, in its current land tenure and administration system, least used for economic development. The starting point would thus be taking stock or the conducting of a situational analysis on causes of low appreciation of land as capital and its unavailability generally. The agreed approach is to look at the land reform including historical objectives, as well as status now both from the Government and private sector perspectives.

2 Access to Land

The LWG has observed that land is central for any investment initiative. There is a need, therefore, for a system to be put in place that would facilitate easy and equal access to land (to all – and considering gender balance) including purchase; compulsory acquisition; granted rights (formal titling), social and commercial access to land, transfer and forward planning for infrastructure. The Group observed that under the existing legislation, while ample land has been allocated to villages and individuals both in urban and rural areas it is not developed. Any change of land status will subject the applicant to a number of regulatory and administrative hurdles some of which are difficult to fulfil.

The Group further takes note of the fact that land is

a national heritage. As such, any form of land use be it for investment or otherwise, should not pose a risk to the country's sovereignty. One area that can be used as an example in this regard is whether foreigners should be allowed to own land in their own right vis-a-vis the derivative right. The question is whether we need to put in place certain restrictions on transfer of land (as a commodity) in the case of transactions involving certain segments of Tanzanians.

Gender: Women and Access to Land

The LWG took note of the fact that under the law all citizens have equal and equitable access to land. As such, women are entitled to acquire land in their own right not only through purchase but also through allocation. All grants of land for residential and other uses are done basing on applications from willing and interested parties with ability to comply with development conditions and sometimes on cost recovery conditions. However, in the case of inheritance of clan or family land the procedure is still governed by customs and traditions that do not only breach the Constitution but also breach the principles of natural justice.

3 Land as a Resource for Urban Development

The LWG has observed that the performance of urban areas as centres of economic opportunities and social advancement depends largely on land as a basic resource and a platform for urban economic activities. Nevertheless, land is scarce and needs to be carefully managed for proper use and sustainability. Effective management of urban land is required to stem the tide of rapid urbanisation, globalisation and the challenge of the impending East African integration. The need to provide sufficient land to cater for the urbanization process calls for reforms to put in place effective systems and

mechanisms to ensure that urban land for various types of development is readily available. Further, development control mechanisms are necessary to ensure that land is not allocated to those who are unable to adhere to development conditions. It is equally important for development control to ensure that land is retrievable whenever development fails.

4 Land as Source of Empowerment of the Poor/to Access Credit

The LWG observed from recent Government reports that the majority of properties built in urban areas are not legally recognised because they have been built in unplanned areas. These assets represent “dead capital” because it is very difficult to use them in formal business transactions. Registration enhances security of land tenure and opens up opportunities for land owners or common farmers to use the land as collateral in accessing credit. There is, therefore, need for ensuring that licenses issued under Section 23 of the Land Act for “informal properties (dubbed “makazi holela”) have legal recognition and should act as a transition towards regularization. Otherwise, if licenses are simply transformed into Rights of Occupancy, a problem of intensifying the sprawling informal settlements in urban areas could result. Similarly, dead capital in rural areas requires effective formalization process which ensures the issuance of Certificates of Village Land (CVL) to the Village Councils and Certificates of Customary Right of Occupancy (CCROs) to individual farm owners/land holders.

Reforms are necessary to regularize or formalize the properties both in urban and rural areas. Formalization involves the process of planning for different uses (preparing/reviewing master/interim land use plans for Towns, Townships and villages), survey and issuance of Title Deeds as a legal

document for accessing credit and other socio-economic transactions. Also attaching land values to each parcel of land, empowers landowners for rational dealings in land, i.e. percent of shares in a joint venture or compensation.

5 Land as a potential source of conflicts

If not properly and equitably managed, land may degenerate from being a gift from God to a “curse” if it becomes a source of conflicts. Identified sources of land conflicts include:

- complaints for inadequate compensation,
- Lack of a clear resettlement policy when land is acquired for public projects or investments.
- Village or land/farms boundaries disagreement.
- Scramble of land among users (farmers/pastoralists, Landowners/investors, urban/peri-urban/rural uses).
- Migratory grazing of cattle herds has often led to land conflicts between farmers and pastoralists.
- Double allocation, illegal transactions based or forged documents.
- Poor record keeping and its dissemination.
- Globalisation and the impending East African integration are likely to exert immense pressure on existing land resources and might lead to dispossession of Tanzanians of their land.
- Land rights conflicts caused by land acquisition for investment purposes,

On this matter, the LWG is to come up with recommendations as to how conflicts related to land can be avoided. The recommendations will include land disputes resolution mechanisms that uphold (instead of destroying) Tanzanians’ social fabric, need for a clear Resettlement Policy and transparency in property transactions to lessen complaints in compensation payments. There is also need for the

Government to strike the right balance between the need for availing land for investment and retaining societal cohesion, in this way avoiding bitter experiences such as those of “the Zimbabwe land question”.

6 Land and degradation of the environment

LWG agreed that there is a need to protect the environment. The LWG will therefore assess the current legal and regulatory framework with a view to coming up with specific recommendations on how each and everyone may be made conscious of the environment. Adequate legal and regulatory regimes will be recommended to cover investors especially large scale ones such as those engaged in mining, manufacturing industries and commercial farming.

2.3 STRATEGIC LAND USES IDENTIFIED

The LWG took note of the different types of land uses but decided to focus its attention on land use that it considered to be strategic and therefore calling for immediate attention. The following land uses were considered as strategic or crucial to Tanzania’s economic development:

1. Agricultural sector covering smallholder, contract and commercial farmers.
2. Land to facilitate housing for majority of Tanzanians especially in urban and peri-urban centers
3. Land for investment in tourism, industries, agriculture and agri-business

Reasons for Reforms in the Strategic Land Uses

1. Land Sector

The LWG observed that, majority of Tanzanians depend directly on land for their livelihood and consequently, for their economic development. To the majority, land remains as the only tangible asset they “own”. There is therefore need for taking into account both economic

and social factors in any land reform programmes.

2. Agricultural Sector

The Group also took note of the importance of Agriculture in the Tanzanian economy. The LWG accepts the generally widely held view that, as a country, Tanzania needs to recognize that subsistence or hand-hoe farming will not free Tanzanians from the poverty trap. There is therefore need to support both commercial and smallholder farming. As such, land reforms should facilitate modern farming with value added aspects such as agribusiness. On this score, the Group intends to work closely with the Agriculture Working Group for purpose of gaining insights into salient land issues that need to be addressed for purposes of improving agriculture. One of the critical missing links that was identified is the need for affordable finance to support agriculture as a business. This means land reforms which facilitate the use of land as collateral for accessing credit.

3. Land to Facilitate Housing

Housing (shelter) is one of the three basic needs of mankind as identified by UN HABITAT, the other two being food and clothing. The LWG agrees with the on going reforms which, for instance, aim at ensuring availability of affordable housing through mortgage finance. The LWG will come up with a mortgage finance/credit agenda to “fast track” mortgage finance/credit provision. As legal access to land remains a strategic prerequisite for provision of mortgage finance, the Group will come up with recommendations that will accelerate the process of establishing a legal and institutional framework including one that recognises vertical land ownership in the form of “Unit Titles”.

4. Land for Investment

Land for investment is another area that was identified as a priority area. Currently, the Government is in the process of identifying land parcels that are scattered throughout the country to constitute a land bank. Nonetheless, there are a number of impediments that make the current institutional and administrative arrangements unsuitable for attracting investors (both local and foreign) to deploy capital in various economic sectors such due to hurdles of accessing land for investment purposes. The LWG needs to recommend on how to simplify the process of accessing land for investment purposes.

3.0 LAND REFORM IN TANZANIA

3.1 BROAD GOVERNMENT POLICIES

There has been strong political will and government initiatives to address different issues which have been constraining land sector development. The issues range from land policy and tenure, land administration, land accessibility, dispute settlement machinery, land markets, gender rights and the environment. In order to address land issues in Tanzania, land and housing related policies and laws have been enacted by the Parliament. Directives have been issued in the recognition of the more recent perception that land has economic value and that it is one of the basic resources that are necessary for the economic development of Tanzanians. Also there are significant deliberate initiatives or steps taken by the Government aimed at reforming land delivery and tenure in Tanzania. Nevertheless, what is invested by the Government in the land sector is does not enable it to meet its intended objectives.

3.2 LAND POLICY

Land policies and other related policies are already in place. The policies have introduced various reforms which aimed at reviewing legal and administrative framework to ensure a conducive environment for effective land administration, management and development for various land uses and activities. These policies include:

- 1 **National Land Policy** which was endorsed in 1995 and aimed at achieving the following key objectives:
 - Promote and enhance land tenure security especially customary rights of small land holders.
 - Encourage optimum use of land resources to facilitate broad-based social and economic development.
 - Modify and streamline the existing land use management and administration mainly in improving the efficiency of land delivery systems.
 - Provide for land conflict resolution mechanism.
 - Protect land from degradation for sustainable development
 - Ensure gender balance in land administration and ownership.

- 2 **National Human Settlement Development Policy of 2000** The policy aims at promoting sustainable human settlements development. It seeks to involve key actors in the public, popular private, - both informal and formal sectors in guiding the rapid urban growth and promoting coherent urban land development. Also to facilitate the provisions of adequate and affordable shelter to all income groups in Tanzania.

- 3 **National Housing Policy**
Which aims at ensuring easy access to buildable land, i.e planned surveyed plots and serviced land. It sees enhanced security of tenure as a condition for

accessing formal descent housing for all socio-economic groups.

3.3 LAND LAW

Along with policy, legislation has been enacted to set legal a framework for implementing the policy objectives. The land development related legislations already in place are;

1. The Land Act, No. 4 of 1999 which provides the basic law in relation to land other than the Village Land Act of 1999. It sets a legal framework for implementing the objectives of National Land Policy for granted Right of Occupancy.
2. The Village Land Act, No.5 of 1999 which provide a legal framework for management and administration of land in the Village and related matters (i.e. the formalisation of customary land rights).
3. The Land Disputes Act No. 2 of 2002 which creates a conflict resolution mechanism
4. The Urban Planning Act No. 8 of 2007 which replaced the Town and Country Planning Ordinance, Cap 378 of 1956 as amended in 1961. The main function of the Act is to provide for the orderly and sustainable development of land in urban areas.
5. The Land Use Planning Act No. 6 of 2007 which provides for procedure for the preparation, administration and enforcement of land use plans in rural areas.
6. The Town Planners Registration Act No. 7 of 2007 passed to oversee the practice of the Town Planning Profession.
7. The Land Act as amended in 2004 for review of the current legal framework for mortgage finance in Tanzania for the purpose of redressing the balance between the interests of the mortgagor (borrower) and those of the mortgagee (lender).
8. The Unit Titles Act, 2008 Bill, passed recently to set out rules on the procedure on the procedure to manage and regulate division of buildings into units,

clusters, blocks and sections, owned individually or in common use for a purpose of promoting efficient and effective use of landed property in Tanzania.

9. Mortgage Finance Act, 2008 Bill passed recently to amend certain written laws in order to make further provisions of development and promotion of mortgage financial market.
10. Laws designed to be reviewed and amended in harmony with Land Acts are:
 - Land Registration Act. Cap. 334
 - The Registration of Documents Act. Cap. 117
 - The Chattels Transfer Act. Cap. 210
 - The Land Acquisition Act. Cap. 118
 - The Land Survey Act. Cap. 390
 - The Civil Procedure Code
11. Laws that are intended to be enacted to facilitate land markets are:
 - Estate Agents Act
 - Valuation Act

3.4 REGULATIONS

Regulations which have been enacted are;

1. The Land Regulations (2001) to operationalise The Land Act, No. 4 of 1999
2. The Village Regulations (2001) to operationalise The Village Land Act, No. 5 of 1999.
3. The Land Disputes Regulations (2004) to operationalise The Land Disputes Act No. 2 Of 2002
4. Regulations which are in the final stages of preparations are:
 - Regulations to operationalise Mortgage Finance Act, 2008
 - Regulations along with By-Laws to operationalise The Unit Titles Act, 2008
 - Guidelines for Preparation of District Land Use Framework Plans in Tanzania.

3.5 INSTITUTIONAL FRAMEWORK

The Ministry of Lands, Housing and Human Settlements Development (MLHSD) has the overall responsibility for land administration and management in Tanzania. Based on the existing institutional set up; the implementation of the National Land and Housing Policies and other land related legislations is a responsibility of Local Authorities.

In the case of general land, land administration is the mandate of the Commissioner for Lands assisted by Zonal Assistant Commissioners (located in 5 recently established zonal offices in Mwanza for Lake Zone, Moshi for Northern Zone, Dodoma for Central Zone, Dar Es Salaam for Eastern Zone and Mbeya for South-West Zone); also Authorized Officers in Districts and Urban Councils.

In the case of Village Land; The Village Council is responsible for land administration and answerable to the Village Assembly. Village Governments are empowered to manage village land under the provisions of the Village Land Act. The Village Land Act sets a mechanism in rural areas in which land holders are given Certificate of Customary Right of Occupancy for their land parcels. This process is new in Tanzania so the Ministry initiated the pilot project on implementation of the Village Land Law. The project is implemented by the government of Tanzania through the Ministry of Lands in collaboration with respective Local Government Authorities.

Though the framework setup looks fair, however it suffers from inadequate human and technical capacity as compared to the demand for land delivery services. It also lacks the strong involvement of private institutions associated with land development, NGOs and CBOs. There is also a lot of missing links with landholders and other stakeholders.

3.6 LAND PROJECTS/PROGRAMMES SO FAR IMPLEMENTED

In the implementation of land policies, laws, and regulations; The Government through the Ministry of Lands has developed several strategic programs and projects geared towards contributing to enhanced land availability, accessibility and development for economic growth and poverty reduction.

1 Formulation of SPILL

The foremost initiative was to formulate the Strategic Plan for the Implementation of the Land Laws (SPILL) which is aimed at ensuring security of land tenure to land owners and users. Based on this strategy a number of programs and projects are being implemented including:

- 2 Provision of Plots in Urban Areas under 20,000 Plots Pilot Project.** The project involved surveying of plots in urban areas and allocating them on a cost recovery basis. This project was designed a number of purposes including; reducing the speed of increase of settlements in unplanned areas (squatters), reducing the short supply of formal land and empowering people to own certificates of Titles as legal documents for accessing mortgage facilities and other socio-economic benefits. Based on this, The Ministry of Lands in 2002/2003 applied and was given by Treasury a loan of Tshs. 8.9 bn to survey plots in several parts of Dar es Salaam under a project known as 20,000 Plots Project. Based on the project success, it was later on decided to scale up the project and replicate it to other towns of Mwanza, Mbeya and Morogoro and this financial of 2008/09 the project has been scaled up to Kibaha and Bagamoyo. Up to now; over 38,153 plots have been surveyed in Dar es Salaam, 2,390 in Mbeya, 9,500 in Mwanza, 2,700 in

Morogoro, 500 in Kibaha, and 3,000 in Bagamoyo. Given the ever increasing demand for surveyed plots, it is imperative that the programme be duplicated in as many townships as possible.

However, the main hindrance especially in scaling up the project countrywide is lack of funds particularly for payment of compensation to the affected original land owners, lack of technical capacity and the presence of a lot of complaints on resettlement plans and compensation paid due to lack of a Resettlement policy, transparency in value of land/landed properties and uncertainty about the number of original land owners.

3 A Project on Formalization of Properties in Unplanned Settlement in Urban Areas: The project is concerned with identification and registration of owners of landed properties in urban unplanned settlements. The identified owners are issued with residential licenses of a term of 2 years as per sec.23 of Land Act, No. 4 of 1999; to ensure security of ownership of their properties and empower them to access financial institutions for credit and other socio-economic benefits. The project is also a stage towards regularisation process which involves surveying, issuance of Certificates of Right of Occupancy and provision of social services. Based on this, the Ministry of Lands in collaboration with the three Municipalities in Dar es Salaam designed a pilot project which has been able to identify 240,000 households out of estimated 400,000 households in unplanned settlements in Dar es Salaam. The identification exercise is currently grounded because while the Ministry had requested for a budget of shs.3.6bn/= only shs.1.8bn/= was released. So far out of the 240,000 household's, owners of 76,000 properties have been issued with residential licenses. The exercise is to be replicated in other towns and arrangements are already being made to start with

the city of Mwanza with assistance from the World Bank. It is expected that at this stage holders of residential licenses can be able to use them as collateral and therefore contribute to poverty alleviation under MKUKUTA.

Just like the 20,000 Plots Project, the main problem in this project is lack of funds and lack of technical capacity.

4 Preparation of Guiding Land Use Plan for both Urban and Rural Land

Preparation of settlements guiding plans which include review of master plans for towns like Dar es salaam, Mwanza, Kigoma and Mtwara/Mikindani; interim land use plans for townships like Mvomero, Kibaigwa, Banda, Chato, Maswa; and redevelopment plans for Kurasini, Oysterbay/Masaki, Magomeni and Upanga. Also preparation of interim plans for village land uses and settlements in Chunya, Mbozi, Kilosa, Kibaha and Bagamoyo.

The pace for the preparation of land use plans is very slow due to lack of capacity in terms of finance and technical personnel. The cost for reviewing the Dar es Salaam master plan is around Tshs. 700 million and preparation of an interim land use plan for any other town ranges between 300 and 400 million shillings.

5 Public Awareness

The success of the implementation of the Land Acts especially in administration and management of land at the ground-root level requires the participation of the local people. Thus, public education and awareness campaigns were mandatory in order to inform the people of their rights and corresponding obligations. This is necessary in order to change their mind sets to accept new rules and norms ushered in by the new land laws. The awareness requires

production of copies of the Land Acts and regulations and other educational material, use of the media and organizing workshops and seminars. The EU financed the printing of 10,000 copies of the Village Land Act, Cap.114 and public awareness campaigns. *Taking into consideration that there are about 120 District Councils and more than 12,000 villages the task is both daunting and expensive.*

6 Program on Formalization of Customary Land Rights:

This is in accordance with a framework provided for by the Village Land Act, 1999 (Cap.114). The mere declaration that customary land rights are in the same category with granted Rights of Occupancy does not automatically convert them into a vehicle for stimulating economic development and poverty alleviation. A legal framework has to be established in which village land can be adjudicated, surveyed, registered and issued with a Village Certificate (Certificate of Village Land – CVL) so that the Village Council can be sure as to the boundaries within which it can exercise its authority. Thereafter, the Village Council can adjudicate and allocate land rights within the boundaries of the village to individual land owners (Certificate of Customary of Right of Occupancy – CCRO). The status of implementation is as follows;

- Survey of Village Boundaries:
So far 8,672 village boundaries out of about 10,107 villages have been surveyed. After the survey, a Certificate of Village Land (CVL) is supposed to be issued.

Table 1: -Surveyed Village Land

SN	REGIONS	TOTAL NUMBER OF VILLAGES	SURVEYED VILLAGES	UNSURVEYED VILLAGES
1	Arusha	304	270	34
2	Dodoma	466	412	54
3	Iringa	704	704	-
4	Kagera	660	562	98
5	Kigoma	232	206	26
6	Kilimanjaro	438	349	89
7	Lindi	421	421	-
8	Manyara	312	305	7
9	Mara	438	223	215
10	Mbeya	770	761	9
11	Morogoro	539	497	42
12	Mtwara	578	249	229
13	Mwanza	616	606	10
14	Pwani	424	389	35
15	Rukwa	351	351	-
16	Ruvuma	432	432	-
17	Shinyanga	861	640	221
18	Singida	348	236	112
19	Tabora	485	429	56
20	Tanga	728	728	-
	TOTAL	10,107	8,672	1,335

Source: - Surveys and Mapping Department

- Issuance of Certificates of Village Land:
The current number of issued Certificates of Village Land (CVL) since the project started in July 2001 is 753 villages out of surveyed 8,672 villages.
- Issuance of Certificates of Customary Right of Occupancy (CCRO):

Out of the 10,107 registered villages, 8,672 village boundaries have been surveyed, 14,017 CCROs have been prepared since 2001 out of which 187 (0.1%) villagers have obtained loans from CRDB, NBC, Agricultural inputs and SIDO.

So far, the number of persons who have been able to use their CCRO's to access credit is very small. An appropriate affordable financing package needs to be

put in place to enable CCRO holder to access credit using their customary titles, ideally using a micro-finance institution with Government underwriting of the loans.

Although the Village Land Act provides that the natural boundaries can continue to be used but it is difficult for financial institutions to accept the CCROs without proper cadastral surveying. Financial resources are required to carry out surveying since it is an expensive exercise for an ordinary villager to undertake. There is need for funds to be made available for the purpose of carrying out pilot projects in different Districts for other villagers to copy for the purpose of empowering the poor villagers to access credit.

7 Establishment of District and Village Land Registries

In order to facilitate issuance of Certificates of Customary Rights of Occupancy (CCRO's) for land occupied under customary law there have to be established District and Village Land Registries. So far there are District Land Registries in Mbozi, Iringa Rural, Babati and Handeni only. Village Land Registries have also been established in these Districts. The EU and the WB are financing the establishment of a total of 30 District Land Registries. In addition the EU is also financing 15 Village Land registries in 15 villages. *This would make up a total of 35 Districts out of over 120 Districts indicating a very low pace of implementation.*

8 Land Registration and Land Information.

The land registration and land information issue covers the Title Registries, and the general registries in the Departments of Human Settlements Development, Survey and Mapping and Lands and in the local government Councils up to the Village level. It is intended to re-engineer the existing registration and

document handling/storage and archival processes. The project will provide infrastructure, implement a new streamlined registration system and improve records management system. The BEST programme and the WB intend to fund part of this program.

9 The Program to establish a land bank:

Land bank is a plan for ensuring the presence of records on surveyed land ready for granting the land to investors. These records are supposed to show different qualities of land for example; land location, size, usefulness, land capacity, level of services provided, and whether or not it is easily accessible. This kind of plan obviously needs inputs of different professions, time and costs for accomplishing various processes and procedures. The establishment of a Land Bank in the past involved aggregating land from different sources as follows:

i. Identifying Land Parcels Suitable for Investment

In an effort to have land identified and ready for investors, in 2004 the MLHSD in collaboration with several other Ministries and TIC formed a team which carried out the exercise of identifying land parcels which were free from impediments and with high potential for depositing into the Land Bank and allocating to investors. In the process 317 land parcels covering an estimated area of 1,970, 774.54 hectares were identified as potential for the land bank (**see Table 2**).

Table 2: Identified Potential Land Parcels for Land Bank

S/No.	Region	No of Parcels	Area (Ha)	Percentage
1	Arusha	3	144.00	0.01%
2	Coast	26	49,722.21	2.52%
3	Dar es Salaam	6	2,160.74	0.11%
4	Dodoma	22	161,101.50	8.17%
5	Iringa	1	0.00	0.00%
6	Kagera	16	68,353.00	3.47%
7	Kigoma	10	16,820.00	0.85%
8	Kilimanjaro	3	402.00	0.02%
9	Lindi	7	10,262.00	0.52%
10	Manyara	2	123.80	0.01%
11	Mara	18	81,367.00	4.13%
12	Mbeya	11	480,627.51	24.39%
13	Morogoro	17	73,582.00	3.73%
14	Mtwara	44	233,370.20	11.84%
15	Mwanza	8	934.15	0.05%
16	Rukwa	8	2,407.80	0.12%
17	Ruvuma	46	32,882.84	1.67%
18	Shinyanga	22	5,627.00	0.29%
19	Singida	10	483,315.00	24.52%
20	Tabora	22	55,529.10	2.82%
21	Tanga	15	212,042.70	10.76%
	Total	317	1,970,774.54	100.00%

However, the land parcels are not yet surveyed and third party interests not determined/cleared due to the fact that the Government has not been able to fund the survey let alone the issue of paying compensation i.e. clearing third party interests.

Therefore, the Ministry has resorted to requesting for assistance from Development Partners. As of current; the Ministry of Lands is working in cooperation with the Investment Climate Facility for Africa (ICF) to prepare a Project Document for the establishment of a Tanzania Land Bank with TIC and facilitate timely delivery of land to investors. The Document aims at

two tasks namely the Provision of 6,000 industrial plots in Dar es Salaam and Provision of 100 farms of 500 Ha each in any of the Coastal Districts along the Indian Ocean. The selection of project areas is a result of a study which showed that investors' applications for urban land focused on Dar es Salaam and for rural land focused to Districts close to the coast of Indian Ocean. *However, due to limited resources, the implementation of the project has been scaled down to start with 500 plots.*

ii. Undeveloped Farms

These are individuals' farms or private companies abandoned for a long time without any developments. The owners of abandoned farms are considered to have breached development conditions of Rights of Occupancy, thus subject to revocation of their ownership. In October 2007, The Prime Minister ordered all councils in the country to submit the list of undeveloped farms in their regions to the Ministry of Lands, Housing and Human Settlements Development. Until now a list around 308 farms from different regions as shown in the Table below has already been submitted to the Ministry of Lands for verification and revocation processes.

Table No 3:- Undeveloped Farms

SN	REGION/DISTRICT	TOTAL NO OF FARMS
1	Morogoro	58
2	Tanga	37
3	Babati	4
4	Iringa	54
5	Bagamoyo	100
6	Lindi	2
7	Mtwara	53
	TOTAL	308

- Sources; Town and District Councils

Other sources:

- Farms identified by Presidential Parastatal Sector Reform Commission - PSRC.
- Farms under the Ministry of Agriculture and Nutrition.

10 Improving Survey and Mapping Infrastructure

The improvement of survey and mapping infrastructure has been considered essential for efficient delivery of survey and mapping services. In this initiative it is intended to establish a continuous Global Positioning System (GPS) station. The project includes densification of priority areas of Dar es Salaam, Mwanza, Arusha, Mbeya and Tanga. It will also include scanning and updating with satellite imagery, the scale of topographic maps over 15 project districts and production of 1/10,000 using photography in two districts. *Though the exercise is to be performed under the BEST programme, however, it is very expensive to undertake.*

11 Strengthening Dispute Resolution Mechanism

The Land Acts provide for new land dispute settlement machinery, designed to be more participatory, transparent and expeditious. So far a total of 33 tribunals have been established, 23 in all regions out of which 3 are in Dar es Salaam City Municipalities, and ten in Districts. The aim is to establish the tribunals in every District. The WB is providing some support which however is not adequate to meet the demand.

The Tribunals are however faced with inadequate capacity in terms of housing, funds, transport, manpower and working equipment. Thus the challenge here is how to make the Ward tribunal active and to establish the rest of District Land and Housing Tribunals (DLHT).

12 Gender: Women Access to land

In the case of the 20,000 Pilot Project, the allocation of land for various uses has been done on the basis of application from any interested and willing party on a cost recovery basis and without gender discrimination. About 34% of plots are owned by women. In the Formalisation of Unplanned Settlements Project, where the registered owners are issued with residential licenses, it is estimated that about 42% of the licensees are women and 58% are men. In the case of the Peri-urban Project at Kibamba Luguruni, applicants of plots for investment for phase I comprise 18 women out of 138 applicants.

Despite the existence of the land and related land policies, laws and land development initiatives, along with efforts of the Government and few Development Partners in funding some of the reforms; the problem of underutilization of land resources as a vehicle for economic development still persists. The next section analyses the underlying challenges/impediments.

4.0 LAND PROBLEMS AND CHALLENGES

4.1. LAND FOR AGRICULTURE

Despite the fact that, agriculture

- Is the mainstay of Tanzanian economy and a source of livelihood for more than 80% of the Tanzanian population
- Contributes 46% to the Country's GDP and about 60% of foreign exchange.
- The source of raw material for our industrial sector

Situational analysis (Matrix4.4 attached) reveals that,

- One of the critical issues in the agriculture sector is low production by the small land holder. Currently, peasantry agriculture is the most prevalent form of agriculture and this tends to be based on hand hoe farming in small "shambas" that often is not economic.

Much of the produce is essentially for subsistence and very little for sale. Some of the reasons for this low productivity are dependence on the hand hoe, low input, and non-responsiveness to external market conditions thus remaining very uneconomical. This calls for promotion of medium and large scale commercial farming.

- Secondly, despite Tanzania's wide range of land resources including 48,710,00 hectares for agriculture, out of it;
 - About 44,000 square kilometres is suitable for crop production
 - About 60,000 square kilometres is suitable for *livestock keeping*.

Only 10,800 square kilometres is currently under cultivation. This means there is ample and suitable land for crop and animal production which is either underutilised or is not utilised at all.

Impediments to the proper utilization of land for the development of the agriculture sector as presented in Matrix 4.4. Columns 2 are: -

1. In the rural areas, the availability of land is mainly from villages in which Customary land holding dominates. As earlier presented in this report, village land is managed and administered by the Village Council with the approval of the Village Assembly thus the administration is still based on traditional norms. In this regard formalization of customary land tenure is of special importance given the fact that the rural area which consists 80% of the population depends on agriculture and owns 70% of the land. To the rural poor land is often the only available asset.
2. Lack of quality information for transparency of stock of available and underutilized lands, their status (in terms of fertility, climatic conditions, relief, soil characteristics, land potential, ownership, values, etc

3. Lack of clear mechanism and transparency to govern land markets, values, transactions so as to enhance skill in land dealings such as fair compensation payment or for Joint Venture purposes.
4. Slow pace in implementing land laws and reforms including Village Land Use Planning, Land parcelling and issuance of CVLs & CCROs thus leading to:
 - Prevalence of traditional land tenure/ownership system.
 - Inability to use land to access credit finance from financial institutions
 - Difficulty in transferring Village Land due to customary ownership norms;
5. Inadequate financial and human resource (technical skill) capacity to undertake the formalisation exercise countrywide.
6. Poor/limited infrastructure & accessibility
7. Effects of villagisation programme on customary land tenure.
8. Low level of participation of landowners and other stakeholders in the formalization process
9. Low level awareness of stakeholders about policies, laws, regulations, procedures and processes
10. Land use conflicts between land-users, land users and administrators, institutions and cross-sector regulatory frameworks
11. Low level technology much of which is concentrated at Ministry of Lands headquarters
12. Weak dispute resolution mechanisms, especially at village level
13. .Lack of environmental management standards at district/village level.
14. Lack of awareness on environmental issues at village level.
15. Lack of professional advice to village governments on land matters.

4.2. LAND TO FACILITATE HOUSING FOR MAJORITY OF TANZANIANS

The overall housing situation in Tanzania can be described as substandard. Tanzania, like many other developing nations, is experiencing rapid urbanisation which has tended to exert pressure on the existing housing stock and led to urban sprawl in peri-urban land. In urban areas (with 20% of total population) there is inadequate housing and as such there is a problem of overcrowding whereby the occupancy rate is about 3 people per room. More than 80% of urban housing stock is located in unplanned areas which accommodates about 70% of the urban population. In rural areas (with 80% of total population); the main problem lies with the quality of housing. The houses are temporary in nature and as such the occupants spend most of their time in rehabilitating them.

The availability of services in housing is relatively poor e.g. about 47.2% of private housing countrywide get access to piped water/protected water wells and only 9.7% have electricity connection, 91.4% use on-site waste disposal/toilet facilities (about 88% are of pit latrine and 3.4% of flush toilets).

It is estimated that about 80,000 urban households are in need of housing annually.

Based on Tanzania norms which set pressure on individuals or households to live in their own homes; the traditional approach in housing development is mainly in terms of owner-occupation or renting where individual households are forced to mobilize their own funds to access housing. Currently, there is lack of forward planning by the Government in housing provision. *About 98% of house constructions are executed on an individual and incremental basis.* Incremental construction

processes lead to poor quality housing and the prevalence of semi-finished houses in urban areas. The main problem is that of affordability since housing construction is a very expensive undertaking to an individual and normally takes a long time to complete especially in the absence of mortgage facility/housing finance institutions.

Currently the Ministry of Lands is implementing the National Land Policy of 1995 and the Human Settlements Development Policy of 2000. The National Housing Policy of 1981 has been reviewed and a new housing policy is in the final stages of being prepared along with the recently passed Unit Titles Act, 2008 and Mortgage Finance Act, 2008. The Ministry of Lands is finalising the preparation of the respective regulations and by-laws in order to fast track the operationalisation of these two laws. Also, The Ministry of Lands is currently implementing programs/projects geared towards contributing to housing production such as the Plots Surveying Project that is carried out in urban areas so as to facilitate legal access to land and a project on Identification and Registration of Properties in Unplanned Settlements intended to control the proliferation of informal settlements (squatters).

It is expected that some of these policies, legislations and government initiatives will positively expand the opportunities for using land as collateral in accessing credit and therefore contribute to economic development and poverty reduction. However, the implementation of the programs has not been fast enough due to several impediments as shown in Matrix **4.4 column 3**

1. Lack of quality information for transparency of available lands, their status, ownership and values.
2. Lack of an effective mechanism to ensure that land required for various uses, including housing, is available and allocated to its optimal utilization (highest and best use).The absence of such a mechanism has led to haphazard development of

land characterised by;

- Proliferation of unplanned settlements on valuable prime urban land that is required for real estate development such as Manzese, Mikocheni and Tandika.
 - Underutilized land in prime condemned built up area in urban centers i.e Kariakoo, Magomeni and Ilala.
 - Planned but inadequately developed lands e.g. in Mbezi, Tegeta, Plots under the 20,000 Plots Project.
 - Also unplanned and undeveloped land in the peri-urban areas
3. Inability to pay for cost recovery in order to access legal land and housing finance/mortgage facilities to facilitate access to formal housing
 4. Lack of a long-term housing finance institution
 5. Hesitation especially by low income households to use land titles to access mortgage facilities due to fear of losing their lands/customary stigma associated with borrowing.
 6. Traditional approach in housing production creates pressure on supply of serviced land.
 7. Prevalence of elements of professional malpractice in land delivery
 8. Low level of participation of landowners and other stakeholders in the formalization process especially in the peri-urban areas.
 9. Land use conflicts between land-users, land users and administrators, institutions and cross-sector regulatory frameworks
 10. Bureaucratic procedures along with concentration and centralism in service delivery
 11. Inadequacy of financial and Human resources (technical skills)
 12. Attitude and mindsets of land administration officials and stakeholders
 13. Poor information management and dissemination

4.3. LAND FOR INVESTMENT

Land is a key resource and main pillar for investment. Tanzania's development in different sectors of the economy including direct investment depends on land resources. If the available environment for land resources is improved the resource could be used by both internal and external investors to contribute substantially in developing the economy. One of the efforts made by government of Tanzania to improve the environment for attracting investors is the program for establishing a land bank. Investors normally would like to find land that is ripe for investment. From the year 2003, the government started formulating strategies of identifying land suitable for investment including agriculture and livestock keeping throughout the country.

However, the government's efforts have not been very successful due to different challenges that have so far been faced as shown in Matrix **4.4 column 4**. The challenges include:

1. Lack of quality information for transparency of available lands, their status, ownership and values.
2. Slow pace of implementing land laws and reforms including Village Land Use Planning, Land parcelling and issuance of CVLs & CCROs.
3. Lack of clear mechanism to govern land markets, land transactions and transparency to guide the determination of land value for compensation and land dealing in Joint Venture arrangements.
4. Lack of an effective program for establishing a land bank by identifying land that is suitable for investment e.g. for agriculture and livestock keeping; and setting it aside for investors.
5. The Government has not been able to fund for the cadastral surveying and clearance of third party interests i.e paying compensation
6. Poor infrastructure and Village land use plans.

7. There is no streamlined and known procedure of identifying land for investment purposes thus the process of acquiring land/getting access to land is long, cumbersome and costly.
8. The role of the investor to the community is not clearly understood and defined thus there is often lack of trust between investors and the community where the investment is located leading land use conflicts between land-users and investors/administrators.
9. Lack of public awareness, especially in transferring land and land acquisition.
10. Bureaucratic procedures with centralism in service delivery along with prevalence of elements of professional malpractice in land delivery.
11. Poor information management and dissemination.
12. Transferring of Village Land is difficult due to customary ownership norms thus leading to under utilization of land resources.
13. Currently there are rigid procedures relating to land transfer or re-categorization e.g. from village land to general land.
14. There is lack of clear policies to support land owners whose land is acquired for investment purposes, such as mining, thereby leading to land conflicts.

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

The Land reforms in Tanzania as evidenced by the Land Policy of 1995 and the Land Acts of 1999 represent a turning point in the development of a legal framework for the land sector in the country. The implementation of the new land laws will give substantive push to Government economic and social development initiatives under the liberalized free market economy, poverty eradication strategy and the realization of the National Development Vision 2025. However the main impediments that have been identified include:

- Lack of quality and transparent information on the stock or types of available and underutilized lands, their status, ownership and values along with poor information management and dissemination. Among other things, this has been a source for compensation complaints, land conflicts and lack of skills in land dealings especially in joint venture investments.
- Low pace of implementation of land laws and land reform strategies especially the formalization process both in urban and rural areas as a result of
 - Inadequacy of financial and Human resources (technical skills)
 - Low level of participation of landowners, private sector and other stakeholders in the formalization process
 - Low level awareness of stakeholders about policies, laws, regulations, procedures and processes
 - Land use conflicts between land-users, land users and administrators, institutions and cross-sector regulatory frameworks
 - Low level technology
 - Lack of prepared/reviewed guiding land use master and interim plans
- Lack of a program to establish a land bank of identified land suitable for investment including land

for agriculture, Housing, forestry and livestock keeping etc. and setting it aside for investors

- Lack of mechanism to ensure proper and sustainable land resources allocated and utilized to its highest and best use e.g. under utilization of land resources in unplanned settlements and condemned buildings in the CBD of urban areas occupying valuable land which could be utilized for investment in real estate etc.
- Lack of Land Resettlement Policy leading to land rights conflicts thus delays in implementing development projects.
- Lack of conducive environment for Real Estate Developers to invest in land/carry out housing development
- Bureaucratic procedures in land delivery along with prevalence of elements of professional malpractice.
- Poor infrastructure and accessibility to land both in urban and rural areas.
- Persistence of concentration and centralism in service delivery
- Attitude and mindsets of land administration officials and stakeholders

All these, call for concerted action from all key stakeholders, including the government sector, private sector, landowners and other stakeholders to set effective and sustainable formalization mechanisms along with efficient and effective mechanism to ensure proper and sustainable utilization and allocation of land resources to its highest and best use.

5.2 RECOMMENDATIONS

After identifying the shortcomings as outlined above, the LWG noted that there steps that require to be taken for purposes of making suitable for economic development of Tanzanians. In addition, it was observed that there are several stakeholders who will be involved in the implementation of the recommendations.

Here below is a table indicating specific recommendations, stakeholder/responsible person and a proposed time-frame for the implementation of the recommendations:

S/NO	RECOMMENDATION	ACTIVITIES INVOLVED	RESPONSIBLE PERSON/INSTITUTION	TIME - FRAME
1.	Scale up land formalisation in urban and rural areas	<p>(a) Formalisation of village land</p> <ul style="list-style-type: none"> • Complete demarcation of village boundaries • Issue Certificates of Village Land (CVL) • Prepare Village land-use plans • Demarcate individual land parcels • Establish village land registries • Issue Customary Certificates of Right of Occupancy (CCRO) <p>(b) Formalisation of planned and unplanned urban land</p> <ul style="list-style-type: none"> • Issue residential licences of longer duration, say 5 years • Law be amended so that residential licences have status close to that of Certificate of Title • Speed up regularisation of unplanned settlements Make special dispensation to exempt from Capital Gains Tax property purchasers who had bought bare land before the enactment of Land Act, 1999 (i.e. during a time when land was regarded as having no commercial value) <p>(c) Forward town and regional planning</p> <ul style="list-style-type: none"> • Forecast long-term demand for different uses e.g. human settlements, agriculture, pastoralism etc. • Prepare short-term, medium-term and long-term physical plans to accommodate the forecasted demand for different land uses • Ensure adherence to the set short to long-term land use plans from Ward level to town/municipality/city level. Ensure long-term planning for infrastructure involving 	<p>Ministry of Lands, Housing and Human Settlements Development</p> <p>Prime Minister's office</p>	<p>2009-2014</p> <p>2009-2012</p> <p>2009-2012</p>

	finance	<p>(b) Provision of long-term finance for housing and other forms of real estate development</p> <ul style="list-style-type: none"> • Establish long-term finance institution • Fast track national identity card programme to lessen lending risk/reduce interest rates • Establish credit referencing bureau • Create public awareness on using title deeds to raise capital • Change mind sets on stigma associated with borrowing 		2009-2012
5.	Consolidate land bank investment purposes for	<ul style="list-style-type: none"> • Unused/underutilised land e.g. farms, ranches to be identified and verified and be vested in TIC to form part of the land bank. • Identify unused village land through land use plans to form part of the land bank. • Formulate rules/laws to regulate JV between Tanzanian land holders and foreign and local investors. • Encourage individual land holders to enter into JV with investors. • Improve the quality of infrastructure for land demarcated for investment 	Ministry of Lands, Housing and Human Settlements Development and Tanzania Investment Centre.	2009-2010
6.	Reform institutional framework for land delivery	<ul style="list-style-type: none"> • Establish link/accountability for land sector professionals between the Ministry of Lands and Local Government personnel • Promote involvement of private sector and key stakeholders in decision making and implementation of land decisions. • Institute effective development control through the introduction of development control brigades; • Develop effective land allocation to ensure land is put to highest and best use. • Adopt modern land administration systems • Establish university level land administration 	Prime Minister's office	2009-2012

		<p>programmes with a strong bias towards modern land administration practices.</p> <ul style="list-style-type: none"> • Establish more land registries • Build capacity for land registries so that they are more capable of effecting better land data capturing, information storage and retrieval. 		
7.	Implement public awareness programmes on land issues	<ul style="list-style-type: none"> • Develop public awareness programme /communication strategy on land issues • Develop public awareness programme on role of the investor, customer care when dealing with investors and how to improve relations between local people and investors 	Ministry of Lands, Housing and Human Settlements Development	To be on-going programme
8.	Prioritise environmental issues	<ul style="list-style-type: none"> • Land use plans to take into account environmental degradation • Enhance public awareness on environmental issues and adherence to long-term land use plans. 	Vice-President's Office	To be on-going programme
9.	Streamline dispute settlement process	<ul style="list-style-type: none"> • Establish more Ward Land Tribunals and District Land and Housing Tribunals. • Build capacity for Ward Land Tribunals and District Land and Housing Tribunals. • Land Tribunals and courts of law to expedite determination of land cases. 	Ministry of Justice	2009-2012

APPENDIX 1

4.4 Situational Analysis Matrix

	AGRICULTURE	HOUSING	INVESTMENT
1) LAND AVAILABILITY			
Situational Analysis	<p>Spatially, there is ample arable land for agriculture.</p> <ul style="list-style-type: none"> ▪ about 44,000 sq km. suitable for crop production and ▪ 60,000 sq km for livestock keeping ▪ Out of it only 10,800 sq km under cultivation. <p>Politically There is Political will where land related policies and laws have been passed by the Parliament.</p> <p>Policies Land Policies are in place stating that;</p> <ul style="list-style-type: none"> • All land in Tanzania is public land vested in the President as trustee on behalf of all citizens. • Land has value. • Among its of its objective are to; <ul style="list-style-type: none"> ○ Promote sound land information management ○ Ensure that existing rights in land especially customary rights of small holders (i.e. peasants and herdsman who are the majority are recognized, clarified, and secured in law. 	<p>Spatially,</p> <ul style="list-style-type: none"> • There is huge usable land for development and redevelopment including <ul style="list-style-type: none"> ○ Prime condemned built up area in urban centers i.e Kariakoo, Magomeni and Ilala. ○ Planned but inadequately developed e.g in Mbezi, Tegeta, Plots under 20,000Project. ○ Underutilized prime land in unplanned settlements in urban areas eg Manzese, Mikocheni and Tandika. ○ Also unplanned and undeveloped land in the peri-urban • In rural areas, there is abundant land for housing. <p>Politically There is Political will where Housing and land related policies and laws have been passed by the Parliament</p> <p>Policies</p> <ul style="list-style-type: none"> ▪ All land in Tanzania is public land vested in the President as trustee on behalf of all citizens. 	<p>Spatially There is huge usable development and redevelopment land for investment purposes scattered throughout the country. The government is in the process of developing a land bank for both domestic and foreign investors. In urban areas there is</p> <ul style="list-style-type: none"> ○ Prime condemned built up area in city/township centers ○ Planned but inadequately developed land. ○ Underutilized prime land in unplanned settlements in urban areas ○ Unplanned and undeveloped land in the peri-urban. <ul style="list-style-type: none"> • Sea fronts or beach hotel sites. • In rural areas there is abundant arable land for investment in tourism agriculture, mining, and forestry, etc. <p>Politically There is Political will where related land and investment policies and laws have been passed by the Parliament</p> <p>Policies</p> <ul style="list-style-type: none"> • All land in Tanzania is public land

	<p>Legislations Land laws mainly Village Land Act No. 5 of 1999 which among others set a Legal Framework for Village Land Administration</p> <p>Administrative Framework The agriculture mainly takes place in rural areas where the availability of land is inform of villages thus subjected to the administration/management of Village Land under Village council on behalf of villagers and answerable to the Village Assembly. Also Village Council is subjected to technical advices from the District Authorized Land Officers and The Commissioner for Lands.</p> <p>Other existing agricultural land issues</p> <ul style="list-style-type: none"> ▪ Low production by small holders/peasantry ▪ Much of produce is essentially for subsistence and very little for sale. ▪ Commercial farming undertaken by parastatals and foreigners. ▪ Most of big farms underdeveloped/abandoned. ▪ Weak research to tell types of available lands, their status, ownership and values 	<ul style="list-style-type: none"> ▪ Land has value. ▪ The rights and interests of citizens in land should not be taken without due process of law. ▪ Land and Housing related Policies, National Housing policy ▪ Promote sound land information management <p>Legislations Land laws mainly Land Act No. 4 of 1999, and Housing related laws including The Unit Titles Act and Mortgage Finance Act; are already in place to guide procedures for legal land as a requirement for formal housing</p> <p>Administrative Framework Housing is largely a concern of urban management thus subjected to the administration and management of General Land under the Commissioner for Lands who is assisted by Zonal Assistant Commissioners and Authorized Land Officers in District/Town Councils.</p> <p>Other existing Housing issues</p> <ul style="list-style-type: none"> • More than 80% of housing stock is located in unplanned area • No mechanism for financing housing • Inadequacy of availability of surveyed and serviced land • Weak research to tell types of 	<p>vested in the President as trustee on behalf of all citizens.</p> <ul style="list-style-type: none"> • Land has value. • The rights and interests of citizens in land should not be taken without due process of law. • Promote sound land information management <p>Legislations Land laws mainly Land Act No. 4 of 1999, Village Land Act No. 5 of 1999, Housing related laws including Unit Titles Act, Mortgage Finance Act and the Tanzania Investment Act are already in place to facilitate the conducive environment for investment on land.</p> <p>Administrative Framework Investment takes place both in urban and rural areas thus subjected to both General and Village land administration and management.</p> <p>Other existing Investment issues</p> <ul style="list-style-type: none"> • Virtually there is no Land Bank • There is no segmentation of land to suit different types of investments • Weak research to tell types of available lands for investment, their status, ownership and values
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		available lands, their status, ownership and values	
Challenges	<ul style="list-style-type: none"> ▪ Population growth and increased demand for land. ▪ Large livestock population and shortage of grazing land. ▪ Poor/limited infrastructure & accessibility. ▪ Prevailing of traditional land tenure/ownership. ▪ Lack of quality information for transparency of available lands, their status, ownership, values, climatic conditions, characteristics of soil, land potentials, etc). ▪ Most of rural land boundaries are traditionally identified and demarcated ▪ Impacts of promotion of investment and globalization ▪ Effects of villagisation programme on customary land tenure. 	<ul style="list-style-type: none"> • Processes of Urbanization and globalization as a threat to peri-urban land occupiers • Lack of quality information for transparency of available lands, their status, ownership and values. 	<ul style="list-style-type: none"> • Lack of quality information for transparency of available lands, their status, ownership and values. • Poor infrastructure • There is no streamlined and known procedure of identifying land for investment
Interventions	<ul style="list-style-type: none"> ▪ Strong commitment to research in order to establish quality information for transparency of the status of available land in rural areas. ▪ Commitment in implementing Village Land Act No. 5 of 1999; specifically, Formalization framework through Land Use Planning, Systematic demarcation of land parcels and provision of Infrastructure 	<ul style="list-style-type: none"> ▪ Strong commitment to research in order to establish quality information for transparency of the status of available land in rural areas. • Need to establishing satellite town • Establish housing finance institution • Scaling up the upgrading of unplanned settlements (regularization) 	<ul style="list-style-type: none"> • Strong commitment to research in order to establish quality information for transparency of the status of available land in rural areas. • Systematic identification of land for investment • Establishment of proper land bank by taking to account different type of investments • Titling and provision of Infrastructure •

2) ACCESS TO LAND			
Situational Analysis	<p>Spatially Physically formalization process is in progress with 8,500 villages out of 11,000 villages surveyed as one of the stages to facilitate access to legal ownership of parcels of land.</p> <p>Policy The land policy is already in place. Its essence is that,</p> <ul style="list-style-type: none"> ▪ All citizens have equal and equitable access to land. ▪ Women are entitled to acquire land in their own right not only through purchase but also through allocation. ▪ However, inheritance of clan or family land will continue to be governed by custom and tradition that do not breach the Constitution and the principles of natural justice.” <p>Legislations Access of land in the rural areas can be inform of</p> <ul style="list-style-type: none"> • Titling of Customary Right of Occupancy as the last stage in the formalization process. • Disposition which includes purchases or transfers mortgages &, inheritances. • Government acquisition for public purposes. <p>Village Land Act No. 5 of 1999 is already in place and has set a framework for formalization possesses of village land,</p>	<p>Spatially</p> <ul style="list-style-type: none"> • 70% of urban population live in unplanned Settlements characterized by poor infrastructure and basic services. • 98% of house constructions have been executed on individual basis. • Rural population of about 80% of total Tanzanian live in sub standard housing <p>Policy The land and Housing policies are already in place. Their essence are that;</p> <ul style="list-style-type: none"> ▪ All citizens have equal and equitable access to land and housing. ▪ Women are entitled to acquire land in their own right not only through purchase but also through allocation. ▪ Ensure that land is put to its most productive use to promote rapid social and economic development of the country <p>Legislations Access to legal ownership which is a precondition for accessing formal housing in urban areas is in form of;</p> <ul style="list-style-type: none"> • Titling of Granted Right of Occupancy planned and surveyed plots 	<p>Spatially The Government has identified 317 land parcels covering an estimated area of 1,970,774.54 hectares scattered throughout the country as potential for the land bank.</p> <p>Policy</p> <ul style="list-style-type: none"> ▪ All citizens have equal and equitable access to land. ▪ In the case of local companies, priorities to be given to those whose majority share holders are citizens. ▪ Non-citizens shall not be granted land unless it is for investment purposes under the Investment Promotion Act. ▪ Women are entitled to acquire land in their own right not only through purchase but also through allocation. <p>Legislations Both Land Act and Village Land Act are in place and have set a legal framework to facilitate the accessibility of land by Non-citizens both in rural and urban areas for investment purposes. These involves procedures for getting granted right of occupancy. Derivative rights through Tanzania Investment Centre, transfers, revocations and acquisitions.</p> <p>Administrative Framework</p>

	<p>disposition, revocation and acquisition.</p> <p>Legal Framework</p> <ul style="list-style-type: none"> ▪ Modify and streamline the existing land management systems and improve the efficiency of land delivery systems <p>Administrative Framework</p> <ul style="list-style-type: none"> ▪ The same <p>Other agriculture Land issues</p> <ul style="list-style-type: none"> ▪ Village land is clan held on hereditary lines, hence having limited market value; ▪ Land was/is held under family tenure where each member of the family is having a share in the property and no disposition would be made without the consent of the other members of the family. ▪ Customary Law and practices continued to inhibit women from owning land. Women could only use land but could not sell or bequeath it to their children ▪ Access to rural land involves identification of General Land, Surveying and Titling. ▪ There is increased awareness on value of land ▪ Currently there is development of informal land markets 	<ul style="list-style-type: none"> • Residential Licences as the last stage in the formalization process of properties in the urban unplanned settlements. • Disposition which includes purchases or transfers, mortgages & inheritances. • Revocation for breach of development conditions of the general land and re-granting right of occupancy to another applicant. • Government acquisition for public purposes. <p>Land Act No. 4 is already in place and has set a legal framework for titling and issuance of residential licenses, disposition, revocation and acquisition of granted right of occupancy.</p> <p>Administrative Framework</p> <p>The same.</p> <p>Other existing Land for Housing issues</p> <ul style="list-style-type: none"> • Very difficult to acquire surveyed land to facilitate access to legal housing • Lack of a long term housing finance institution • Lack of Established housing finance facility forcing most people to undertake construction of their houses from their own savings. • Lack of active real estate development and investment except for few government institutions like the National 	<p>The same</p> <p>Other Land reform initiatives</p> <ul style="list-style-type: none"> • The Government has some spatial, political and legal opportunities and potentials to facilitate conducive environment for real estate development investment in Tanzania • The government has power to acquire land for public interest such as for investment purposes. • There is established Investment Centre (TIC) to assist the access of land by investors by providing derivatives land rights to them.
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		Housing Corporation (NHC) which develop very small amount of housing for selling and renting but not affordable by low income household.	
Challenges	<ul style="list-style-type: none"> • Not easy to identify General Land in rural areas. • Process of acquiring land/getting access to land is long, cumbersome and costly; • Poor infrastructure. • Slow pace in implementing land laws and reforms including Village Land Use Planning, Land parcelling and issuance of CVLs & CCROs. • Lack of public awareness, especially in transferring land and acquisition of land. • Inadequate financial and human resource (technical skill) capacity to undertake the formalisation exercise countrywide. • Lack of clear mechanism to govern land markets and land transactions. • Lack of transparency in the determination of value for compensation • Low level of participation of landowners and other stakeholder in the formalization process • Low level awareness of stakeholders about policies, laws, regulations, procedures, processes • Land use conflicts between land-users, land users and 	<ul style="list-style-type: none"> • Proliferation of unplanned settlement on valuable land for real estate development. • Very difficult to acquire surveyed land to facilitate access to legal housing • Lack of a long term housing finance institution • Traditional approach in housing production creates pressure on supply of serviced land. • Prevalence of elements of professional malpractice in land delivery • Low level of participation of landowners and other stakeholder in the formalization process especially in the peri-urban. • Land use conflicts between land-users, land users and administrators, institutions and cross-sector regulatory frameworks • Bureaucratic procedures along with Concentration and centralism in service delivery • Inadequacy of financial and Human resources (technical skills) • Attitude and mindsets of land administration officials and stakeholders • Poor information management 	<ul style="list-style-type: none"> • Proliferation of unplanned settlement on valuable land for real estate development <ul style="list-style-type: none"> ▪ It is difficult to identify General Land in rural areas; ▪ Process of acquiring land/getting access to land is long, cumbersome and costly; ▪ Poor infrastructure. ▪ Slow pace of implementing land laws and reforms including Village Land Use Planning, Land parcelling and issuance of CVLs & CCROs. ▪ Lack of public awareness, especially in transferring land and acquisition of land. ▪ Inadequate financial and Human resources (technical skills) capacity to undertake the formalisation exercise countrywide ▪ Lack of clear mechanism to govern land markets and land transactions. • Lack of transparency in the determination of value for compensation • Prevalence of elements of

	<p>administrators, institutions and cross-sector regulatory frameworks</p> <ul style="list-style-type: none"> • Poor information management and dissemination • Low level technology much of which is concentrated at Ministry of Lands HQ • Transferring of Village Land is difficult due to customary ownership norms; 	<p>and dissemination</p> <ul style="list-style-type: none"> • Low level technology much of which is concentrated at Ministry of Lands HQ 	<p>professional malpractice in land delivery</p> <ul style="list-style-type: none"> • It is difficult to transfer village land thus leading to under utilization of land resources • Low level of participation of landowners and other stakeholder in the formalization process • Bureaucratic procedures along with Concentration and centralism in service delivery • Land use conflicts between land-users and investors/administrators. • Poor information dissemination and management • Transferring of Village Land is difficult due to customary ownership norms; • The Government has not been able to fund for the cadastral survey and clearance of third party interests i.e compensation
<p>Interventions</p>	<ul style="list-style-type: none"> ▪ Identification and demarcation of General Land and carrying out land parcelling; ▪ Collaboration with other development partners to speed up the formalisation processes of village land. ▪ Capacity building in Local Authorities at district, ward and village level ▪ Further decentralize land registry ▪ Mobilization of resources both technical and financial ▪ A mechanism equipped with legal and institutional 	<ul style="list-style-type: none"> • As in agriculture • Increase the speed for surveying parcels of land • Review the law regarding the issue of regularization since it is a very expensive exercise to undertake and leads to less value added. • Expedite the implementation of Unit Title Act and Mortgage Facility law • Provide good environment and strategies that support real estate development of affordable mass housing so as to do away with the prevailing housing 	<ul style="list-style-type: none"> • Establishing effective land acquisition procedure by investors • Ensure the Existence of land bank under TIC. • Ensure adequate participatory of land owners in land decisions for investments. • Reinforce the institutional framework capacity to Ward Level. • Speed up formalization process (Pursue property formation in village land)

	<p>framework for governing land market and transactions including transparency in the determination of land value for compensation.</p> <ul style="list-style-type: none"> ▪ Continued public awareness raising and education to make land owners and users to adapt new rule in the Village Land Act and understand the importance of having a certificate of customary right of occupancy ▪ Review land taxes associated with land transfer 	<p>situation coupled with land scramble</p> <ul style="list-style-type: none"> • Speed up formalization process (Pursue property formation in unplanned or un-surveyed areas) • Further decentralize land registry. • Review land taxes associated with land transfer 	<ul style="list-style-type: none"> • Further decentralize land registry. • Review land taxes associated with land transfer; • Public awareness and education for adapting new rule in the Village Land Act, • Increased role of TIC as a one stop centre • Creation of land Information system within TIC
3) LANDS AS A RESOURCE FOR URBAN DEVELOPMENT			
Situational Analysis	<p>Policy</p> <ul style="list-style-type: none"> ▪ Ensure that land is put to its most productive use to promote rapid social and economic development of the country ▪ Special Areas for various investments will be identified and set aside for allocation to investors by the Government. ▪ Land will be allocated to investors according to their ability to develop it and that interests of citizens over their land shall be safeguarded 	<p>Policy</p> <ul style="list-style-type: none"> • Ensure that land is put to its most productive use to promote rapid social and economic development of the country. • Special Areas for various investments will be identified and set aside for allocation to investors by the Government. • Land will be allocated to investors according to their ability to develop it and that interests of citizens over their land shall be safeguarded • Modify and streamline the existing land management systems and improve the efficiency of land delivery systems. <p>Legal Framework Administrative Framework</p>	<p>Policy</p> <ul style="list-style-type: none"> • Ensure that land is put to its most productive use to promote rapid social and economic development of the country. • Special Areas for various investments will be identified and set aside for allocation to investors by the Government. • Land will be allocated to investors according to their ability to develop it and that interests of citizens over their land shall be safeguarded • Modify and streamline the existing land management systems and improve the efficiency of land delivery systems. <p>Legal Framework Administrative Framework</p>

		<ul style="list-style-type: none"> Streamline the institutional arrangements in land administration and land disputes adjudication and also makes them more transparent. <p>Other Land reform initiatives</p> <ul style="list-style-type: none"> Implementation of a Project of Surveying plots in urban areas designed to ease the long standing problem of access to formal land and housing and specifically to speed up the issuance of Title Deeds necessary for accessing loans when used as collateral. Most of the Land is not surveyed hence it is unsuitable for accessing credit Residential licenses are unsuitable to act as security for credit 	<ul style="list-style-type: none"> Streamline the institutional arrangements in land administration and land disputes adjudication and also makes them more transparent. <p>Other Land reform initiatives</p> <ul style="list-style-type: none"> Both local and foreign investors do not have easy access to credit Lack of surveyed and serviced land has the effect of lowering value of land Negative perception that land held under derivative right is not suitable to be used as security for credit
<p>Challenges</p>	<ul style="list-style-type: none"> Inefficient urban land development system due to ineffective planning for various land uses including urban farming, slow and inadequate provision of infrastructure and under-regulated private land development. 	<ul style="list-style-type: none"> Haphazard development of land and widespread growth of informal settlements characterized by poor sanitations, lack of drainage, roads, safe water and access to electricity. Lack of adequate investments in delivery of buildable urban land Inability to access legal land, formal housing finance/mortgage facilities and thus formal housing. <ul style="list-style-type: none"> Due to fear especially low income group are hesitant to use their Title to access mortgage 	<ul style="list-style-type: none"> Insufficient land prepared and delivered to curb the rapid urbanization process. In the peri-urban, urbanization process continued to encourage urban sprawl leading to high costs of providing basic services. Lack of adequate investments in delivery of buildable urban land causing ill prepared urban areas to actively support the national strategies for economic growth and poverty reduction.

		<p>facilities, and</p> <ul style="list-style-type: none"> o Some are unable to pay for the cost recovery. 	
Interventions		<ul style="list-style-type: none"> • To speed up the implementation of Mortgage and Unit Titles laws. • In order to ensure the availability of housing loans, financing institution should be established • Housing market players such as estate agents and valuers should be regulated • Need for strategies that support initiatives to ensure Low Income access to Mortgage facilities or financial institutions. 	<ul style="list-style-type: none"> • Same as in agriculture • Survey and titling of land to be used for investment • Enhancing ownership rights for land held and derivative right
4) LAND FOR EMPOWERMENT			
Situational Analysis	<p>Land is a resource for fighting poverty and source of livelihood for about 80% of the population in Tanzania. However,</p> <ul style="list-style-type: none"> • Village land is not parcelled/titled and hence, cannot readily be accessed by various socio-economic benefits such as education funding. • Peasantry and subsistence farming prevails; 	<ul style="list-style-type: none"> • Existence of Projects to empower owners of land to use their land for socio-economic development These are projects on; <ul style="list-style-type: none"> o Identification/registration of properties in unplanned settlements in Dar es Salaam. In addition the exercise needs to be replicated in other towns. Arrangements are already being made to start with the city of Mwanza with assistance from the World Bank. o Surveying of plots in planned urban areas. 	<ul style="list-style-type: none"> • Program to establish a land bank by identifying land suitable for investment which include agriculture and livestock keeping and setting it aside for investors,
Challenges	<ul style="list-style-type: none"> • In the rural areas, it is difficult 	<ul style="list-style-type: none"> • Hesitant by landowners' 	

	<ul style="list-style-type: none"> to identify General Land; Process of acquiring land/getting access to land is long, cumbersome and costly; Poor infrastructure. 	<p>especially low income people to use their Title to access financial institutions.</p>	
Interventions	<ul style="list-style-type: none"> Formalization of Village Land Identification & demarcation of General Land in rural areas and carrying out land parcelling; Continued public awareness raising to make land owners and users understand the importance of having a certificate of customary right of occupancy 	<p>Continued public awareness raising to make land owners and users understand the importance of having a certificate of customary right of occupancy</p>	
5) LAND AS POTENTIAL SOURCE OF CONFLICTS			
Situational Analysis	<ul style="list-style-type: none"> Streamline the institutional arrangements in land administration and land disputes adjudication and also makes them more transparent. Promote sound land information management Livestock movements for pastures leading to land use conflicts. There is Tendency for farms to encroach into the marginal lands. Rising demand for land for construction is also a critical problem. The need for expanding land for crops production has led into conflicts between large investors and small holder farmers on one hand and 	<ul style="list-style-type: none"> Streamline the institutional arrangements in land administration and land disputes adjudication and also makes them more transparent. Promote sound land information management Lack of land use plan Lack of proper demarcation of land parcels Inefficient land registries Planned land but not developed Poor record keeping of land ownership Existence of manual record keeping. Corruption in the land administration system. Weak land dispute machinery. 	<ul style="list-style-type: none"> Streamline the institutional arrangements in land administration and land disputes adjudication and also makes them more transparent. Promote sound land information management <ul style="list-style-type: none"> Lack of trust between investors and the community where the investment is located Lack of land use plan Role of the investor to the community is not clearly understood (CSR) and defined

	<p>pastoralist on the other.</p> <ul style="list-style-type: none"> • Delay In obtaining the title deeds, • Land, especially village and general land has not been demarcated. • Lack of land use planning and management guidelines leads to conflicts. • Negative perceptions on land used for investment purposes. 		
Challenges	<ul style="list-style-type: none"> • Lack of a comprehensive national wide and multiplinary guidelines for Land Use Planning and management • Weak dispute resolution mechanisms, especially at village level. • Lack of skills in land dealings. 	<ul style="list-style-type: none"> • Lack of land use plan • Lack of proper demarcation of land parcels • Inefficient land registries • Planned land but not developed • Poor record keeping of land ownership • Existence of manual record keeping. • Corruption in the land administration system. • Weak land dispute machinery. 	<ul style="list-style-type: none"> • Lack of trust between investors and the community where the investment is located • Lack of land use plan • Role of the investor to the community is not clearly understood (CSR) and defined
Interventions	<ul style="list-style-type: none"> • Land demarcation and titling; • Investors to be aware of local values, expectations, and aspirations. • Continued public awareness raising to make land owners and users understand the importance of having a certificate of customary right of occupancy 	<ul style="list-style-type: none"> • Land demarcation and titling; • Proper survey and demarcation • Efficient land registries to avoid double allocation of land • Computerised systems for land ownership record keeping • 	<ul style="list-style-type: none"> • Land demarcation and titling; • Investors to be aware of local values, expectations and aspirations. • Adequate public awareness and education both for investor and the community (Local Authority) • Prepare Land use plan • Provide guidelines for the CSR

6) LAND AND DEGRADATION OF THE ENVIRONMENT			
Situational Analysis	<ul style="list-style-type: none"> • Protect land resources from degradation for sustainable development. • Lack of environmental management standards at district/village level. • Lack of awareness on environmental issues at village level. • Lack of institutional set up/arrangements at Ministerial level. • One of the reasons for low agriculture productivity is dependence on Irresponsiveness to environmental sensitivity. This accelerates environmental degradation which to a large extent weakens the potential for agriculture. 	<ul style="list-style-type: none"> • Protect land resources from degradation for sustainable development. • Lack of environmental management standards at district/village level. • Lack of awareness on environmental issues at village level. • Lack of institutional set up/arrangements at Ministerial level. 	<ul style="list-style-type: none"> • Protect land resources from degradation for sustainable development.
Challenges	<ul style="list-style-type: none"> • Lack of environmental management standards at district/village level. • Lack of awareness on environmental issues at village level. • Lack of institutional set up/arrangements at Ministerial level. 	<ul style="list-style-type: none"> • Pollution through noise, gas and smoke • emission, waste management 	
Interventions	<ul style="list-style-type: none"> • Institutionalize environmental issues at district level 	<ul style="list-style-type: none"> • Institute laws enforcement mechanism • Provide waste management facility if necessary through 	<ul style="list-style-type: none"> • Institutionalize environmental issues at district level • TIC should institute environmental impact assessment

		<ul style="list-style-type: none"> • Private Sector • Based on the fact that almost all of our previous initiatives have failed and with the availability of mentioned opportunities and constraints, there is a need of creating a desired environment for effective investment on real estate development as a strategy for promoting mass housing financing. This mechanism will require the following strategies: - <ul style="list-style-type: none"> • Fast tracking the enactment of housing policy and regulations. • Government to be in Partnership with housing Private Developers to Provide Infrastructure Services. • Promoting site and services by increasing resources needed by local Authorities so as to promote the investment in mass housing/real estate • Introduction of mortgage facilities so as to enhance the financing group. • Strengthening Banks security to encourage lenders. 	<p>in its process</p>
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