

**Assessing Urban Land Tenure Rights**  
**in**  
**Sub-Saharan Africa**

Version as of November 20, 2015

**Nathalie Picarelli**

# Table of Content

## Contents

1. INTRODUCTION .....	2
2. ELEMENTS FOR THE EVALUATION OF URBAN LAND TENURE RIGHTS.....	3
1.1. <i>ASSESSING URBAN LAND TENURE RIGHTS</i> .....	3
(1) <i>Key Definitions</i> .....	3
(2) <i>Elements of Land Tenure Insecurity</i> .....	5
(3) <i>Key Elements of a Functioning Land Market</i> .....	5
3. TOWARDS THE CREATION OF AN INDEX ON URBAN LAND TENURE RIGHTS ..	5
2.1 <i>THE INSTITUTIONAL PROFILES DATABASE (IPD)</i> .....	5
2.2 <i>THE URBAN LAND TENURE RIGHTS INDEX</i> .....	7
(1) <i>Steps of Construction</i> .....	7
(2) <i>What the Index Measures &amp; What the Index Is Not</i> .....	9
2.3 <i>RANKING 2009-2012</i> .....	10
4. APPENDICES .....	16

## Figures and Tables

Table 2.1 General Characteristics of the various editions of the IPD .....	6
Table 2.2 Countries in SSA for various IPD editions .....	7
Table 2.3 Selected Final Categories.....	9
Figure 2.1.A Security of Urban Land Tenure Index .....	12
Figure 2.1.B Security of Urban Land Tenure Index.....	13
Figure 2.2.A. Security of Urban Land Tenure Index – Excludes Sub-components with problems .....	14
Figure 2.2.B. Security of Urban Land Tenure Index – Excludes Sub-components with problems.....	15

## 1. INTRODUCTION

Unlike other regions in the world, countries in Sub-Saharan Africa (SSA) share strong similarities in the legal and institutional frameworks that govern their land. Most countries have inherited land codes from their colonial past, which overlay with a myriad of customary systems on the ground. Furthermore, State involvement in land matters is still governed in most cases by the principle of ‘presumption of state ownership’, “whereby any land for which an ownership title has not been issued—or for which a registration procedure in the name of an individual or legal entity is being undertaken—belongs to the state” (AFD 2015). This is the consequence of inherited legal provisions, which were used at independence to expand government landownership by promoting the concept of public land. Ghana’s experience is a good example of the extent of state landownership: in 2000, the state owned about 40 percent of all urban and peri-urban lands, most of which were undeveloped (Kasanga and Kotey 2001).

During the past three decades major structural changes in land delivery channels have occurred with the implementation of legal and economic reforms (World Bank 2013). Some countries have adopted new land codes that recognize customary forms of tenure, at least in principle. The liberalization of land markets and institutional and political changes that have accompanied different democratization processes, have sometimes been complemented by decentralization policies that transfer land management and administration prerogatives to local entities. Based on the World Bank’s annual Doing Business reports, countries in Sub-Saharan Africa have been at the forefront of implementing reforms to reduce the time, cost, and procedures for transferring property (World Bank 2013).

Yet, land tenure insecurity remains high across most of SSA, particularly for minorities and fragile populations. Combined with rapid urbanization, the proliferation of slums in major agglomerations means that a higher share of the population is now faced with insecure land tenure in urban areas. The region has the highest rate in the world of urban population living in slums (199.5 million in 2015 (UN-Habitat)), and is estimated to be growing at 4.5 percent per year, with informality highly linked to insecurity (Lall et al 2009). Weak financial and regulatory environments, as well as under-staffed land management administrations render the situation on the ground more complicated. Additionally, land markets in most SSA cities are characterized by a heavy pressure on land prices in urban and peri-urban areas. This increasing demand for land comes up against limited supply in the formal private and public land delivery channels, which increases the insecurity for informal settlements or customary-held land in these areas.

This report aims at developing an index to assess the extent of urban land tenure insecurity in SSA. While there are several indices available regarding the security of property rights and/or land access<sup>1</sup>, these do not discriminate against urban or rural areas, reflecting a mixed image of the situation on the ground.

---

<sup>1</sup>For instance: the MCC Land Access index, World Economic Forum Competitiveness Index (Property Rights sub-component), Heritage Foundation Property Rights sub-component in the Quality of Governance index, and Freedom Network Property Rights component.

Historically, the focus has mostly been directed towards rural land tenure rights with rural land codes dominating the legislative processes in most countries of SSA until the last decade. Yet, the region is characterized by high disparities in terms of the size of the countries' urban populations (i.e. from 12% in Burundi to 77% in Djibouti (WDI 2014)) and the extent to which urban land tenure is secure is likely to be highly dependent on the specific factors putting pressure on urban land and urbanization.

Given this context, researching on urban land tenure rights is not evident and information available can be contradictory and scarce. The main component of the index developed here relies on the French Development's Agency (AFD) Institutional Profile Databases (IPD)<sup>2</sup>. While based on qualitative responses, these datasets allow disentangling urban and rural tenure rights in most countries of SSA for the period 2009-2012.

The report is organized as follows. The first section briefly summarizes the elements pertinent for the evaluation of urban land tenure rights that are the theoretical basis for the chosen index sub-categories. The second-section explains the construction of the index, the qualitative choices made in relation to the quality of each component, and presents the index for 2009 and 2012. Finally, the appendix section contains all relevant datasets and materials used in the creation of the index: (1) the IPD variables used and their evaluation for years 2001-2012 by country; (2) the World Bank-IFC Doing Business components used for the period considered, and (3) the Country Information Collection (i.e. Country profiles with information from different sources on land tenure rights as far as publically available)

## **2. ELEMENTS FOR THE EVALUATION OF URBAN LAND TENURE RIGHTS**

Understanding how and why the rules and norms related to land ownership evolve or change and how they affect people, economies and the environment, has shown to practitioners and researchers the main elements that constitute tenure security. This section briefly summarizes the key elements for the evaluation of urban land tenure rights.

### *1.1. Assessing Urban Land Tenure Rights.*

#### **(1) Key Definitions (Lall et al 2009):**

**Land tenure** refers to the rights that individuals and communities have with respect to land, in practice a continuum of land tenure rights can be observed, especially in developing countries where differences sources of law and tenure system may coexist (Payne 2012).

---

<sup>2</sup> See next section for detailed information.

**Secure tenure** is the right of all individuals and groups to exert effective protection by the state against forced eviction (i.e. insecure tenure is the risk of forced eviction). As asserted by Lasserre and Selod (2009) the level of tenure security depends on several related factors. First, tenure status is important, since it provides different degrees of protection against eviction. Second, primary tenure rights of the land matter, since occupancy of public, private or customary land can expose households and communities to different risks related to land conflicts. Third, occupancy status of the dwelling also matters, since tenants in informal settlements may have fewer rights than owners.

Final tenure insecurity depends on the political and legal context. It can be affected by the legal framework, the constitutional protections against eviction, or the recognition of the social function of property. As such, the political will of government, the regulatory framework and the capacity of administrations to deal with the demand for secure tenure is key (Lasserre and Selod 2009).

For instance, at the local level, rights are secure if neighbours and others in the vicinity recognize a particular claim as being legitimate, according to their knowledge and set of values. This means that informality is not necessarily linked to tenure insecurity. However, these rights have no formal legal validity unless they also pass a second form of validation, i.e. recognition by the state. In practice, the lack of state recognition may not matter if land is not under particular pressure, and if local systems work reasonably well (Lasserre and Selod 2009).

**Formalization** “is a process by which informal tenure is integrated into a system recognized by public authorities” (Lasserre and Selod 2009). It could take the form of administrative recognition of occupancy rights (leasehold or temporary permit etc.) or full delivery of real property rights (i.e. land titling). The informal sector has developed a set of rules for recognition of land tenure which provides social if not legal contracts, such as agreements and certificates witnessed by community leaders. In this way, many agents act as de facto regulators, including state officials, local government councillors, traditional leaders, community leaders, and family or community networks (UN Habitat & Urban Landmark, 2010:22). An important consequence is that the theoretical link in increasing tenure security may not manifest with de jure formalization if the pre-existing tenure condition, though informal, was relatively secure.

There are different stages of land tenure-property rights in developing countries, from incremental (low-income start claiming land by constructing on it and adding rooms etc.), to entrepreneurial (USAID 2015). These different stages are referred to as a continuum, explained by the progressive commodification of land. For instance in the context of informal settlements, as land becomes scarcer with higher rates of urbanisation, prices rise. Low-income households may choose to sell their land and are slowly displaced. As such, tenure tends to change from communal to be driven by market logic (Kironde, 2000). These steps occur within a socially-defined institutional framework that is regulated to varying degrees.

Given the above definitions, we next characterize the main elements contributing to land tenure insecurity and a functioning land market. These constitute the theoretical basis for the choice of variables used in the index.

## **(2) Elements of Land Tenure Insecurity (USAID 2015)**

- **The overlap of different land government systems if no effective interface exists** (i.e. in many developing countries formal and customary systems are operating in parallel).
- **Lack of capacity of the land governance system** (i.e. the land ministry has not enough capacity to map and register parcels of lands, not formally trained surveyors, etc.).
- **Other sources** include the system being corrupt, customary norms not matching realities on the ground, discrimination (i.e. in Tanzania, the law protects women's right to land (constitution), but in practice lack of education and social norms make it very difficult for women to enforce the law).

## **(3) Key Elements of a Functioning Land Market (ACC 2015).**

- **Sound institutional framework** where there is clear national policy intent, strong local government, and well established private developers, with these developers being able to access finance to cover the cost of property development (ACC 2015)
- **Certainty associated with land use** - based on a sound master plan combined with the ability of local government to manage the property development process<sup>3</sup>.
- **Established private developers or community-based developers** which can access private sector finance (with parastatal developers having a role to play if they are able to raise capital from private sector financiers).

## **3. TOWARDS THE CREATION OF AN INDEX ON URBAN LAND TENURE RIGHTS**

### *2.1 The Institutional Profiles Database (IPD)*

---

<sup>3</sup> In developing countries and Sub-Saharan Africa in particular, where customary land tenure is predominant, land use planning has also become important for (a) identifying and delineating enough land for local individuals and communities as well as surplus land for use by entities outside the community, especially investors, and (b) delineating and facilitating improved group management of communally owned, pastoral, or protected lands, especially those covering large areas (World Bank 2013).

The Institutional Profiles Databases (IPD) are a series of databases collected and produced by the French Development Agency (AFD) and the French Finance Ministry. They have been carried out in 2001, 2006, 2009 and 2012. They aim at providing original measures of countries' institutional characteristics through composite indicators built from perception data (IPD 2012, Cahiers). The data is collected from questionnaires completed by the Economic Missions of the French Embassies and Consulates in the respective countries. Responses are sent back and treated centrally by the main responsible team. Several quality control mechanisms are put in place in order to limit the possibility of perception bias. For details on the quality of the data and the procedure of collection please consult the AFD IPD Cahiers 2001-2012<sup>4</sup>.

Table 2.1 below displays the basic characteristics of the various editions of the IPD. Although the structure of the surveys somewhat varies between the first two years and the second two, the questions allow for exploring and exploiting some of the panel components of the database. As an example, in 2012, the main categories of the database included: 1) political institutions; 2) security, law and order, control of violence; 3) functioning of public administrations; 4) free operation of markets; 5) coordination of stakeholders, strategic vision and innovation; 6) security of transactions and contracts; 7) market regulations, social dialogue; 8) openness and 9) social cohesion and social mobility.

**Table 2.1 General Characteristics of the various editions of the IPD**

	IPD 2001	IPD 2006	IPD 2009	IPD 2012
<u>Country coverage (in SSA)</u>	51(7)	85(21)	123 (30)	143 (37)
# of variables [a]	238	238	367	330
# of indicators	96	96	133/93 [b]	130

*Notes:* [a] The amount of variables corresponds to the number of questions in the survey. Indicators are computed by aggregating variables. Since the questionnaire has changed with each edition, variables and indicators are not necessarily comparable from one edition to another; [b] The 2009 edition suggests two aggregation schemes to compute indicators.

The interest in using the IPD stems from the detailed disaggregation and wide-country coverage of the dataset. They include variables (questions in the survey) aggregated up to an indicator. As mentioned, the possibility of disentangling the different components of the indicators is appealing to us in that it allows separating variables specifically addressing urban areas. For SSA, the IPD contains data for the countries in Table 2.2. While we include the countries with only one wave (2012), the index is created based on the ones with 2 or more observations, given that with these it is possible to check for consistency of the values across time.

<sup>4</sup> The data and their manuals are available open-source at <http://www.cepii.fr/institutions/EN/ipd.asp>

Land tenure issues were more formally incorporated in 2009. In that year the IPD team developed a set of indicators in collaboration with the Technical Committee “Land Tenure and Development” of the AFD and the French Ministry of Foreign Affairs (Lavigne-Delville et al 2009). These constitute the main elements of our index. Because of their availability only spans from 2009 to 2012, 2009 is set as our baseline year. This is also due to the fact that the disaggregation of urban vs. rural land tenure questions is also more detailed in 2009. In total, our index is available for 29 countries across 2009 and 2012.

**Table 2.2 Countries in SSA for various IPD editions**

<b>IPD Waves</b>	<b>List of Countries</b>
4 waves	Cameroon, Cote d'Ivoire, Ghana, Nigeria, South Africa, Uganda, Zimbabwe
3 waves (2006-2012)	Benin, Botswana, Burkina Faso, Chad, Ethiopia, Gabon, Kenya, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Niger, Senegal
2 waves (2009-2012)	Angola, Central African Republic, Congo DRC, Congo Rep., Namibia, Sudan, Tanzania, Togo, Zambia
1 wave ( 2012)	Burundi, Guinea, Rwanda, Sierra Leone, Somalia, [South Sudan]
None	Cape Verde, Comoros, Djibouti, Equatorial Guinea, Eritrea, The Gambia, Lesotho, Liberia, Malawi, Reunion, Sao Tome e Principe, Seychelles, Swaziland

## *2.2 The Urban Land Tenure Rights Index*

### **(1) Steps of Construction**

The development of the index aiming at measuring the security of urban land tenure rights has been carried out in 4 phases.

**The first phase** concerns the choice of variables of interest among the wide array of questions present in the surveys of the IPD databases. Appendix A.1 presents the final list of questions and indicators used, as well as their respective code in the IPD databases. 2009 is clearly the most complete year, from which stems our choice to use this year as baseline.



From this, we next construct country profiles with the different values of the IPD variables across waves. In order to have time cohesion, some values had to be re-scaled. The choice of scale was done so that the lowest value meant higher tenure insecurity<sup>5</sup>.

**The second phase** consisted on conducting desk research to collect information on the evolution of land tenure rights in the 29 countries of SSA in our baseline list. The idea behind this phase was to double-check the quality of the IPD data, and their consistency in time. Was there any reform or particular event responsible for the jumps observable in the data? Is the value reflecting legal or de facto rights? Information on urban land tenure rights was not always easy to find. The main sources for our Country Information Collections (Appendix A.9) are John Bruce (1998), mostly as a historical background and for countries where no other source of information was available (i.e. Togo) and USAID Land Tenure Rights Profiles. When these were not available or insufficient, we add information from UNHCR, IMF Art IVs, the World Bank, IFC Doing Business, the African Development Bank, the AFD, ODI, Urban Landmark, and UN-Habitat<sup>6</sup>. When possible, each IPD country variable was evaluated for consistency with findings in the literature (Appendix A.5).

**The third phase** consisted on choosing the final variables/indicators, by eliminating the ones that were deemed inconsistent as per the quality check process of phase 2. Additionally, the resulting ranking for the different variables were compared to other existent indices (WEF, MCC, Heritage Foundation, IFC DB) to flag out cases that were clearly problematic. Unfortunately, following this process the categories related to the “Diversity of Tenure Rights” and their state recognition, as well as urban land planning, had to be dropped. Some other categories were dropped due to the difficulty in assessing whether they would add negative or positive pressure to urban land tenure security (i.e. importance of land issues as a political and media concern), or would be too specific of the level of urbanization in the country biasing the values (i.e. pressure on urban land prices). The final variables retained are those that were deemed sufficiently consistent to provide a correct picture of urban land tenure security. These are included in Table 2.3 below.

Finally, **the fourth phase** consists in adding the IFC Doing Business (IFC DB) components that are related to land tenure security: Enforcing Contracts and Registering Property. Adding the IFC DB has two objectives. The first one is to incorporate quantitative-based indicators to the IPD sub-dataset (i.e. as the IFC data is based on the number of days to register property, the cost and number of procedures). The second is to add additional variability and precision to the country final index. We use the

---

<sup>5</sup> Scaling equivalences are in Appendix A.3. Variables that have been modified are appropriately designated in the country IPD profile tables (Appendix A.2).

<sup>6</sup> For some countries particular papers were also consulted (cited)

normalized-value of the final “Distance to Frontier” (DTF)<sup>7,8</sup> for each of the two indicators to avoid having countries with missing data (i.e. the decomposition was not available for Nigeria and Zimbabwe in 2009, Somalia in 2012) (Appendix A.6). These normalized-values are re-scaled to 0-4 according to a preferred distribution. Overall, the pairwise correlations between the original variable and re-scaled ones are at least 0.95 ( $p>0.000$ ) for value and ranking, and at least 0.82 ( $p>0.000$ ) for ranking variations (Appendix A.7A & B).

Appendix A.8 includes the final tables with the subcomponents of our index.

**Table 2.3 Selected Final Categories**

<b>Urban Land Tenure Rights Index</b>
<b>Efficiency of land tenure policies</b> Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas? Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)? <b>Land Tenure Insecurity</b> Share of population with no formally recognized land tenure rights in urban or peri-urban areas Scale of evictions/expulsions (excluding conflicts, civil wars etc.)? <b>Security of property rights</b> Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders? Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)? Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership? IFC Doing Business Registering Property - normalized DTF <b>Security of private contracts</b> Degree of observance of contractual terms between national private stakeholders - without mediation Degree of observance of contractual terms between national private stakeholders - with private mediation Degree of observance of contractual terms between national and foreign private stakeholders IFC Doing Business Enforcing Contracts - normalized DTF <b>Others</b> Violent conflicts over land matters (excl. civil conflicts etc.)

## **(2) What the Index Measures & What the Index Is Not**

The index aims at measuring the degree of urban land tenure security in selected countries of SSA. Despite the objective of measuring property and tenure security in urban areas only, we have included variables with national reach. This was necessary to achieve sound rankings given the varying quality of

<sup>7</sup> DTF – is the equivalent of the distance to the highest ranked country (100).

<sup>8</sup> Normalization was done using average and standard deviations for SSA countries only.

the data available at the urban level only, and the scarce sources of information to corroborate precisely each category. As such, while still valid at the urban level, some caution is warranted for countries with lower urbanization rates where information on urban areas is limited.

Additionally, and partly because of the above, some outliers remain. In order to avoid excluding particular countries or certain sub-components for special cases, we have chosen to flag peculiar cases. The ranking of the index excluding problematic values for specific countries (Figure 2.2) has been produced as a reference<sup>9</sup>. The cases worth mentioning in 2012 are Cameroon and particularly Mozambique. While these are expected to be at the bottom-half of the distribution, their position at the very end is questionable. At the top, the main outlier across both years is Niger. It is, furthermore, a difficult case to assess given the high predominance of the rural sector and the little information available on urban land rights. Other problematic countries for both years are Mali, Burkina Faso and Mauritania in 2009, and Cote d'Ivoire in 2012. They all seem to rank excessively high with respect to the de facto respect of property rights. On the contrary, Uganda ranks relatively low in 2012 with respect to its position in other indices.

### *2.3 Ranking 2009-2012*

Aside from the mentioned exceptions, overall the rankings' variation and different positions reflect the strong reformers of the sub-region, with South Africa, Namibia and Botswana consistently at the top. Ghana, Kenya, Tanzania and Zambia also lead. These are in line with desk research, and their position in alternative indices of security of property rights. It is worth noting that despite the relative stability of these countries regarding the respect of formal property rights, urban land tenure still remains relatively insecure for a large majority of the population. Ghana is a clear case where customary and legal rights overlap, and while formalization of land ownership is more common in urban areas, rates of land registration are very low in peri-urban areas (USAID 2013). On the same line, while protected by law, discriminatory practices against women still persist in most countries as customary practices favour husbands over wives. Even in Botswana – a country hailed for having one of the most progressive land legislation in SSA - it has been documented that the Registry Office often insists on including the husband's name on a married woman's property-registration (USAID 2010).

The bottom of the distribution is also relatively stable and consistent (excluding the mentioned above) – particularly for the cases of Angola, CAR, Congo (DRC), Congo Rep., Nigeria, Togo, and Zimbabwe. These reflect countries with a high prevalence of rural populations (Togo, Chad), and countries where customary practices or Islamic laws are still dominant with little recognition in formal legislation, or competing arrangements (Congo DRC, Nigeria). According to UN-Habitat, in Kinshasa's urban and peri-urban areas, an estimated 77 percent of residents reportedly own their own plots, but only about 30

---

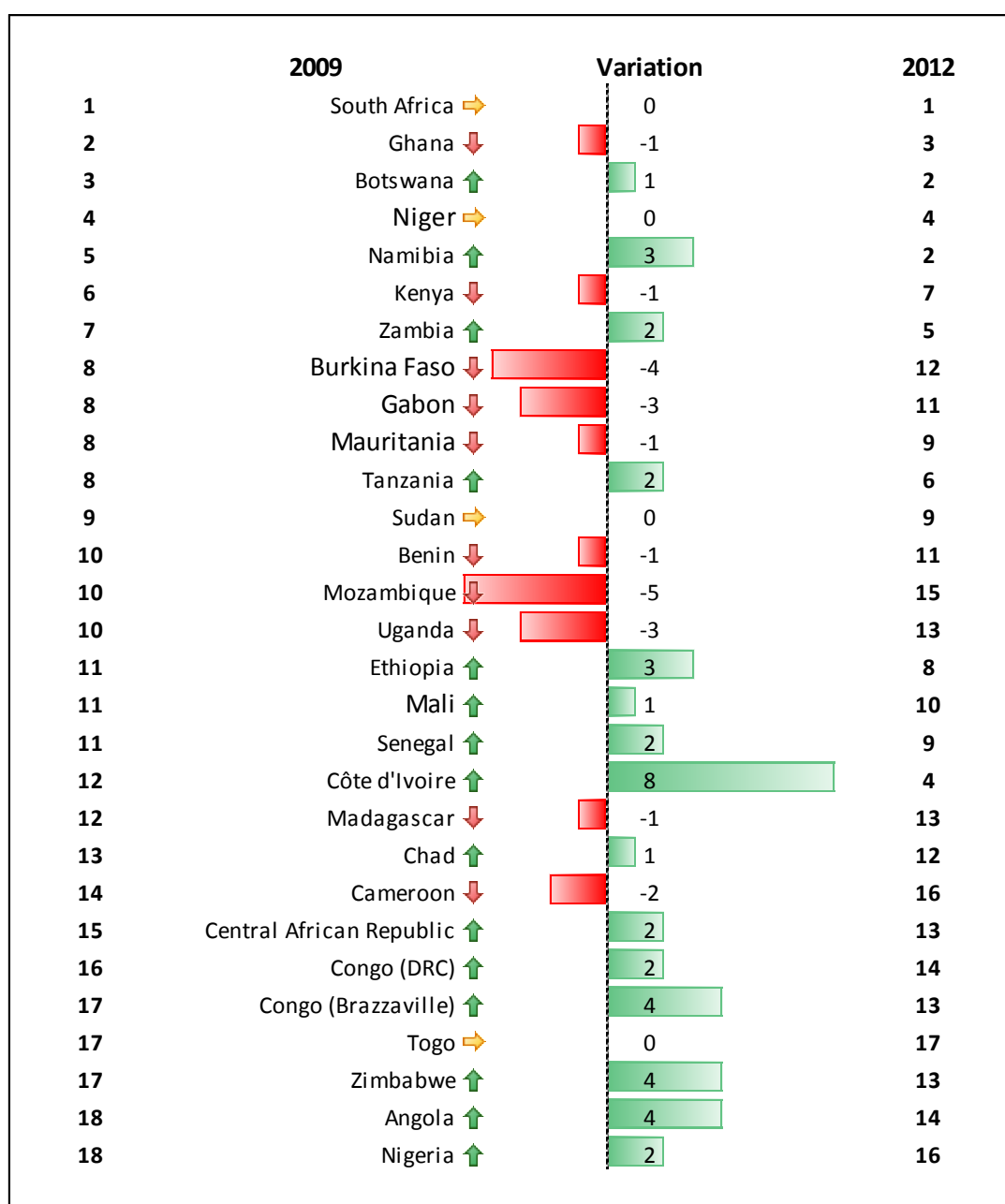
<sup>9</sup> This index excludes categories where IPD values do not correspond to findings from desk research. These have been marked in light and dark grey; depending on whether they are debatable (light) or unrelated to any findings (dark).

percent have rights recognized under formal law (UN-Habitat 2008). An estimated 80 percent of urban landholdings in Nigeria are in informal settlements and considered by residents to be governed by customary law, which are not recognized by the formal legislation. Efforts to support formalization of land rights through certification of occupancy in cities such as Lagos have been costly and largely unsuccessful (USAID 2010). Many of these countries have also faced long internal conflicts that have weakened the legal system and created a large proportion of internally displaced populations (IDPs) with no formal land tenure recognition (Angola, Congo DRC, Congo Rep.). In urban and peri-urban areas this was translated by the increase of informal settlements and the pressure on land, as well as conflicts when the displaced returned to their lands (Angola). Angola's weak position is additionally driven by the country's low performance in the IFC Doing Business indicators and their equivalent in the IPD database. Angola has ranked consistently among the worst performers when it comes to enforcing contracts.

Countries in the middle of the distribution reflect those with relatively recent reforms (Ethiopia) and stable laws recognizing customary practices but little or no de facto recognitions (Mali). These cases are harder to assess given the competing information of legal frameworks and actual on the ground recognition. Complicated political environments also play a part explaining the fragility of these frameworks. Land disputes in Côte d'Ivoire are to a large extent both a cause and consequence of the political turmoil that shook the country from 1999 to 2011. The weight of the rural and pastoral sectors is sometimes predominant and little attention is given to urban land rights (Mauritania, Chad). Still, many of these countries are also making significant effort to recognize urban land tenure rights in the context of ethnically diverse populations and competing practices. For instance in the case of Senegal's urban areas, land rights regularization programs have granted 50-year surface rights to urban residents. Yet, these efforts have been weakened by resistance to the authority of the formal law and the lack of knowledge of its existence by a large share of the population (USAID 2010).

Formal urban land markets, with functioning developers are still nascent in the region. The higher rate of urbanization is putting pressure on prices and driving the question of urban land tenure at the top of the political agendas. The mechanisms defining the interactions between customary and formal law, as well as the recognition of informal practices, will be key to ensure security for the large low-income segments.

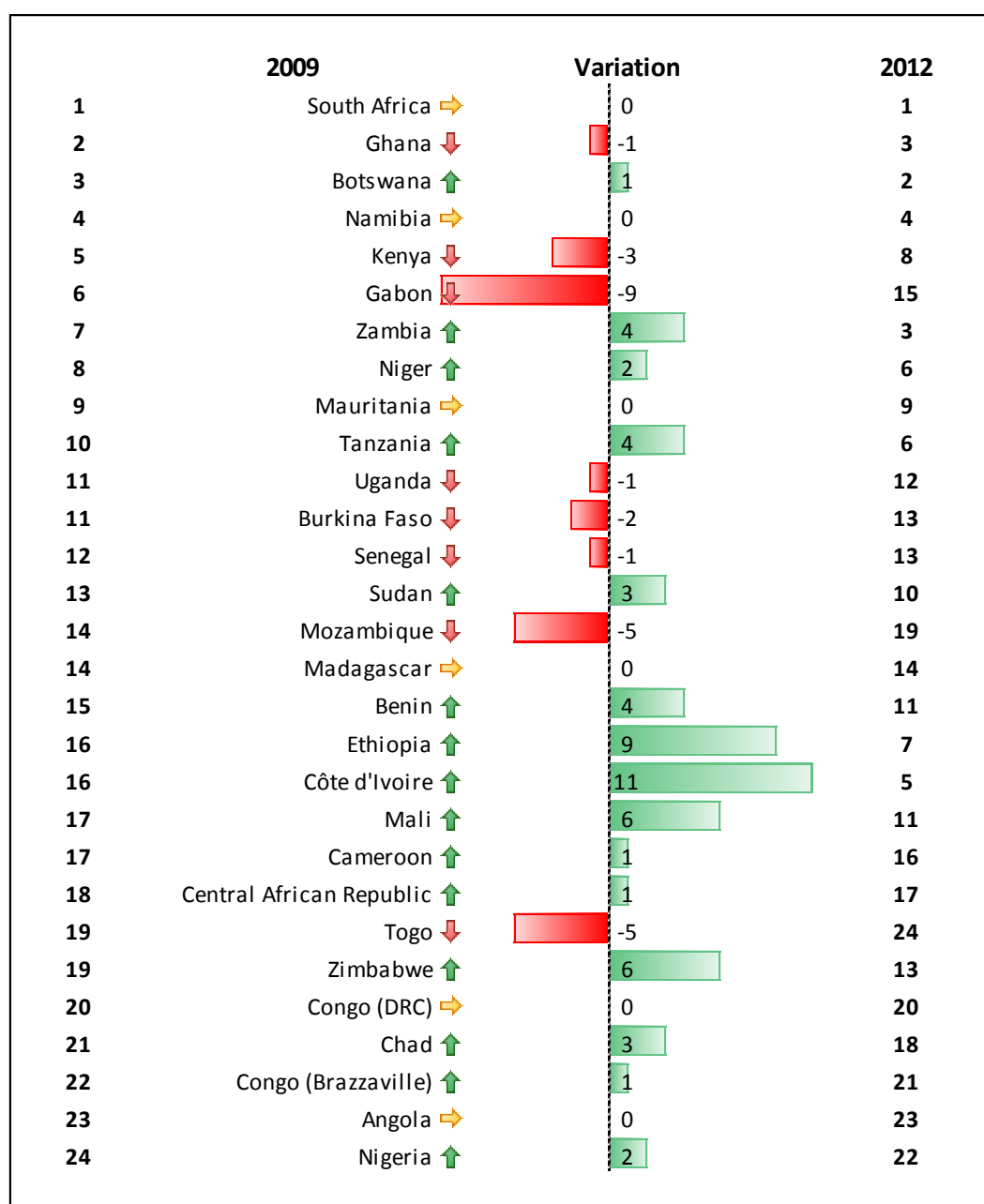
Figure 2.1.A Security of Urban Land Tenure Index



**Figure 2.2.B Security of Urban Land Tenure Index**

<b>2009</b>	<b>Ranking</b>	<b>2012</b>	<b>Ranking</b>
South Africa	<b>1</b>	South Africa	<b>1</b>
Ghana	<b>2</b>	Botswana	<b>2</b>
Botswana	<b>3</b>	Namibia	<b>2</b>
Niger	<b>4</b>	Ghana	<b>3</b>
Namibia	<b>5</b>	Côte d'Ivoire	<b>4</b>
Kenya	<b>6</b>	Niger	<b>4</b>
Zambia	<b>7</b>	Zambia	<b>5</b>
Burkina Faso	<b>8</b>	Tanzania	<b>6</b>
Gabon	<b>8</b>	Kenya	<b>7</b>
Mauritania	<b>8</b>	Ethiopia	<b>8</b>
Tanzania	<b>8</b>	Mauritania	<b>9</b>
Sudan	<b>9</b>	Senegal	<b>9</b>
Benin	<b>10</b>	Sudan	<b>9</b>
Mozambique	<b>10</b>	Mali	<b>10</b>
Uganda	<b>10</b>	Benin	<b>11</b>
Ethiopia	<b>11</b>	Gabon	<b>11</b>
Mali	<b>11</b>	Burkina Faso	<b>12</b>
Senegal	<b>11</b>	Chad	<b>12</b>
Côte d'Ivoire	<b>12</b>	Central African Republic	<b>13</b>
Madagascar	<b>12</b>	Congo (Brazzaville)	<b>13</b>
Chad	<b>13</b>	Madagascar	<b>13</b>
Cameroon	<b>14</b>	Uganda	<b>13</b>
Central African Republic	<b>15</b>	Zimbabwe	<b>13</b>
Congo (DRC)	<b>16</b>	Angola	<b>14</b>
Congo (Brazzaville)	<b>17</b>	Congo (DRC)	<b>14</b>
Togo	<b>17</b>	Mozambique	<b>15</b>
Zimbabwe	<b>17</b>	Cameroon	<b>16</b>
Angola	<b>18</b>	Nigeria	<b>16</b>
Nigeria	<b>18</b>	Togo	<b>17</b>

Figure 3.2.A. Security of Urban Land Tenure Index – Excludes Sub-components with problems



**Figure 4.2.B. Security of Urban Land Tenure Index – Excludes Sub-components with problems**

<b>2009</b>	<b>Ranking</b>	<b>2012</b>	<b>Ranking</b>
South Africa	<b>1</b>	South Africa	<b>1</b>
Ghana	<b>2</b>	Botswana	<b>2</b>
Botswana	<b>3</b>	Ghana	<b>3</b>
Namibia	<b>4</b>	Zambia	<b>3</b>
Kenya	<b>5</b>	Namibia	<b>4</b>
Gabon	<b>6</b>	Côte d'Ivoire	<b>5</b>
Zambia	<b>7</b>	Tanzania	<b>6</b>
Niger	<b>8</b>	Niger	<b>6</b>
Mauritania	<b>9</b>	Ethiopia	<b>7</b>
Tanzania	<b>10</b>	Kenya	<b>8</b>
Uganda	<b>11</b>	Mauritania	<b>9</b>
Burkina Faso	<b>11</b>	Sudan	<b>10</b>
Senegal	<b>12</b>	Mali	<b>11</b>
Sudan	<b>13</b>	Benin	<b>11</b>
Mozambique	<b>14</b>	Uganda	<b>12</b>
Madagascar	<b>14</b>	Zimbabwe	<b>13</b>
Benin	<b>15</b>	Burkina Faso	<b>13</b>
Ethiopia	<b>16</b>	Senegal	<b>13</b>
Côte d'Ivoire	<b>16</b>	Madagascar	<b>14</b>
Mali	<b>17</b>	Gabon	<b>15</b>
Cameroon	<b>17</b>	Cameroon	<b>16</b>
Central African Republic	<b>18</b>	Central African Republic	<b>17</b>
Togo	<b>19</b>	Chad	<b>18</b>
Zimbabwe	<b>19</b>	Mozambique	<b>19</b>
Congo (DRC)	<b>20</b>	Congo (DRC)	<b>20</b>
Chad	<b>21</b>	Congo (Brazzaville)	<b>21</b>
Congo (Brazzaville)	<b>22</b>	Nigeria	<b>22</b>
Angola	<b>23</b>	Angola	<b>23</b>
Nigeria	<b>24</b>	Togo	<b>24</b>



## 5. APPENDICES

### Contents

A.1. List of IPD Variables of Interest	17
A.2. Country Profiles IPD	18
A.3. Scaling Equivalence	53
A.4. Key Legislations related to Land Tenure	54
A.5. Conclusions of Data Quality	55
A.6. IFC DB Normalized values (2009 and 2012)	58
A.7.A. IFC DB – Re-Scaled Values	59
A.7.B. IFC DB – Re-Scaling Parameters & Pairwise Correlations	60
A.8. Final Index Sub-Components	63
A.9 Country Profiles – Information Collection	67

## A.1. List of IPD Variables of Interest

Code				Variables/Indicators
<b>2001</b>	<b>2006</b>	<b>2009</b>	<b>2012</b>	
A600	A600	na	na	<b>Security of traditional property rights</b>
A6000	A6000	na	na	Existence and importance of a traditional system of property rights
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?
na	na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")
na	na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?
na	na	B608	B607	<b>Efficiency of land tenure policies</b>
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?
na	na	B609	B608	<b>Land tenure insecurity</b>
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?
na	na	B6093	B6081	Importance of land issues as a political and media concern
na	na	B610	na	<b>Pressure on Land</b>
na	na	B6100	B6091	Price tension on land in large agglomerations
na	na	B6101	B6092	Price tension on land in average-sized towns
A601	A601	A600	A600	<b>Security of property rights</b>
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?
A603	A603	A601	A601	<b>Security of private contracts</b>
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders
na	na	A306	A306	<b>Efficiency of Urban Governance</b>
na	na	A3060	A3060	Efficiency of planning for major agglomerations
na	na	A3061	A3061	Efficiency of planning for average-sized towns
	na	A2006	A2032	<b>Other</b>
				Violent social conflicts over land matters

## A.2. Country Profiles IPD

Angola – AGO  
Benin –BEN  
Botswana – BWA  
Burkina Faso - BFA  
Burundi -BDI  
Cameroon -CMR  
Central African Republic –CAR  
Chad -TCD  
Congo (Brazzaville) –COG  
Congo (DRC) –COD/ZAR  
Côte d'Ivoire - CIV  
Ethiopia –ETH  
Gabon –GAB  
Ghana -GHA  
Guinea - GUI  
Kenya –KEN  
Rwanda –RWA  
Madagascar -MDG  
Mali –MLI  
Mauritania –MRT  
Mozambique –MOZ  
Namibia –NAM  
Niger –NER  
Nigeria –NGA  
Senegal – SEN  
Sierra Leone –SLE  
Somalia – SOM  
South Africa –ZAF  
Sudan –SDN  
Tanzania – TZA  
Togo –TGO  
Uganda – UGA  
Zambia –ZAB/ZMB  
Zimbabwe –ZIM

AGO		Baseline			
2009	2012	2009	2012		
B606	B6030	Diversity of Land tenure rights systems (incl. rural)	2.00	2.00	
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	2.00	na	0 = wide range of land-rights systems to 4 = single land system
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	2.00	na	
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)	2.00	3.00	
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	2.00	na	0=no formal recognition; 4= formal government recognition
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	2.00	na	
B608	B607	Efficiency of land tenure policies			
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00		
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	1.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations
B609	B608	Land tenure insecurity	1.99	1.75	0=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	1.00	0=high percentage; 4= very low or zero
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	3.00	na	
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	1.00	1.00	0=many evictions; 4= no or very few
B6093	B6081	Importance of land issues as a political and media concern	3.00	4.00	0=high; 4= low
B610	na	Pressure on Land			
B6100	B6091	Price tension on land in large agglomerations	1.00	1.00	0= strong tension on land prices; 4= no tension on land prices
B6101	B6092	Price tension on land in average-sized towns	1.00	2.00	
A600	A600	Security of property rights			
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	2.00	0=weak; 4=highly effective
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	1.00	1.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	2.00	1=no compensation; 4= appropriate compensation
A601	A601	Security of private contracts			
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	1.00	2.00	1= weak; 4= strong
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00		
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	3.00	
A306	A306	Efficiency of Urban Governance			
A3060	A3060	Efficiency of planning for major agglomerations	2.00	1.00	0= no planning instrument; 4=efficient planning
A3061	A3061	Efficiency of planning for average-sized towns	1.00	2.00	
		Other			
A2006	A2032	Violent social conflicts over land matters	3.00	3.00	1= strong violence; 4= no violent disputes
		Overall Simple Average	1.86	2.40	

BEN			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			
			1.00	na	na	
A6000	na	na	Existence and importance of a traditional system of property rights			0 = wide range of land-rights systems to 4 = single land system
			1.00	na	na	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?			
			1.00	na	na	
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			
			na	2.00	3.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			0=no formal recognition; 4= formal government recognition
			na	2.00	na	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			
			na	2.00	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			
			na	2.00	2.00	
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			0=no public arrangements; 1=rarely enforced; 4= effective arrangements
			na	2.00	na	
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			
			na	2.00	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			0 = no or hardly any 4 = effective land access policy for these populations
			Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			0=high insecurity; 4= low insecurity
			na	2.00	2.00	
na	B6081	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			
			na	2.00		0=high percentage; 4= very low or zero
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			
			na	1.00	2.00	
na	B609	B608	<b>Land tenure insecurity</b>			0=many evictions; 4= no or very few
			na	1.75	1.75	
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			0=high; 4= low
			na	2.00	2.00	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			
			na	2.00	na	
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			0= strong tension on land prices; 4= no tension on land prices
			na	4.00	3.00	
na	B6093	B6081	Importance of land issues as a political and media concern			
			na	2.00	3.00	
na	B610	na	<b>Pressure on Land</b>			0=weak; 4=highly effective
			na			
na	B6100	B6091	Price tension on land in large agglomerations			0=arbitrary pressure very frequent; 4= no arbitrariv
			na	1.00	1.00	
na	B6101	B6092	Price tension on land in average-sized towns			1=no compensation; 4= appropriate compensation
			na	1.00	1.00	
A601	A600	A600	<b>Security of property rights</b>			
			Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			
			2.00	1.00	2.00	
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			1= weak; 4= strong
			2.00	2.00	3.00	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			
			2.00	3.00	4.00	
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			
			2.00	2.00	3.00	
A6032	A6011	A6011	Degree of observance of contractual terms between national private stakeholders - with private mediation			0= no planning instrument; 4=efficient planning
			3.00	3.00		
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			
			3.00	3.00	3.00	
na	A306	A306	<b>Efficiency of Urban Governance</b>			
na	A3060	A3060	Efficiency of planning for major agglomerations			1= strong violence; 4= no violent disputes
			na	2.00	2.00	
na	A3061	A3061	Efficiency of planning for average-sized towns			
			na	2.00	2.00	
na			<b>Other</b>			
			na			
na	A2006	A2032	Violent social conflicts over land matters			
			na	4.00	4.00	
Overall Simple Average				2.14	2.87	

BWA			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			
			2.00	na	na	
A6000	na	na	Existence and importance of a traditional system of property rights			0 = wide range of land-rights systems to 4 = single land system
			3.00	na	na	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?			
			1.00	na	na	
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			
				1.97	3.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			0=no formal recognition; 4= formal government recognition
				3.00	na	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			
				1.00	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			
				2.51	2.00	
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			0=no public arrangements; 1=rarely enforced; 4= effective arrangements
				2.00	na	
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			
				3.00	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			0 = no or hardly any 4 = effective land access policy for these populations
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			0=high insecurity; 4= low insecurity
				3.00	3.00	
na	B6081	B6071	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			0=high percentage; 4= very low or zero
				3.00		
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			
				2.00	2.00	
na	B609	B608	<b>Land tenure insecurity</b>			0=many evictions; 4= no or very few
				2.25	3.25	
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			0=high; 4= low
				2.00	3.00	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			
				2.00	na	
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			0= strong tension on land prices; 4= no tension on land prices
				3.00	3.00	
na	B6093	B6081	Importance of land issues as a political and media concern			
				2.00	2.00	
na	B610	na	<b>Pressure on Land</b>			0=weak; 4=highly effective
na	B6100	B6091	Price tension on land in large agglomerations			
				3.00	4.00	
na	B6101	B6092	Price tension on land in average-sized towns			0=arbitrary pressure very frequent; 4= no arbitrariness
				4.00	4.00	
A601	A600	A600	<b>Security of property rights</b>			1=no compensation; 4= appropriate compensation
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			
				3.00	2.00	
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			1= weak; 4= strong
				3.00	3.00	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			
				3.00	1.00	
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			0= no planning instrument; 4=efficient planning
				3.00	2.00	
A6032	A6011	A6011	Degree of observance of contractual terms between national private stakeholders - with private mediation			
				3.00	3.00	
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			
				3.00	3.00	
na	A306	A306	<b>Efficiency of Urban Governance</b>			
na	A3060	A3060	Efficiency of planning for major agglomerations			1= strong violence; 4= no violent disputes
				1.00	2.00	
na	A3061	A3061	Efficiency of planning for average-sized towns			
				2.00	1.00	
na			<b>Other</b>			
na	A2006	A2032	Violent social conflicts over land matters			
				3.00	3.00	
Overall Simple Average				2.59	3.01	

BFA			Baseline		
2006	2009	2012	2006	2009	2012
A600	na	na	<b>Security of traditional property rights</b>		
A6000	na	na	Existence and importance of a traditional system of property rights	1.00	na
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	3.00	na
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	2.00	2.00
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	2.00	na
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	2.00	na
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	3.49	4.00
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	4.00	na
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	3.00	na
na	B608	B607	<b>Efficiency of land tenure policies</b>		
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	2.00
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00	
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	3.00	1.00
na	B609	B608	<b>Land tenure insecurity</b>	1.98	2.00
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	2.00
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	3.00	na
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00	2.00
na	B6093	B6081	Importance of land issues as a political and media concern	2.00	1.00
na	B610	na	<b>Pressure on Land</b>		
na	B6100	B6091	Price tension on land in large agglomerations	2.00	2.00
na	B6101	B6092	Price tension on land in average-sized towns	2.00	2.00
A601	A600	A600	<b>Security of property rights</b>		
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	0.00
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	3.00	2.00
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	1.00	3.00
A603	A601	A601	<b>Security of private contracts</b>		
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	1.00
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00	
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	1.00
na	A306	A306	<b>Efficiency of Urban Governance</b>		
na	A3060	A3060	Efficiency of planning for major agglomerations	2.00	3.00
na	A3061	A3061	Efficiency of planning for average-sized towns	2.00	1.00
na	A2006	A2032	<b>Other</b>		
			Violent social conflicts over land matters	3.00	2.00
Overall Simple Average				2.50	2.47

BDI			
		2012	
B6030	Diversity of Land tenure rights systems (incl. rural)	3.00	
na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	na	0 = wide range of land-rights systems to 4 = single land system
na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	na	
B6040	Government recognition of the diversity of land tenure right systems (incl. rural)	1.00	
na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	na	0=no formal recognition; 4= formal government recognition
na	Does the government formally recognise the diversity of land-rights systems in rural areas?	na	
B607	Efficiency of land tenure policies	2.50	
B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?		
B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	0 = no or hardly any 4 = effective land access policy for these populations
B608	Land tenure insecurity	2.50	0=high insecurity; 4= low insecurity
B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	3.00	
na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	na	0=high percentage; 4= very low or zero
B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	0=many evictions; 4= no or very few
B6081	Importance of land issues as a political and media concern	1.00	0=high; 4= low
na	Pressure on Land		
B6091	Price tension on land in large agglomerations	1.00	0= strong tension on land prices; 4= no tension on land prices
B6092	Price tension on land in average-sized towns	1.00	
A600	Security of property rights		
A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	0=weak; 4=highly effective
A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	1.00	1=no compensation; 4= appropriate compensation
A601	Security of private contracts		
A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	1= weak; 4= strong
	Degree of observance of contractual terms between national private stakeholders - with private mediation		
A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	
A306	Efficiency of Urban Governance		
A3060	Efficiency of planning for major agglomerations	1.00	0= no planning instrument; 4=efficient planning
A3061	Efficiency of planning for average-sized towns	0.00	
	Other		
A2032	Violent social conflicts over land matters	3.00	1= strong violence; 4= no violent disputes
	Overall Simple Average	2.32	



CMR				Baseline						
2001	2006	2009	2012	2001	2006	2009	2012			
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4		
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	2.00	2.00	na	na	0= widespread, 4= none	
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	3.00	4.00	na	na	from 1= low security to 4= high security	
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)				3.00	2.00	
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")		3.00	na		0 = wide range of land-rights systems to 4 = single land system	
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")		3.00	na			
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)				3.00	3.00	
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?		3.00	na		0=no formal recognition; 4= formal government recognition	
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?		2.00	na			
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082	
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?		3.00		1.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?		2.00				
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?		2.00	0.00		0 = no or hardly any 4 = effective land access policy for these populations	
na	na	B609	B608	Land tenure insecurity				2.00	2.00	0=high insecurity; 4= low insecurity
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas		2.00	2.00			0=high percentage; 4= very low or zero
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts		2.00	na			
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?		2.00	3.00			0=many evictions; 4= no or very few
na	na	B6093	B6081	Importance of land issues as a political and media concern		2.00	2.00			0=high; 4= low
na	na	B610	na	Pressure on Land						
na	na	B6100	B6091	Price tension on land in large agglomerations		2.00	2.00			0= strong tension on land prices; 4= no tension on land prices
na	na	B6101	B6092	Price tension on land in average-sized towns		3.00	3.00			
A601	A601	A600	A600	Security of property rights						
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	2.00	1.00	2.00		0=weak; 4=highly effective
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	3.00	2.00	2.00	1.00		0=arbitrary pressure very frequent; 4= no arbitrarity
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	1.00	3.00	2.00	3.00		1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts						
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	1.00	3.00	2.00		1.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	3.00	2.00			
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	1.00	3.00	2.00	1.00		
na	na	A306	A306	Efficiency of Urban Governance						
na	na	A3060	A3060	Efficiency of planning for major agglomerations			1.00	2.00		0= no planning instrument; 4=efficient planning
na	na	A3061	A3061	Efficiency of planning for average-sized towns			0.00	2.00		
				Other						
	na	A2006	A2032	Violent social conflicts over land matters			3.00	2.00		1= strong violence; 4= no violent disputes
Overall Simple Average							2.09	2.35		

CAR		Baseline		
2009	2012	2009	2012	
B606	B6030	Diversity of Land tenure rights systems (incl. rural)		
		3.00	3.00	
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00	na
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	3.00	na
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		
		3.00	3.00	
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	3.00	na
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	3.00	na
B608	B607	Efficiency of land tenure policies		
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00	
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	1.00	1.00
B609	B608	Land tenure insecurity		
		2.00	2.00	
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	2.00
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	2.00	na
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	2.00
B6093	B6081	Importance of land issues as a political and media concern	2.00	2.00
B610	na	Pressure on Land		
B6100	B6091	Price tension on land in large agglomerations	4.00	2.00
B6101	B6092	Price tension on land in average-sized towns	4.00	3.00
A600	A600	Security of property rights		
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	1.00
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	1.00	2.00
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	3.00	2.00
A601	A601	Security of private contracts		
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00	
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	3.00
A306	A306	Efficiency of Urban Governance		
A3060	A3060	Efficiency of planning for major agglomerations	2.00	1.00
A3061	A3061	Efficiency of planning for average-sized towns	2.00	1.00
		Other		
A2006	A2032	Violent social conflicts over land matters	1.00	2.00
Overall Simple Average		2.41	2.59	

TCD			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			0 if none- if traditional property rights exist, grade these from 1 to 4
A6000	na	na	Existence and importance of a traditional system of property rights	1.00	na	0= widespread, 4= none
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	4.00	na	from 1= low security to 4= high security
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			2.51 1.00
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	2.00	na	0 = wide range of land-rights systems to 4 = single land system
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	3.00	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			1.49 3.00
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	2.00	na	0=no formal recognition; 4= formal government recognition
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	1.00	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	4.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	3.00		
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	1.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations
na	B609	B608	<b>Land tenure insecurity</b>			1.25 2.00
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	2.00	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na	0=high percentage; 4= very low or zero
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00	2.00	0=many evictions; 4= no or very few
na	B6093	B6081	Importance of land issues as a political and media concern	2.00	2.00	0=high; 4= low
na	B610	na	<b>Pressure on Land</b>			
na	B6100	B6091	Price tension on land in large agglomerations	1.00	1.00	0= strong tension on land prices; 4= no tension on land prices
na	B6101	B6092	Price tension on land in average-sized towns	1.00	1.00	
A601	A600	A600	<b>Security of property rights</b>			0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	1.00	2.00
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	2.00	2.00
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	1.00	3.00	2.00
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	2.00	1.00
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	2.00	1= weak; 4= strong
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	3.00	2.00
na	A306	A306	<b>Efficiency of Urban Governance</b>			
na	A3060	A3060	Efficiency of planning for major agglomerations	2.00	3.00	0= no planning instrument; 4=efficient planning
na	A3061	A3061	Efficiency of planning for average-sized towns	0.00	2.00	
na	A2006	A2032	<b>Other</b>			
			Violent social conflicts over land matters	2.00	3.00	1= strong violence; 4= no violent disputes
Overall Average				1.86	2.53	

COG		Baseline				
2009	2012	2009	2012			
B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>				
		3.00	3.00			
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00	na	0 = wide range of land-rights systems to 4 = single land system	
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	3.00	na		
B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>				
		1.00	1.00			
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	1.00	na	0=no formal recognition; 4= formal government recognition	
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	1.00	na		
B608	B607	<b>Efficiency of land tenure policies</b>				
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	1.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	1.00			
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations	
B609	B608	<b>Land tenure insecurity</b>		1.00	2.50	0=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	2.00	0=high percentage; 4= very low or zero	
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na		
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	2.00	0=many evictions; 4= no or very few	
B6093	B6081	Importance of land issues as a political and media concern	1.00	2.00	0=high; 4= low	
B610	na	<b>Pressure on Land</b>				
B6100	B6091	Price tension on land in large agglomerations	2.00	1.00	0= strong tension on land prices; 4= no tension on land prices	
B6101	B6092	Price tension on land in average-sized towns	2.00	2.00		
A600	A600	<b>Security of property rights</b>			0=weak; 4=highly effective	
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	2.00		
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	1.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness	
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	2.00	1=no compensation; 4= appropriate compensation	
A601	A601	<b>Security of private contracts</b>				
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	2.00	1= weak; 4= strong	
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00			
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	2.00		
A306	A306	<b>Efficiency of Urban Governance</b>			0= no planning instrument; 4=efficient planning	
A3060	A3060	Efficiency of planning for major agglomerations	1.00	0.00		
A3061	A3061	Efficiency of planning for average-sized towns	0.00	0.00		
		<b>Other</b>				
A2006	A2032	Violent social conflicts over land matters	4.00	2.00	1= strong violence; 4= no violent disputes	
		Overall Simple Average	1.68	2.15		

COD/ZAR		Baseline		
2009	2012	2009	2012	
B606	B6030	Diversity of Land tenure rights systems (incl. rural)		3.002.00
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00	na0 = wide range of land-rights systems to 4 = single land system
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	3.00	na
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		2.001.00
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	2.00	na0=no formal recognition; 4= formal government recognition
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	2.00	na
B608	B607	Efficiency of land tenure policies		
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	3.000=no public arrangements; 1=rarely enforced; 4= effective arrangements
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	3.00	
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	na0 = no or hardly any 4 = effective land access policy for these populations
B609	B608	Land tenure insecurity		1.511.250=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	1.000=high percentage; 4= very low or zero
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	1.00	2.000=many evictions; 4= no or very few
B6093	B6081	Importance of land issues as a political and media concern	1.00	1.000=high; 4= low
B610	na	Pressure on Land		
B6100	B6091	Price tension on land in large agglomerations	1.00	1.000= strong tension on land prices; 4= no tension on land prices
B6101	B6092	Price tension on land in average-sized towns	3.00	2.00
A600	A600	Security of property rights		
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	1.000=weak; 4=highly effective
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	1.00	1.000=arbitrary pressure very frequent; 4= no arbitrariness
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	1.001=no compensation; 4= appropriate compensation
A601	A601	Security of private contracts		
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	1.001= weak; 4= strong
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	1.00
A306	A306	Efficiency of Urban Governance		
A3060	A3060	Efficiency of planning for major agglomerations	1.00	2.000= no planning instrument; 4=efficient planning
A3061	A3061	Efficiency of planning for average-sized towns	0.00	2.00
		Other		
A2006	A2032	Violent social conflicts over land matters	2.00	2.001= strong violence; 4= no violent disputes
		Overall Simple Average	1.82	1.64

CIV				Baseline							
2001	2006	2009	2012	2001	2006	2009	2012				
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4			
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	2.00	2.00	na	na	0= widespread, 4= none		
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	2.00	1.00	na	na	from 1= low security to 4= high security		
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			2.00	2.00			
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			2.00	na	0 = wide range of land-rights systems to 4 = single land system		
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			2.00	na			
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			2.00	na			
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			2.00	na	0=no formal recognition; 4= formal government recognition		
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			2.00	na			
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082		
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			2.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements		
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			2.00				
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			2.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations		
na	na	B609	B608	Land tenure insecurity			1.49	2.00	0=high insecurity; 4= low insecurity		
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			1.00	1.00	0=high percentage; 4= very low or zero		
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			2.00	na			
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			2.00	3.00	0=many evictions; 4= no or very few		
na	na	B6093	B6081	Importance of land issues as a political and media concern			1.00	1.00	0=high; 4= low		
na	na	B610	na	Pressure on Land							
na	na	B6100	B6091	Price tension on land in large agglomerations			2.00	3.00	0= strong tension on land prices; 4= no tension on land prices		
na	na	B6101	B6092	Price tension on land in average-sized towns			3.00	3.00			
A601	A601	A600	A600	Security of property rights							
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			1.00	2.00	2.00	3.00	0=weak; 4=highly effective
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			1.00	2.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			2.00	2.00	2.00	2.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts							
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			3.00	1.00	2.00	3.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation			3.00	3.00	3.00		
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			3.00	3.00	3.00	2.00	
na	na	A306	A306	Efficiency of Urban Governance							
na	na	A3060	A3060	Efficiency of planning for major agglomerations				2.00	2.00		0= no planning instrument; 4=efficient planning
na	na	A3061	A3061	Efficiency of planning for average-sized towns				1.00	2.00		
	na	A2006	A2032	Other							
				Violent social conflicts over land matters				1.00	3.00		1= strong violence; 4= no violent disputes
Overall Simple Average							1.95	2.81			

ETH			Baseline				
2006	2009	2012	2006	2009	2012		
A600	na	na	Security of traditional property rights			na na	
A6000	na	na	Existence and importance of a traditional system of property rights	4.00	na na	0 if none- if traditional property rights exist, grade these from 1 to 4	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	0.00	na na		
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			4.00 4.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	1.00	na	0 = wide range of land-rights systems to 4 = single land system	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	1.00	na		
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			1.00 na	0=no formal recognition; 4= formal government recognition
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	1.00	na		
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	1.00	na		
na	B608	B607	Efficiency of land tenure policies				
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	1.00		0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	1.00	3.00		
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	3.00		
na	B609	B608	Land tenure insecurity			1.75 1.50	0=high insecurity; 4= low insecurity
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	2.00	0=high percentage; 4= very low or zero	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na		
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00	1.00	0=many evictions; 4= no or very few	
na	B6093	B6081	Importance of land issues as a political and media concern	1.00	1.00		
na	B610	na	Pressure on Land				
na	B6100	B6091	Price tension on land in large agglomerations	1.00	1.00		
na	B6101	B6092	Price tension on land in average-sized towns	1.00	2.00		
A601	A600	A600	Security of property rights				0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	3.00	2.00	4.00	
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	1.00	1.00	1.00	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	1.00	1.00	1.00	
A603	A601	A601	Security of private contracts				
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	3.00	3.00		3.00
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00	2.00		
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	4.00	3.00	2.00	
na	A306	A306	Efficiency of Urban Governance				0= no planning instrument; 4=efficient planning
na	A3060	A3060	Efficiency of planning for major agglomerations	2.00	3.00		
na	A3061	A3061	Efficiency of planning for average-sized towns	1.00	3.00		
na	A2006	A2032	Other				
			Violent social conflicts over land matters	3.00	2.00		1= strong violence; 4= no violent disputes
Overall Average				1.55	2.97		

GAB			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			0 if none- if traditional property rights exist, grade these from 1 to 4
A6000	na	na	3.00	na	na	0= widespread, 4= none
A6001	na	na	2.00	na	na	from 1= low security to 4= high security
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			
na	B6060	na		3.00	na	0 = wide range of land-rights systems to 4 = single land system
na	B6061	na		3.00	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			
na	B6070	na		3.00	na	0=no formal recognition; 4= formal government recognition
na	B6071	na		3.00	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			
na	B6080	B6070		3.00		0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081			2.00		
na	B6082	B6071		2.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations
na	B609	B608		2.99	2.50	0=high insecurity; 4= low insecurity
na	B6091	B6082		2.00	2.00	0=high percentage; 4= very low or zero
na	B6092	na		4.00	na	
na	B6083	B6080		2.00	2.00	0=many evictions; 4= no or very few
na	B6093	B6081		4.00	3.00	0=high; 4= low
na	B610	na	<b>Pressure on Land</b>			
na	B6100	B6091		1.00	1.00	0= strong tension on land prices; 4= no tension on land prices
na	B6101	B6092		3.00	3.00	
A601	A600	A600	<b>Security of property rights</b>			0=weak; 4=highly effective
A6010	A6000	A6000	2.00	2.00	2.00	
A6013	A6003	A6001	2.00	3.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6001	A6002	3.00	3.00	3.00	1=no compensation; 4= appropriate compensation
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	2.00	2.00	2.00	1= weak; 4= strong
A6032	A6011		2.00	3.00		
A6033	A6012	A6011	2.00	3.00	2.00	
na	A306	A306	<b>Efficiency of Urban Governance</b>			
na	A3060	A3060		0.00	0.00	0= no planning instrument; 4=efficient planning
na	A3061	A3061		0.00	0.00	
na	A2006	A2032	<b>Other</b>			
				3.00	3.00	1= strong violence; 4= no violent disputes
Overall Average				2.45	2.44	



GHA				Baseline							
2001	2006	2009	2012	2001	2006	2009	2012				
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4			
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	1.00	1.00	na	na	0= widespread, 4= none		
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	2.00	3.00	na	na	from 1= low security to 4= high security		
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			2.00	4.00			
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			2.00	na	0 = wide range of land-rights systems to 4 = single land system		
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			2.00	na			
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			4.00	4.00			
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			4.00	na	0=no formal recognition; 4= formal government recognition		
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			4.00	na			
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082		
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			3.00	1.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements		
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			3.00				
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			1.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations		
na	na	B609	B608	Land tenure insecurity			2.25	2.00	0=high insecurity; 4= low insecurity		
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			3.00	2.00	0=high percentage; 4= very low or zero		
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			2.00	na			
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			4.00	2.00	0=many evictions; 4= no or very few		
na	na	B6093	B6081	Importance of land issues as a political and media concern			1.00	1.00	0=high; 4= low		
na	na	B610	na	Pressure on Land							
na	na	B6100	B6091	Price tension on land in large agglomerations			1.00	1.00	0= strong tension on land prices; 4= no tension on land prices		
na	na	B6101	B6092	Price tension on land in average-sized towns			2.00	2.00			
A601	A601	A600	A600	Security of property rights							
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			2.00	2.00	2.00	0=weak; 4=highly effective	
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			2.00	2.00	3.00	4.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			1.00	2.00	3.00	3.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts							
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			3.00	2.00	3.00	3.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation			3.00	3.00	4.00		
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			2.00	3.00	3.00	3.00	
na	na	A306	A306	Efficiency of Urban Governance							
na	na	A3060	A3060	Efficiency of planning for major agglomerations				2.00	1.00	0= no planning instrument; 4=efficient planning	
na	na	A3061	A3061	Efficiency of planning for average-sized towns				2.00	1.00		
				Other							
	na	A2006	A2032	Violent social conflicts over land matters				3.00	2.00	1= strong violence; 4= no violent disputes	
Overall Simple Average							2.59	2.71			

GUI	2012	
B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	2.00
na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	na
na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	na
B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	4.00
na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	na
na	Does the government formally recognise the diversity of land-rights systems in rural areas?	na
B607	<b>Efficiency of land tenure policies</b>	1.50
B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00
	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	
B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	0.00
B608	<b>Land tenure insecurity</b>	3.50
B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00
na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	na
B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	4.00
B6081	Importance of land issues as a political and media concern	4.00
na	<b>Pressure on Land</b>	
B6091	Price tension on land in large agglomerations	1.00
B6092	Price tension on land in average-sized towns	2.00
A600	<b>Security of property rights</b>	
A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00
A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00
A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00
A601	<b>Security of private contracts</b>	
A6010	Degree of observance of contractual terms between national private stakeholders - without mediation Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00
A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00
A306	<b>Efficiency of Urban Governance</b>	
A3060	Efficiency of planning for major agglomerations	1.00
A3061	Efficiency of planning for average-sized towns	1.00
	<b>Other</b>	
A2032	Violent social conflicts over land matters	3.00
	Overall Simple Average	2.44

KEN			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			
A6000	na	na	1.00	na	na	0 if none- if traditional property rights exist, grade these from 1 to 4
A6001	na	na	2.00	na	na	
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			
na	B6060	na	4.00	na	na	0 = wide range of land-rights systems to 4 = single land system
na	B6061	na	2.00	na	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			0=no formal recognition; 4= formal government recognition
na	B6070	na	4.00	na	na	
na	B6071	na	3.00	na	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			
na	B6080	B6070	3.00		3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081		2.00			
na	B6082	B6071	1.00	1.00	1.00	
na	B609	B608	<b>Land tenure insecurity</b>			0=high insecurity; 4= low insecurity
na	B6091	B6082	2.00	2.00	2.00	0=high percentage; 4= very low or zero
na	B6092	na	3.00	na	na	
na	B6083	B6080	3.00	2.00	2.00	0=many evictions; 4= no or very few
na	B6093	B6081	1.00	1.00	1.00	
na	B610	na	<b>Pressure on Land</b>			
na	B6100	B6091	1.00	2.00	2.00	
na	B6101	B6092	1.00	2.00	2.00	
A601	A600	A600	<b>Security of property rights</b>			0=weak; 4=highly effective
A6010	A6000	A6000	2.00	2.00	3.00	
A6013	A6003	A6001	2.00	2.00	2.00	
A6011	A6001	A6002	2.00	3.00	na	
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	3.00	3.00	2.00	
A6032	A6011		4.00	3.00		
A6033	A6012	A6011	3.00	3.00	2.00	
na	A306	A306	<b>Efficiency of Urban Governance</b>			0= no planning instrument; 4=efficient planning
na	A3060	A3060	2.00	1.00	1.00	
na	A3061	A3061	2.00	1.00	1.00	
na	A2006	A2032	<b>Other</b>			
			2.00	1.00	1.00	1= strong violence; 4= no violent disputes
Overall Average				2.36	2.42	

MDG			Baseline					
2006	2009	2012	2006	2009	2012			
A600	na	na	Security of traditional property rights					
A6000	na	na	Existence and importance of a traditional system of property rights	1.00	na	na	0 if none- if traditional property rights exist, grade these from 1 to 4	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	1.00	na	na		
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			2.49	4.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00		na	0 = wide range of land-rights systems to 4 = single land system	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	2.00		na		
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			3.51	na	0=no formal recognition; 4= formal government recognition
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	3.00		na		
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	4.00		na		
na	B608	B607	Efficiency of land tenure policies					
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00			2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	3.00				
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00		0.00		
na	B609	B608	Land tenure insecurity			1.98	1.75	0=high insecurity; 4= low insecurity
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00		2.00		0=high percentage; 4= very low or zero
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	3.00		na		
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00		3.00		0=many evictions; 4= no or very few
na	B6093	B6081	Importance of land issues as a political and media concern	1.00		1.00		
na	B610	na	Pressure on Land					
na	B6100	B6091	Price tension on land in large agglomerations	1.00		3.00		
na	B6101	B6092	Price tension on land in average-sized towns	3.00		4.00		
A601	A600	A600	Security of property rights					0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	2.00	0.00		
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	3.00	1.00	2.00		
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	3.00	2.00	2.00		
A603	A601	A601	Security of private contracts					
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	2.00	2.00		
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	3.00	na		
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	1.00	2.00		
na	A306	A306	Efficiency of Urban Governance					0= no planning instrument; 4=efficient planning
na	A3060	A3060	Efficiency of planning for major agglomerations		2.00	1.00		
na	A3061	A3061	Efficiency of planning for average-sized towns		2.00	1.00		
na	A2006	A2032	Other					
			Violent social conflicts over land matters		2.00	2.00		1= strong violence; 4= no violent disputes
Overall Average					2.27	2.42		

MLI			Baseline				
2006	2009	2012	2006	2009	2012		
A600	na	na	Security of traditional property rights			0 if none- if traditional property rights exist, grade these from 1 to 4	
A6000	na	na	Existence and importance of a traditional system of property rights	2.00	na	na	0= widespread, 4= none
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	1.00	na	na	from 1= low security to 4= high security
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)		1.49	1.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	2.00		na	0 = wide range of land-rights systems to 4 = single land system
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	1.00		na	
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		1.00	3.00	
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	1.00		na	0=no formal recognition; 4= formal government recognition
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	1.00		na	
na	B608	B607	Efficiency of land tenure policies				
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00		1.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00			
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	1.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations
na	B609	B608	Land tenure insecurity		1.25	1.75	0=high insecurity; 4= low insecurity
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00		2.00	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00		na	0=high percentage; 4= very low or zero
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00		2.00	0=many evictions; 4= no or very few
na	B6093	B6081	Importance of land issues as a political and media concern	2.00		2.00	0=high; 4= low
na	B610	na	Pressure on Land				
na	B6100	B6091	Price tension on land in large agglomerations	1.00		1.00	0= strong tension on land prices; 4= no tension on land prices
na	B6101	B6092	Price tension on land in average-sized towns	1.00		2.00	
A601	A600	A600	Security of property rights				0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	1.00	1.00	
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	3.00	2.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrarity
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	4.00	3.00	1=no compensation; 4= appropriate compensation
A603	A601	A601	Security of private contracts				
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	3.00	2.00	2.00	
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00	3.00		1= weak; 4= strong
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	2.00	2.00	
na	A306	A306	Efficiency of Urban Governance				
na	A3060	A3060	Efficiency of planning for major agglomerations		0.00	0.00	0= no planning instrument; 4=efficient planning
na	A3061	A3061	Efficiency of planning for average-sized towns		0.00	0.00	
na	A2006	A2032	Other				
			Violent social conflicts over land matters	2.00		2.00	1= strong violence; 4= no violent disputes
Overall Average					1.64	1.98	

MRT			Baseline					
2006	2009	2012	2006	2009	2012			
A600	na	na	Security of traditional property rights			0 if none- if traditional property rights exist, grade these from 1 to 4		
A6000	na	na	Existence and importance of a traditional system of property rights	2.00	na	na	0= widespread, 4= none	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	2.00	na	na	from 1= low security to 4= high security	
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			2.46	3.00	
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	4.00		na	0 = wide range of land-rights systems to 4 = single land system	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	1.00		na		
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			3.49	1.00	
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	4.00		na	0=no formal recognition; 4= formal government recognition	
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	3.00		na		
na	B608	B607	Efficiency of land tenure policies					
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00		2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00				
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	2.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations	
na	B609	B608	Land tenure insecurity			2.51	2.00	0=high insecurity; 4= low insecurity
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	3.00		2.00		
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	2.00		na	0=high percentage; 4= very low or zero	
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00		2.00	0=many evictions; 4= no or very few	
na	B6093	B6081	Importance of land issues as a political and media concern	3.00		2.00	0=high; 4= low	
na	B610	na	Pressure on Land					
na	B6100	B6091	Price tension on land in large agglomerations	1.00		2.00	0= strong tension on land prices; 4= no tension on land prices	
na	B6101	B6092	Price tension on land in average-sized towns	2.00		2.00		
A601	A600	A600	Security of property rights					0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	1.00	2.00		
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (bv law or fact) when the expropriation concerns land ownership?	1.00	3.00	2.00	1=no compensation; 4= appropriate compensation	
A603	A601	A601	Security of private contracts					
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	2.00	2.00		
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	2.00		1= weak; 4= strong	
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	1.00	2.00	1.00		
na	A306	A306	Efficiency of Urban Governance					
na	A3060	A3060	Efficiency of planning for major agglomerations		1.00	1.00	0= no planning instrument; 4=efficient planning	
na	A3061	A3061	Efficiency of planning for average-sized towns		0.00	2.00		
na	A2006	A2032	Other					
			Violent social conflicts over land matters		2.00	2.00	1= strong violence; 4= no violent disputes	
Overall Average					2.14	2.35		

MOZ			Baseline					
2006	2009	2012	2006	2009	2012			
A600	na	na	Security of traditional property rights			0 if none- if traditional property rights exist, grade these from 1 to 4		
A6000	na	na	Existence and importance of a traditional system of property rights	2.00	na	na	0= widespread, 4= none	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	3.00	na	na	from 1= low security to 4= high security	
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)		3.51	3.00		
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00		na	0 = wide range of land-rights systems to 4 = single land system	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	4.00		na		
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		4.00	4.00		
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	4.00		na	0=no formal recognition; 4= formal government recognition	
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	4.00		na		
na	B608	B607	Efficiency of land tenure policies					
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00		2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00				
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	0.00		0 = no or hardly any 4 = effective land access policy for these populations	
na	B609	B608	Land tenure insecurity		2.00	1.75	0=high insecurity; 4= low insecurity	
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	2.00		0=high percentage; 4= very low or zero	
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	2.00		na		
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	2.00		0=many evictions; 4= no or very few	
na	B6093	B6081	Importance of land issues as a political and media concern	2.00	1.00		0=high; 4= low	
na	B610	na	Pressure on Land					
na	B6100	B6091	Price tension on land in large agglomerations	2.00	1.00		0= strong tension on land prices; 4= no tension on land prices	
na	B6101	B6092	Price tension on land in average-sized towns	3.00	3.00			
A601	A600	A600	Security of property rights					0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	2.00	2.00		
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	2.00	1.00	1=no compensation; 4= appropriate compensation	
A603	A601	A601	Security of private contracts					
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	3.00	3.00	2.00	1= weak; 4= strong	
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00	3.00			
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	3.00	3.00		
na	A306	A306	Efficiency of Urban Governance					
na	A3060	A3060	Efficiency of planning for major agglomerations	2.00	1.00		0= no planning instrument; 4=efficient planning	
na	A3061	A3061	Efficiency of planning for average-sized towns	1.00	1.00			
na	A2006	A2032	Other					
			Violent social conflicts over land matters	3.00	2.00		1= strong violence; 4= no violent disputes	
Overall Average				2.55	1.88			

NAM		Baseline			
2009	2012	2009	2012		
B606	B6030	Diversity of Land tenure rights systems (incl. rural)	2.49	3.00	
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00	na	0 = wide range of land-rights systems to 4 = single land system
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	2.00	na	
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)	2.00	3.00	
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	2.00	na	0=no formal recognition; 4= formal government recognition
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	2.00	na	
B608	B607	Efficiency of land tenure policies			
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00		
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	3.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations
B609	B608	Land tenure insecurity	2.49	2.75	0=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	3.00	0=high percentage; 4= very low or zero
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	3.00	na	
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	4.00	0=many evictions; 4= no or very few
B6093	B6081	Importance of land issues as a political and media concern	2.00	2.00	0=high; 4= low
B610	na	Pressure on Land			
B6100	B6091	Price tension on land in large agglomerations	3.00	3.00	0= strong tension on land prices; 4= no tension on land prices
B6101	B6092	Price tension on land in average-sized towns	3.00	3.00	
A600	A600	Security of property rights			
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	3.00	3.00	0=weak; 4=highly effective
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	2.00	1=no compensation; 4= appropriate compensation
A601	A601	Security of private contracts			
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	3.00	1= weak; 4= strong
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00		
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	3.00	
A306	A306	Efficiency of Urban Governance			
A3060	A3060	Efficiency of planning for major agglomerations	2.00	2.00	0= no planning instrument; 4=efficient planning
A3061	A3061	Efficiency of planning for average-sized towns	2.00	2.00	
		Other			
A2006	A2032	Violent social conflicts over land matters	2.00	3.00	1= strong violence; 4= no violent disputes
		Overall Simple Average	2.45	2.61	



NER			Baseline					
2006	2009	2012	2006	2009	2012			
A600	na	na	Security of traditional property rights			0 if none- if traditional property rights exist, grade these from 1 to 4		
A6000	na	na	Existence and importance of a traditional system of property rights	2.00	na	na	0= widespread, 4= none	
A6001	na	na	If a traditional system exists, does it ensure security of property rights?	1.00	na	na	from 1= low security to 4= high security	
na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)		2.00	2.00		
na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	2.00		na	0 = wide range of land-rights systems to 4 = single land system	
na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	2.00		na		
na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		4.00	3.00		
na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	4.00		na	0=no formal recognition; 4= formal government recognition	
na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	4.00		na		
na	B608	B607	Efficiency of land tenure policies					
na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00		3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	3.00				
na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	1.00		0 = no or hardly any 4 = effective land access policy for these populations	
na	B609	B608	Land tenure insecurity		2.51	2.50	0=high insecurity; 4= low insecurity	
na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	3.00	3.00			
na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	2.00		na	0=high percentage; 4= very low or zero	
na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	3.00		0=many evictions; 4= no or very few	
na	B6093	B6081	Importance of land issues as a political and media concern	2.00	1.00		0=high; 4= low	
na	B610	na	Pressure on Land					
na	B6100	B6091	Price tension on land in large agglomerations	2.00	1.00		0= strong tension on land prices; 4= no tension on land prices	
na	B6101	B6092	Price tension on land in average-sized towns	3.00	1.00			
A601	A600	A600	Security of property rights					0=weak; 4=highly effective
A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	3.00	2.00		
A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	3.00	3.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrariness	
A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	2.00	3.00	1=no compensation; 4= appropriate compensation	
A603	A601	A601	Security of private contracts					
A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	3.00	2.00		
A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	3.00		1= weak; 4= strong	
A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	4.00	2.00		
na	A306	A306	Efficiency of Urban Governance					
na	A3060	A3060	Efficiency of planning for major agglomerations	1.00	2.00		0= no planning instrument; 4=efficient planning	
na	A3061	A3061	Efficiency of planning for average-sized towns	0.00	2.00			
			Other					
na	A2006	A2032	Violent social conflicts over land matters	2.00	2.00		1= strong violence; 4= no violent disputes	
Overall Average				2.55	2.12			

NGA				Baseline							
2001	2006	2009	2012	2001	2006	2009	2012				
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4			
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	2.00	1.00	na	na	0= widespread, 4= none		
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	2.00	3.00	na	na	from 1= low security to 4= high security		
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			2.00	1.00			
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			1.00	na	0 = wide range of land-rights systems to 4 = single land system		
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			3.00	na			
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			2.00	4.00			
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			2.00	na	0=no formal recognition; 4= formal government recognition		
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			2.00	na			
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082		
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			2.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements		
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			1.00				
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			1.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations		
na	na	B609	B608	Land tenure insecurity			2.00	2.50	0=high insecurity; 4= low insecurity		
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			1.00	1.00			
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			2.00	na	0=high percentage; 4= very low or zero		
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			1.00	2.00	0=many evictions; 4= no or very few		
na	na	B6093	B6081	Importance of land issues as a political and media concern			4.00	2.00	0=high; 4= low		
na	na	B610	na	Pressure on Land							
na	na	B6100	B6091	Price tension on land in large agglomerations			1.00	2.00	0= strong tension on land prices; 4= no tension on land prices		
na	na	B6101	B6092	Price tension on land in average-sized towns			3.00	2.00			
A601	A601	A600	A600	Security of property rights							
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			2.00	2.00	2.00	1.00	0=weak; 4=highly effective
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			4.00	4.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitraritry
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			1.00	3.00	1.00	3.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts							
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			2.00	3.00	2.00	1.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation			3.00	4.00	3.00		
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			2.00	4.00	3.00	1.00	
na	na	A306	A306	Efficiency of Urban Governance							
na	na	A3060	A3060	Efficiency of planning for major agglomerations				1.00	3.00	0= no planning instrument; 4=efficient planning	
na	na	A3061	A3061	Efficiency of planning for average-sized towns				0.00	0.00		
	na	A2006	A2032	Other							
				Violent social conflicts over land matters				1.00	2.00	1= strong violence; 4= no violent disputes	
Overall Simple Average							1.77	1.76			

<b>RWA</b>		<b>2012</b>	
B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	3.00	
na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	na	0 = wide range of land-rights systems to 4 = single land system
na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	na	
B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	2.00	
na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	na	0=no formal recognition; 4= formal government recognition
na	Does the government formally recognise the diversity of land-rights systems in rural areas?	na	
B607	<b>Efficiency of land tenure policies</b>	1.50	
B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?		
B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	1.00	0 = no or hardly any 4 = effective land access policy for these populations
B608	<b>Land tenure insecurity</b>	3.00	0=high insecurity; 4= low insecurity
B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	3.00	
na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	na	0=high percentage; 4= very low or zero
B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	4.00	0=many evictions; 4= no or very few
B6081	Importance of land issues as a political and media concern	2.00	0=high; 4= low
na	<b>Pressure on Land</b>		
B6091	Price tension on land in large agglomerations	1.00	0= strong tension on land prices; 4= no tension on land prices
B6092	Price tension on land in average-sized towns	1.00	
A600	<b>Security of property rights</b>		
A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	0=weak; 4=highly effective
A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	4.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	na	1=no compensation; 4= appropriate compensation
A601	<b>Security of private contracts</b>		
A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	1= weak; 4= strong
	Degree of observance of contractual terms between national private stakeholders - with private mediation		
A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	
A306	<b>Efficiency of Urban Governance</b>		
A3060	Efficiency of planning for major agglomerations	3.00	0= no planning instrument; 4=efficient planning
A3061	Efficiency of planning for average-sized towns	3.00	
	<b>Other</b>		
A2032	Violent social conflicts over land matters	2.00	1= strong violence; 4= no violent disputes
	<b>Overall Simple Average</b>	2.81	

SEN			Baseline			
2006	2009	2012	2006	2009	2012	
A600	na	na	<b>Security of traditional property rights</b>			0 if none- if traditional property rights exist, grade these from 1 to 4
A6000	na	na	3.00	na	na	0= widespread, 4= none
A6001	na	na	2.00	na	na	from 1= low security to 4= high security
na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>			
na	B6060	na		3.00	na	0 = wide range of land-rights systems to 4 = single land system
na	B6061	na		2.00	na	
na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>			
na	B6070	na		1.00	na	0=no formal recognition; 4= formal government recognition
na	B6071	na		4.00	na	
na	B608	B607	<b>Efficiency of land tenure policies</b>			
na	B6080	B6070		2.00	3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	B6081			2.00		
na	B6082	B6071		1.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations
na	B609	B608		2.48	3.00	0=high insecurity; 4= low insecurity
na	B6091	B6082		1.00	3.00	
na	B6092	na		3.00	na	0=high percentage; 4= very low or zero
na	B6083	B6080		3.00	4.00	0=many evictions; 4= no or very few
na	B6093	B6081		3.00	2.00	0=high; 4= low
na	B610	na	<b>Pressure on Land</b>			
na	B6100	B6091		1.00	1.00	0= strong tension on land prices; 4= no tension on land prices
na	B6101	B6092		2.00	2.00	
A601	A600	A600	<b>Security of property rights</b>			0=weak; 4=highly effective
A6010	A6000	A6000	2.00	2.00	3.00	
A6013	A6003	A6001	3.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6001	A6002	2.00	2.00	3.00	1=no compensation; 4= appropriate compensation
A603	A601	A601	<b>Security of private contracts</b>			
A6031	A6010	A6010	2.00	3.00	2.00	
A6032	A6011	A6011	3.00	3.00		1= weak; 4= strong
A6033	A6012	A6011	3.00	3.00	2.00	
na	A306	A306	<b>Efficiency of Urban Governance</b>			
na	A3060	A3060		1.00	2.00	0= no planning instrument; 4=efficient planning
na	A3061	A3061		1.00	2.00	
na	A2006	A2032	<b>Other</b>			
				4.00	4.00	1= strong violence; 4= no violent disputes
Overall Average				2.23	2.41	

SLE		2012	
B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	2.00	
na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	na	0 = wide range of land-rights systems to 4 = single land system
na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	na	
B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	2.00	
na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	na	0=no formal recognition; 4= formal government recognition
na	Does the government formally recognise the diversity of land-rights systems in rural areas?	na	
B607	<b>Efficiency of land tenure policies</b>	0.50	
B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	1.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?		
B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	0.00	0 = no or hardly any 4 = effective land access policy for these populations
B608	<b>Land tenure insecurity</b>	3.00	0=high insecurity; 4= low insecurity
B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	
na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	na	0=high percentage; 4= very low or zero
B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	4.00	0=many evictions; 4= no or very few
B6081	Importance of land issues as a political and media concern	2.00	0=high; 4= low
na	<b>Pressure on Land</b>		
B6091	Price tension on land in large agglomerations	2.00	0= strong tension on land prices; 4= no tension on land prices
B6092	Price tension on land in average-sized towns	2.00	
A600	<b>Security of property rights</b>		
A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	0=weak; 4=highly effective
A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	4.00	1=no compensation; 4= appropriate compensation
A601	<b>Security of private contracts</b>		
A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	1.00	1= weak; 4= strong
	Degree of observance of contractual terms between national private stakeholders - with private mediation		
A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	
A306	<b>Efficiency of Urban Governance</b>		
A3060	Efficiency of planning for major agglomerations	1.00	0= no planning instrument; 4=efficient planning
A3061	Efficiency of planning for average-sized towns	1.00	
	<b>Other</b>		
A2032	Violent social conflicts over land matters	2.00	1= strong violence; 4= no violent disputes
	Overall Simple Average	2.29	

SOM		2012	
B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	0.00	
na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	na	0 = wide range of land-rights systems to 4 = single land system
na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	na	
B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	0.00	
na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	na	0=no formal recognition; 4= formal government recognition
na	Does the government formally recognise the diversity of land-rights systems in rural areas?	na	
B607	<b>Efficiency of land tenure policies</b>	0.00	
B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	0.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
	Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?		
B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	0.00	0 = no or hardly any 4 = effective land access policy for these populations
B608	<b>Land tenure insecurity</b>	0.00	0=high insecurity; 4= low insecurity
B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	0.00	
na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	na	0=high percentage; 4= very low or zero
B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	0.00	0=many evictions; 4= no or very few
B6081	Importance of land issues as a political and media concern	0.00	0=high; 4= low
na	<b>Pressure on Land</b>		
B6091	Price tension on land in large agglomerations	2.00	0= strong tension on land prices; 4= no tension on land prices
B6092	Price tension on land in average-sized towns	4.00	
A600	<b>Security of property rights</b>		
A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	0.00	0=weak; 4=highly effective
A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	0.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	0.00	1=no compensation; 4= appropriate compensation
A601	<b>Security of private contracts</b>		
A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	1.00	1= weak; 4= strong
	Degree of observance of contractual terms between national private stakeholders - with private mediation		
A6011	Degree of observance of contractual terms between national and foreign private stakeholders	1.00	
A306	<b>Efficiency of Urban Governance</b>		
A3060	Efficiency of planning for major agglomerations	0.00	0= no planning instrument; 4=efficient planning
A3061	Efficiency of planning for average-sized towns	0.00	
	<b>Other</b>		
A2032	Violent social conflicts over land matters	1.00	1= strong violence; 4= no violent disputes
	Overall Simple Average	1.18	

ZAF				Baseline							
2001	2006	2009	2012	2001	2006	2009	2012				
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4			
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	2.00	4.00	na	na	0= widespread, 4= none		
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	3.00	na	na	na	from 1= low security to 4= high security		
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			3.49	2.00			
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			4.00	na	0 = wide range of land-rights systems to 4 = single land system		
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			3.00	na			
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			2.98	3.00			
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			4.00	na	0=no formal recognition; 4= formal government recognition		
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			2.00	na			
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082		
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			3.00	3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements		
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			3.00				
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			2.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations		
na	na	B609	B608	Land tenure insecurity			3.23	3.25	0=high insecurity; 4= low insecurity		
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			3.00	3.00	0=high percentage; 4= very low or zero		
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			4.00	na			
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			3.00	3.00	0=many evictions; 4= no or very few		
na	na	B6093	B6081	Importance of land issues as a political and media concern			2.00	2.00	0=high; 4= low		
na	na	B610	na	Pressure on Land							
na	na	B6100	B6091	Price tension on land in large agglomerations			2.00	3.00	0= strong tension on land prices; 4= no tension on land prices		
na	na	B6101	B6092	Price tension on land in average-sized towns			3.00	3.00			
A601	A601	A600	A600	Security of property rights							
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			3.00	3.00	3.00	0=weak; 4=highly effective	
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			3.00	2.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrarnty	
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			4.00	3.00	3.00	2.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts							
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			3.00	3.00	3.00	4.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation			3.00	3.00	4.00		
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			3.00	3.00	4.00	2.00	
na	na	A306	A306	Efficiency of Urban Governance							
na	na	A3060	A3060	Efficiency of planning for major agglomerations				2.00	3.00		0= no planning instrument; 4=efficient planning
na	na	A3061	A3061	Efficiency of planning for average-sized towns				1.00	2.00		
				Other							
	na	A2006	A2032	Violent social conflicts over land matters				3.00	2.00		1= strong violence; 4= no violent disputes
Overall Simple Average							2.91	2.59			

SDN		Baseline	SDN	South SDN	
2009	2012	2009	2012	2012	
B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	2.49	2.00	1.00
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")?	3.00	na	na
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")?	2.00	na	na
B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	3.00	3.00	0.00
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	3.00	na	na
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	3.00	na	na
B608	B607	<b>Efficiency of land tenure policies</b>			
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	3.00	2.00	1.00
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00		
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	1.00	0.00
B609	B608	<b>Land tenure insecurity</b>	2.24	2.75	2.00
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	3.00	1.00
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	3.00	na	na
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	1.00	3.00	4.00
B6093	B6081	Importance of land issues as a political and media concern	2.00	3.00	1.00
B610	na	<b>Pressure on Land</b>			
B6100	B6091	Price tension on land in large agglomerations	2.00	2.00	2.00
B6101	B6092	Price tension on land in average-sized towns	3.00	3.00	4.00
A600	A600	<b>Security of property rights</b>			
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	2.00	0.00
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	3.00	2.00
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	3.00	2.00	na
A601	A601	<b>Security of private contracts</b>			
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	3.00	2.00	1.00
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00		
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	2.00	1.00
A306	A306	<b>Efficiency of Urban Governance</b>			
A3060	A3060	Efficiency of planning for major agglomerations	2.00	2.00	0.00
A3061	A3061	Efficiency of planning for average-sized towns	1.00	2.00	0.00
A2006	A2032	<b>Other</b>			
		Violent social conflicts over land matters	1.00	1.00	1.00
Overall Simple Average			2.32	2.17	1.17



TZA		Baseline		
2009	2012	2009	2012	
B606	B6030	Diversity of Land tenure rights systems (incl. rural)		
		1.00	4.00	
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	1.00	na
				0 = wide range of land-rights systems to 4 = single land system
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	1.00	na
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		
		3.00	1.00	
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	3.00	na
				0=no formal recognition; 4= formal government recognition
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	3.00	na
B608	B607	Efficiency of land tenure policies		
B6080		Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00	
	B6070		2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00	
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	1.00	1.00
				0 = no or hardly any 4 = effective land access policy for these populations
B609	B608	Land tenure insecurity		
		2.35	2.25	0=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	2.00
				0=high percentage; 4= very low or zero
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	3.00	3.00
B6093	B6081	Importance of land issues as a political and media concern	2.00	1.00
				0=high; 4= low
B610	na	Pressure on Land		
B6100	B6091	Price tension on land in large agglomerations	1.00	2.00
B6101	B6092	Price tension on land in average-sized towns	1.00	3.00
A600	A600	Security of property rights		
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	2.00
				0=weak; 4=highly effective
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	2.00
				0=arbitrary pressure very frequent; 4= no arbitrariness
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	1.00
				1=no compensation; 4= appropriate compensation
A601	A601	Security of private contracts		
A6010		Degree of observance of contractual terms between national private stakeholders - without mediation	3.00	
	A6010		2.00	
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	4.00	1= weak; 4= strong
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	2.00
A306	A306	Efficiency of Urban Governance		
A3060	A3060	Efficiency of planning for major agglomerations	2.00	1.00
A3061	A3061	Efficiency of planning for average-sized towns	2.00	1.00
		Other		
A2006	A2032	Violent social conflicts over land matters	2.00	3.00
				1= strong violence; 4= no violent disputes
Overall Simple Average		1.95	1.95	

TOG		Baseline		
2009	2012	2009	2012	
B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>	1.00	2.00
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	1.00	na
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	1.00	na
B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>	2.00	3.00
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	2.00	na
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	2.00	na
B608	B607	<b>Efficiency of land tenure policies</b>		
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	1.00	1.00
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	1.00	
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	2.00	1.00
B609	B608	<b>Land tenure insecurity</b>	1.35	2.50
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	1.00	3.00
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	1.00	na
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00	3.00
B6093	B6081	Importance of land issues as a political and media concern	2.00	2.00
B610	na	<b>Pressure on Land</b>		
B6100	B6091	Price tension on land in large agglomerations	2.00	2.00
B6101	B6092	Price tension on land in average-sized towns	2.00	2.00
A600	A600	<b>Security of property rights</b>		
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	1.00	1.00
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	2.00
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	1.00
A601	A601	<b>Security of private contracts</b>		
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	2.00
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	2.00	
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	2.00	2.00
A306	A306	<b>Efficiency of Urban Governance</b>		
A3060	A3060	Efficiency of planning for major agglomerations	1.00	1.00
A3061	A3061	Efficiency of planning for average-sized towns	1.00	0.00
A2006	A2032	Violent social conflicts over land matters	3.00	4.00
Overall Simple Average		1.64	1.72	

UGA				Baseline				
2001	2006	2009	2012	2001	2006	2009	2012	
A600	A600	na	na	<b>Security of traditional property rights</b>				0 if none- if traditional property rights exist, grade these from 1 to 4
A6000	A6000	na	na	1.00	2.00	na	na	0= widespread, 4= none
A6001	A6001	na	na	4.00	3.00	na	na	from 1= low security to 4= high security
na	na	B606	B6030	<b>Diversity of Land tenure rights systems (incl. rural)</b>				
na	na	B6060	na			2.00	na	0 = wide range of land-rights systems to 4 = single land system
na	na	B6061	na			2.00	na	
na	na	B607	B6040	<b>Government recognition of the diversity of land tenure right systems (incl. rural)</b>				
na	na	B6070	na			4.00	na	0=no formal recognition; 4= formal government recognition
na	na	B6071	na			4.00	na	
na	na	B608	B607	<b>Efficiency of land tenure policies</b>				agg. excludes 6082
na	na	B6080	B6070			4.00	3.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements
na	na	B6081				3.00		
na	na	B6082	B6071			2.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations
na	na	B609	B608	<b>Land tenure insecurity</b>				0=high insecurity; 4= low insecurity
na	na	B6091	B6082			2.00	2.00	
na	na	B6092	na			3.00	na	0=high percentage; 4= very low or zero
na	na	B6083	B6080			2.00	2.00	0=many evictions; 4= no or very few
na	na	B6093	B6081			2.00	1.00	0=high; 4= low
na	na	B610	na	<b>Pressure on Land</b>				
na	na	B6100	B6091			1.00	1.00	0= strong tension on land prices; 4= no tension on land prices
na	na	B6101	B6092			3.00	3.00	
A601	A601	A600	A600	<b>Security of property rights</b>				
A6010	A6010	A6000	A6000	2.00	3.00	2.00	2.00	0=weak; 4=highly effective
A6013	A6013	A6003	A6001	2.00	3.00	2.00	2.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6011	A6001	A6002	3.00	3.00	2.00	3.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	<b>Security of private contracts</b>				
A6031	A6031	A6010	A6010	2.00	3.00	2.00	2.00	1= weak; 4= strong
A6032	A6032	A6011		3.00	3.00	3.00		
A6033	A6033	A6012	A6011	2.00	3.00	2.00	2.00	
na	na	A306	A306	<b>Efficiency of Urban Governance</b>				
na	na	A3060	A3060			1.00	2.00	0= no planning instrument; 4=efficient planning
na	na	A3061	A3061			1.00	2.00	
na	na	A2006	A2032	<b>Other</b>				
						2.00	1.00	1= strong violence; 4= no violent disputes
				Overall Simple Average		2.32	2.00	

ZAB/ZMB		Baseline				
2009	2012	2009	2012			
B606	B6030	Diversity of Land tenure rights systems (incl. rural)				
		3.00	4.00			
B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")	3.00	na	0 = wide range of land-rights systems to 4 = single land system	
B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")	3.00	na		
B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)		1.00	1.00	
B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?	1.00	na	0=no formal recognition; 4= formal government recognition	
B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?	1.00	na		
B608	B607	Efficiency of land tenure policies				
B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	2.00	2.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?	2.00			
B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	3.00	2.00	0 = no or hardly any 4 = effective land access policy for these populations	
B609	B608	Land tenure insecurity		2.51	3.00	0=high insecurity; 4= low insecurity
B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	2.00	2.00	0=high percentage; 4= very low or zero	
B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts	2.00	na		
B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	2.00	4.00	0=many evictions; 4= no or very few	
B6093	B6081	Importance of land issues as a political and media concern	4.00	4.00	0=high; 4= low	
B610	na	Pressure on Land				
B6100	B6091	Price tension on land in large agglomerations	2.00	3.00	0= strong tension on land prices; 4= no tension on land prices	
B6101	B6092	Price tension on land in average-sized towns	2.00	3.00		
A600	A600	Security of property rights				
A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	2.00	3.00	0=weak; 4=highly effective	
A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	2.00	3.00	0=arbitrary pressure very frequent; 4= no arbitrariness	
A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	2.00	3.00	1=no compensation; 4= appropriate compensation	
A601	A601	Security of private contracts				
A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation	2.00	3.00	1= weak; 4= strong	
A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation	3.00			
A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders	3.00	3.00		
A306	A306	Efficiency of Urban Governance				
A3060	A3060	Efficiency of planning for major agglomerations	2.00	1.00	0= no planning instrument; 4=efficient planning	
A3061	A3061	Efficiency of planning for average-sized towns	2.00	1.00		
		Other				
A2006	A2032	Violent social conflicts over land matters	3.00	3.00	1= strong violence; 4= no violent disputes	
		Overall Simple Average	2.27	2.44		

ZIM				Baseline						
2001	2006	2009	2012	2001	2006	2009	2012			
A600	A600	na	na	Security of traditional property rights				0 if none- if traditional property rights exist, grade these from 1 to 4		
A6000	A6000	na	na	Existence and importance of a traditional system of property rights	3.00	4.00	na	na	1= widespread, 4= none	
A6001	A6001	na	na	If a traditional system exists, does it ensure security of property rights?	1.00		na	na	from 1= low security to 4= high security	
na	na	B606	B6030	Diversity of Land tenure rights systems (incl. rural)			3.00	4.00		
na	na	B6060	na	Is there a range of different land-rights systems in practice in urban and suburban areas (traditional, customary, collective, religious, "modern")			3.00	na	0 = wide range of land-rights systems to 4 = single land system	
na	na	B6061	na	Is there a range of different land-rights systems in practice in rural areas (traditional, customary, collective, religious, "modern")			3.00	na		
na	na	B607	B6040	Government recognition of the diversity of land tenure right systems (incl. rural)			1.00	3.00		
na	na	B6070	na	Does the government formally recognise the diversity of land-rights systems in urban and suburban areas?			1.00	na	0=no formal recognition; 4= formal government recognition	
na	na	B6071	na	Does the government formally recognise the diversity of land-rights systems in rural areas?			1.00	na		
na	na	B608	B607	Efficiency of land tenure policies					agg. excludes 6082	
na	na	B6080	B6070	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?			1.00	1.00	0=no public arrangements; 1=rarely enforced; 4= effective arrangements	
na	na	B6081		Are there any current procedures for land tenure formalisation and registration of land rights in rural areas?			1.00			
na	na	B6082	B6071	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?			2.00	1.00	0 = no or hardly any 4 = effective land access policy for these populations	
na	na	B609	B608	Land tenure insecurity			1.26	2.00	0=high insecurity; 4= low insecurity	
na	na	B6091	B6082	Share of population with no formally recognized land tenure rights in urban or peri-urban areas			2.00	3.00	0=high percentage; 4= very low or zero	
na	na	B6092	na	Percentage of land disputes (urban, suburban and rural) to the total number of disputes handled by the courts			1.00	na		
na	na	B6083	B6080	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?			1.00	2.00	0=many evictions; 4= no or very few	
na	na	B6093	B6081	Importance of land issues as a political and media concern			1.00	1.00	0=high; 4= low	
na	na	B610	na	Pressure on Land						
na	na	B6100	B6091	Price tension on land in large agglomerations			4.00	3.00	0= strong tension on land prices; 4= no tension on land prices	
na	na	B6101	B6092	Price tension on land in average-sized towns			4.00	4.00		
A601	A601	A600	A600	Security of property rights						
A6010	A6010	A6000	A6000	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?			1.00	1.00	1.00	0=weak; 4=highly effective
A6013	A6013	A6003	A6001	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?			1.00	2.00	1.00	0=arbitrary pressure very frequent; 4= no arbitrariness
A6011	A6011	A6001	A6002	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?			1.00	1.00	1.00	1=no compensation; 4= appropriate compensation
A603	A603	A601	A601	Security of private contracts						
A6031	A6031	A6010	A6010	Degree of observance of contractual terms between national private stakeholders - without mediation			3.00	3.00	2.00	1= weak; 4= strong
A6032	A6032	A6011		Degree of observance of contractual terms between national private stakeholders - with private mediation			3.00	3.00	3.00	
A6033	A6033	A6012	A6011	Degree of observance of contractual terms between national and foreign private stakeholders			3.00	4.00	2.00	1.00
na	na	A306	A306	Efficiency of Urban Governance						
na	na	A3060	A3060	Efficiency of planning for major agglomerations				0.00	0.00	0= no planning instrument; 4=efficient planning
na	na	A3061	A3061	Efficiency of planning for average-sized towns				0.00	0.00	
	na	A2006	A2032	Other						
				Violent social conflicts over land matters				1.00	2.00	1= strong violence; 4= no violent disputes
Overall Simple Average							1.64	1.76		

### A.3. Scaling Equivalence

#### CONVERSION EQUIVALENCE

From	2012	0	1	2	3	4
To	2009	4	4	3	2	1

From	2009	2
To	2012	2

For certain countries - otherwise too inconsistent.

For ad hoc changes of 0 to 1 to achieve consistency, and related to new 2012 values.

#### Pressure on Land Prices

From	2012	0	1	2	3	4
To	2009	4	4	3	2	1

2012 0=no tension on prices 4=strong pressure on prices  
 2009 0=high tension on prices to 4= no pressure on prices

## A.4. Key Legislations related to Land Tenure

Country	Constitution	Land Laws
Angola	1992, 2010	1992, 2004, 2010
Benin	1995	2009, 2011-2013
Botswana	1960 (1994, 1997)	1966, 1968, 1977-78, 1991, 1999
Burkina Faso	1997	1984, 2009
Cameroon	1996	1974, 2005
Central African Republic	2004	1964, 2009
Chad	1996 (2005)	1967, 2001
Congo, Rep.	2002	2004, 2008, 2011
Congo, Dem. Rep.	2005	1973, 1977
Cote D'Ivoire	2000	1997, 1998, 2012
Ethiopia	1995	2002, 2005, 2007
Gabon	1991	1963
Ghana	1992	1960, 1994, 2008
Kenya	2010	2012
Madagascar	2010	2005, 2006
Mali	1992	1986, 1996, 2000, 2006
Mauritania	1991	1960, 2000, 2004
Mozambique	2004	1997, 1998, 2006
Namibia	1991	1998, 2000, 2001, 2003, 2012
Niger	2010	1993
Nigeria	1999	1978
Senegal	2001	1976, 1991, 2004
South Africa	1996	9 laws 1994-2004, 2008
Sudan	1998	1970, 1984
Tanzania	1977 (1998)	1999, 2002-2007
Togo	1992	3 laws 1974-1978, 1988, 2006
Uganda	1995 (2005)	1998, 2008, 2012
Zambia	1991 (1998, 2015)	1995, 2009 (draft)
Zimbabwe	1991 (2013)	1978, 1982-83, 1992, 1997

Note: Parentheses indicate amendments to older laws.

## A.5. Conclusions of Data Quality

	Conclusion of Data Quality	Excludable Categories
<a href="#">Angola</a>	Both years values seem consistent with desk research. No major unexplained change in values across time.	% of land dispute missing in 2012 ; planning variation unexplained by change -- both values should be dropped.
<a href="#">Benin</a>	Both years' values seem consistent with desk research, yet while there are significant reforms that may explain the significant increase in score, de facto respect is less clear. Information is mostly on rural areas, and it is hard to know exactly what is happening in urban and peri-urban ones.	
<a href="#">Botswana</a>	Both years' values seem consistent with desk research - one of the best performers across indices in terms of land tenure rights in SSA.	Planning could be higher in 2012 - decreases for averaged size towns but seems more a difference of interpretation. A6002 is too low for one of the top 5 DB.
<a href="#">Burkina Faso</a>	Years are inconsistent. No reforms-changes that justify variations. It would seem as if 2009 was overvalued - might be because of new law passed in 2009 may justify some of the higher values, yet it was for rural areas. Security of contracts and property indicators show significant deterioration inconsistent with IFC - where there is actually improvements.	~IFC-like indicators are inconsistent~
<a href="#">Cameroon</a>	Some variations between 2009-2012 do not seem justified by any real reform or particular event. Particularly, the significant deterioration in 2012 in the areas of efficiency of land tenure policies, diversity of land tenure rights, and some of the IFC like indicators.	Efficiency of land tenure policies 2012
<a href="#">Central African Republic</a>	Some inconsistencies - Rates are relatively high for the context of this country, which may be due to misunderstanding in the context of conflict and displaced, not real pressure on land prices and population density but change may be justified by conflict. I find no evidence of significant reform and there is a civil conflict outbreak end 2012-2014. Overall values are too high.	Planning in 2012, ~IFC-like indicators~ seem somewhat too high in 2009 for a country that ranks among lowest in IFC DB indicators (but it's hard to assess exactly).
<a href="#">Chad</a>	2009 looks overvalued with respect to reality in the country. Change in 2012 seems more readjustment to reality than proper changes. Consider only year 2012 or both years but drop first categories.	2009 is overvalued in first categories. Planning 2012 - no evidence that justifies increase (at least not found)
<a href="#">Congo (Brazzaville)</a>	Consistent, though changes are registered the overall scores remain always very low, in line with desk research of very weak property rights framework. It is hard to find information that either explain or discard the changes.	Lack of information to properly assess whether changes make sense. Overall remains quite low in line with other indices.
<a href="#">Congo (DRC)</a>	Difficult case to evaluate. Very low rating that seem reasonable by practice and unknown situation on the ground. Uncertainty regarding tenure security seems very high. The discrepancy between 2009 and 2012 is not justified, both years should show more similar values (though difference is small).	Planning is inconsistent, increase in 2012 seems unjustified. IFC-like indicators change drastically down in 2012, inconsistent with DB, may reflect too high values in 2009. Land tenure security is questionable but consistent.
<a href="#">Côte d'Ivoire</a>	Good quality over 4 years. Values are consistent with research, small variations that are justified by lack of significant reforms during period. General grading is also consistent. However important missing values for 2012.	
<a href="#">Ethiopia</a>	In General 2006/2012 are consistent with research and IFC DB indicators. 2009 seems to have reversed the ratings for B606 questions, which explains the low results in that year and unjustified jump resulting by the appropriate change in 2012. Consider change this given that it would be consistent with 2006 and 2012 to use Ethiopia, otherwise limit to 2012.	As mentioned



<a href="#">Gabon</a>	Overall, indicators are consistent across time with little or no big jumps. It is complicated to assess further than that given the lack of information. There is however no real legislation after 1970s, no recognition of customary rights though these are widespread. Will depend in overall rank compared to similar indices.	
<a href="#">Ghana</a>	Very complicated case. It is ranked among top performers across the different indices - Yet tenure insecurity seems to be high due to prevalence of customary law (though widely recognized by the state). Major differences in 2009 and 2012, that seem to stem from a purely legal interpretation in 2009 and practical interpretation in 2012.	Diversity of land tenure 2009 not aligned with past or future. Different between 2009 and 2012 regarding 'Efficiency of land tenure policies and 'Land tenure insecurity' seem to stem from legal vs de facto appreciations particularly following amnesty international awareness campaign vs. just approved reforms in 2008.
<a href="#">Kenya</a>	Seems overall relatively consistent in terms of values and changes over time. Big reforms happening during the period and increase in conflicts related to land. As with Ghana, overall high rating seems overvalued but it might depend on other countries.	planning 2012 change, unjustified
<a href="#">Madagascar</a>	Madagascar has formal recognition of customary systems and formal law. Insecurity is not as high in other countries. Deterioration is unexplained from 2009 to 2012 purely regarding land rights. Only explanation might be coup? No major negative reform. First set of indicators are unreliable or unavailable. Note however that significant decrease in 2012 is in line with decrease in ranking across indices in 2012.	Not sure how to evaluate
<a href="#">Mali</a>	Mali is misleading - relatively good legal framework that recognizes different customary rights. Yet - very high insecurity of tenure due to the low education of population, particularly in slums, high inequality and corruption. Increased land price pressure in urban areas, conflicts. 2009 seems relatively good, 2012 shows significant improvements that are inconsistent particularly for the gov recognition indicators.	Land Tenure insecurity (2012); Recognition by the state of urban land rights (2012)

<a href="#">Mauritania</a>	Difficult to assess due to lack of recent information. The first set of indicators change drastically across 3 years with no explanation, drop first categories. Cross section 2012 seems more robust overall, minor difference between years that could still allow the use of panel.	urban planning (2012), 2 first categories.
<a href="#">Mozambique</a>	Overall values and evolution are consistent with situation of the country. Yet there is a relative decline in 2012 that doesn't seem to be justified in IFC-like indicators (but not drastic). Mozambique seems to have overall a very good system and tenure security is informally respected.	Minorities 2012, subcategories of IFC-like indicators 2012
<a href="#">Namibia</a>	Very good. Overall changes are justified by passing of new law recognizing rights in informal settlements in 2012. Consistent with research in both years. Ranks first in most indices in 2009, small decline in 2012..	
<a href="#">Niger</a>	Information concerning urban areas is scant and land tenure rights are focused on rural areas given the low urbanization rates and the importance of agriculture. 2009 seems overvalued in the security of contract section, otherwise relatively consistent.	security of contracts section 2009, diversity indicator 2009
<a href="#">Nigeria</a>	Nigeria has fragile property rights regime - land tenure legislation is scarce and confusing. While many categories seem to be adequate, the change between years is doubtful particularly from 2009. It is hard to assess for some categories what is correct values between last 2 years given such abrupt changes.	Security of contracts 2009, planning
<a href="#">Senegal</a>	Relatively ok. Drop first categories, since they are inconsistent with desk research and over time. The improvements between 2009 and 2012 are in line with desk research. Senegal does improve in most indices, but it is difficult to find information on specific reforms that justify this. Consider individual categories.	2 First categories. Asses individually the others.
<a href="#">South Africa</a>	Be careful with the 4 in terms of full recognition of property rights regimes. Otherwise quite consistent in time and in terms of values	Diversity and recognition
<a href="#">Sudan</a>	Complicated case due to Civil war and separation of the country. Many IDPs. It seems that although some of the legal framework is in place, insecurity is very high. Most categories are inconsistent in time between 2009-2012 for NS. Do not consider SS.	Asses individual subcategories
<a href="#">Tanzania</a>	Complicated land tenure framework due to history - mixed information. 2009 and 2012 show significant discrepancies in some categories - might not be possible to use these. Important deterioration in IFC like indicators, use will depend on how much they affect the overall ranking of Tanzania which is usually among highest in IFC DB.	First categories
<a href="#">Togo</a>	Very little information, hard to assess. Seems good, no change is too radical, aside from land tenure use. Low score and generally among last ones in other indices. Land Tenure insecurity does vary significantly in 2012, not sure why.	Land Tenure insecurity (2012)
<a href="#">Uganda</a>	No real reason for deterioration other than increased land price pressures between years. Might have increased evictions, but new law passed in 2012 in favor of protection. Complicated case in that it has appropriate framework. Insecurity seems relatively low --The indicator that seem more problematic is the significant drop in government recognition of land tenure rights from 4-2? It ranks in top 10 in most other indices.	Recognition of land tenure rights
<a href="#">Zambia</a>	There are some improvements in 2012, draft constitution and efforts to implement framework. However, some indicators increase more than expected. Overall relatively good quality.	Diversity of land tenure rights (2012), Evictions from 2 to 4?
<a href="#">Zimbabwe</a>	Complicated country due to historical problems with land reform. Overall should rank among the lowest, but functional urban markets do exist. Weakness is much higher in rural areas. There are variations between both years that are hard to understand in the recognition category; otherwise relatively stable.	Recognition of land tenure rights

## A.6. IFC DB Normalized values (2009 and 2012)

2009

2009		Registering Property					Enforcing Contracts				
Country	Year	DTF	Average	Procedures (number)	Time (days)	Cost (% of property value)	DTF	Average	Time (days)	Cost (% of claim)	Procedures (number)
Angola	DB2009	-1.893	1.207	0.335	3.127	0.158	-1.851	1.137	2.484	-0.227	1.153
Benin	DB2009	-0.355	-0.156	-1.126	0.453	0.207	-1.256	0.547	0.780	0.382	0.479
Botswana	DB2009	2.137	-1.145	-1.613	-0.915	-0.907	0.427	-0.180	1.536	-0.365	-1.710
Burkina Faso	DB2009	-1.148	0.316	-0.152	0.652	0.449	-0.551	-0.115	-0.989	1.008	-0.363
Burundi	DB2009	0.387	-0.039	0.822	0.129	-1.068	-0.571	0.409	0.813	-0.400	0.816
Cameroon	DB2009	-0.726	0.288	-0.639	0.117	1.385	-0.669	0.383	0.663	-0.161	0.647
Central African Republic	DB2010	-0.526	0.181	-0.639	-0.107	1.288	-1.531	0.519	0.010	0.900	0.647
Chad	DB2009	-0.375	0.220	-0.152	-0.492	1.305	-0.306	0.173	0.397	-0.188	0.311
Congo, Dem. Rep.	DB2009	-0.551	0.180	0.335	-0.405	0.610	-1.695	1.170	-0.130	2.991	0.647
Congo, Rep.	DB2009	0.163	-0.165	-0.152	-0.356	0.013	-0.392	0.132	-0.457	0.037	0.816
Côte d'Ivoire	DB2009	-0.289	-0.009	-0.152	-0.405	0.530	0.523	-0.274	0.523	-0.308	-1.037
Ethiopia	DB2009	0.330	0.345	2.770	-0.505	-1.230	1.059	-0.326	0.150	-1.102	-0.026
Gabon	DB2009	-0.039	0.003	0.335	-0.306	-0.019	-0.447	0.400	1.924	-0.529	-0.195
Ghana	DB2009	1.934	-0.876	-0.639	-0.468	-1.520	1.583	-0.732	-0.797	-0.868	-0.532
Guinea	DB2009	-0.374	0.024	-0.152	-0.306	0.530	0.122	-0.111	-1.782	-0.209	1.658
Kenya	DB2009	0.409	0.043	1.309	-0.144	-1.036	0.875	-0.430	-0.900	-0.532	0.142
Madagascar	DB2009	0.213	-0.178	-0.152	-0.119	-0.261	-0.228	0.171	0.995	-0.287	-0.195
Mali	DB2009	-0.015	0.049	-0.639	-0.679	1.466	-0.250	0.073	0.243	0.001	-0.026
Mauritania	DB2009	1.473	-0.810	-1.126	-0.430	-0.875	0.918	-0.351	-1.343	-0.862	1.153
Mozambique	DB2009	-0.346	0.203	0.822	-0.517	0.304	-1.258	0.610	1.364	2.008	-1.542
Namibia	DB2009	0.345	-0.136	0.335	-0.642	-0.100	1.398	-0.753	-0.737	-0.484	-1.037
Niger	DB2009	0.722	-0.551	-1.126	-0.604	0.078	-0.098	-0.108	-0.527	0.229	-0.026
Nigeria	DB2009	-2.117	na	na	na	na	-0.979	na	na	na	na
Rwanda	DB2009	0.404	0.045	-1.126	2.878	-1.617	1.259	-1.125	-1.623	0.801	-2.553
Senegal	DB2009	-1.263	0.654	-0.152	0.503	1.611	-0.027	0.208	0.570	-0.763	0.816
Sierra Leone	DB2009	-0.710	0.244	0.335	0.030	0.368	-1.124	0.799	-0.667	2.922	0.142
South Africa	DB2009	0.619	-0.237	0.335	-0.754	-0.294	1.523	-0.791	-0.270	-0.562	-1.542
Sudan	DB2009	1.855	-0.765	-0.152	-0.928	-1.214	-0.728	0.693	0.710	-0.964	2.331
Tanzania	DB2009	0.360	0.058	1.309	-0.132	-1.004	1.621	-0.663	-0.667	-1.129	-0.195
Togo	DB2009	-1.771	0.813	-0.639	2.630	0.449	0.019	-0.050	-0.326	-0.134	0.311
Uganda	DB2009	0.032	0.458	2.770	-0.119	-1.278	0.524	-0.327	-0.573	-0.212	-0.195
Zambia	DB2009	0.949	-0.439	-0.152	-0.517	-0.649	0.832	-0.439	-0.219	-0.397	-0.700
Zimbabwe	DB2009	0.167	0.176	-1.126	-0.667	2.322	1.278	-0.650	-1.157	-0.598	-0.195

2012

2012		Registering Property					Enforcing Contracts				
Country	Year	DTF	Average	Procedures (number)	Time (days)	Cost (% of property value)	DTF	Average	Time (days)	Cost (% of claim)	Procedures (number)
Angola	DB2012	-0.8080	0.5950	0.3249	2.3060	-0.8458	-2.26061	1.4351	3.2477	-0.3245	1.3822
Benin	DB2012	-0.6498	0.0969	-1.3322	1.0122	0.6107	-1.36277	0.6522	0.9733	0.2631	0.7203
Botswana	DB2012	1.6962	-0.9732	-1.3322	-0.9285	-0.6590	1.14134	-0.6175	0.2016	-0.4577	-1.5963
Burkina Faso	DB2012	-0.1886	-0.1674	-1.3322	0.0326	0.7974	-0.62890	0.0124	-0.6110	0.7552	-0.1071
Burundi	DB2012	0.1869	0.1628	0.8773	0.5316	-0.9205	-0.77620	0.5667	1.1413	-0.4924	1.0512
Cameroon	DB2012	-1.0652	0.5753	-0.7798	0.5132	1.9925	-0.87089	0.5403	0.9960	-0.2609	0.8858
Central African Republic	DB2012	-0.2019	-0.0460	-0.7798	0.1805	0.4613	-1.69946	0.6700	0.3605	0.7638	0.8858
Chad	DB2012	-0.6927	0.3891	-0.2275	-0.3925	1.7871	-0.52193	0.3351	0.7373	-0.2869	0.5548
Congo, Dem. Rep.	DB2012	-0.3556	0.1748	0.3249	-0.3925	0.5920	-1.80994	1.2679	0.1335	2.7843	0.8858
Congo, Rep.	DB2012	-0.8220	0.6062	-0.2275	-0.1892	2.2352	-0.60435	0.2960	-0.0935	-0.0698	1.0512
Côte d'Ivoire	DB2012	-0.5951	0.1708	-0.2275	-0.2631	1.0028	0.27507	-0.1039	0.8598	-0.4027	-0.7690
Ethiopia	DB2012	0.6371	0.1112	1.9821	-0.4479	-1.2005	1.26496	-0.4470	-0.2296	-1.1698	0.0584
Gabon	DB2012	0.1174	-0.1210	-0.2275	-0.5034	0.3680	-0.65696	0.5544	2.2217	-0.6169	0.0584
Ghana	DB2012	1.8330	-0.8658	-0.7798	-0.3555	-1.4620	1.29390	-0.5471	-0.4248	-0.9440	-0.2725
Guinea	DB2012	-0.7673	0.2512	-0.2275	-0.1152	1.0962	-0.11072	0.0629	-1.3827	-0.3072	1.8786
Kenya	DB2012	0.1130	0.2550	1.4297	0.1250	-0.7897	0.18564	-0.1263	-0.5247	-0.2435	0.3893
Madagascar	DB2012	-0.3164	0.1071	-0.2275	0.1620	0.3866	-0.44653	0.3314	1.3183	-0.3824	0.0584
Mali	DB2012	0.2549	-0.2921	-0.7798	-0.6697	0.5734	0.02168	-0.0661	0.1789	-0.1045	-0.2725
Mauritania	DB2012	1.3503	-0.7824	-1.3322	-0.3001	-0.7151	0.65472	-0.1707	-0.9560	-0.9382	1.3822
Mozambique	DB2012	0.0162	0.1350	0.8773	-0.4294	-0.0428	-1.43730	0.7488	1.6770	1.8349	-1.2654
Namibia	DB2012	-0.1738	0.0885	0.3249	-0.6143	0.5547	1.11591	-0.5694	-0.3658	-0.5735	-0.7690
Niger	DB2012	0.4752	-0.4766	-1.3322	-0.5588	0.4613	-0.32203	0.0593	-0.1616	0.1154	0.2239
Nigeria	DB2012	-2.4718	na	na	na	na	-1.16900	na	na	na	na
Rwanda	DB2012	0.9135	0.5175	2.3060	-0.3370	-0.4163	1.17465	-1.0605	-1.5915	0.6683	-2.2582
Senegal	DB2012	-1.6121	1.0065	-0.2275	1.0491	2.1979	-0.16245	0.3161	0.9052	-0.8427	0.8858
Sierra Leone	DB2012	-0.8737	0.4398	0.3249	0.3838	0.6107	-1.21723	0.8813	-0.2977	2.7177	0.2239
South Africa	DB2012	0.8884	-0.3342	0.3249	-0.7806	-0.5470	1.32721	-0.6638	0.0881	-0.6487	-1.4308
Sudan	DB2012	1.6977	-0.7664	-0.2275	-1.0394	-1.0325	-0.92701	0.8484	1.0414	-1.0366	2.5405
Tanzania	DB2012	0.2941	0.0832	0.8773	0.1435	-0.7711	1.32985	-0.4784	-0.2977	-1.1958	0.0584
Togo	DB2012	-2.1096	1.4339	-0.7798	4.2466	0.8348	-0.20980	0.1179	0.0336	-0.2348	0.5548
Uganda	DB2012	0.0945	0.5352	3.0868	-0.3740	-1.1072	0.38379	-0.2210	-0.4112	-0.3101	0.0584
Zambia	DB2012	0.5949	-0.3989	-0.7798	-0.3740	-0.0428	0.57230	-0.2632	0.1381	-0.4895	-0.4380
Zimbabwe	DB2012	0.8647	na	na	na	na	-0.87440	na	na	na	na

## A.7.A. IFC DB – Re-Scaled Values

year	country	IFC DB Security of Property Rights [A]	IFC Doing Business Enforcing Contracts [B]	Re-Scaled, distribution 1 [A]	Re-Scaled, distribution 1 [B]	Re-Scaled, distribution 2 [A]	Re-Scaled, distribution 2 [B]	Security of property rights IPD	Security of private contracts IPD
2009	Angola	-1.89325	-1.85141	0.0	0.0	0.0	0.0	1.67	2.33
2009	Benin	-0.35471	-1.25572	1.0	1.0	2.0	1.0	2.00	2.67
2009	Botswana	2.13689	0.42734	4.0	2.0	4.0	2.0	2.67	3.33
2009	Burkina Faso	-1.14765	-0.55057	1.0	1.0	1.0	1.0	2.67	3.00
2009	Cameroon	-0.72577	-0.66916	1.0	1.0	1.0	1.0	1.67	2.00
2009	Central African Republic	-0.52597	-1.53122	1.0	0.0	1.0	1.0	2.00	2.33
2009	Chad	-0.37490	-0.30609	1.0	2.0	1.0	2.0	2.00	2.33
2009	Congo (Brazzaville)	-0.55103	-1.69542	1.0	0.0	1.0	0.0	1.33	2.00
2009	Congo (DRC)	0.16255	-0.39184	2.0	1.0	2.0	2.0	1.33	2.00
2009	Côte d'Ivoire	-0.28927	0.52312	2.0	3.0	2.0	2.0	2.00	2.67
2009	Ethiopia	0.33032	1.05860	3.0	3.0	2.0	3.0	1.33	2.67
2009	Gabon	-0.03934	-0.44658	2.0	1.0	2.0	2.0	2.67	2.67
2009	Ghana	1.93361	1.58313	4.0	4.0	4.0	3.0	2.67	3.33
2009	Kenya	0.40899	0.87524	3.0	3.0	3.0	3.0	2.33	3.00
2009	Madagascar	0.21337	-0.22764	2.0	2.0	2.0	2.0	1.67	2.00
2009	Mali	-0.01498	-0.24954	2.0	2.0	2.0	2.0	2.33	2.33
2009	Mauritania	1.47274	0.91812	4.0	3.0	3.0	3.0	2.00	2.00
2009	Mozambique	-0.34636	-1.25846	1.0	1.0	2.0	1.0	2.00	3.00
2009	Namibia	0.34494	1.39795	3.0	4.0	2.0	3.0	2.33	2.67
2009	Niger	0.72227	-0.09811	3.0	2.0	3.0	2.0	2.67	3.33
2009	Nigeria	-2.11742	-0.97932	0.0	1.0	0.0	1.0	1.67	2.67
2009	Senegal	-1.26322	-0.02695	0.0	2.0	1.0	2.0	2.00	3.00
2009	South Africa	0.61923	1.52292	3.0	4.0	3.0	3.0	3.00	3.67
2009	Sudan	1.85494	-0.72754	4.0	1.0	3.0	1.0	2.33	3.00
2009	Tanzania	0.35956	1.62053	3.0	4.0	3.0	4.0	1.67	3.33
2009	Togo	-1.77142	0.01866	0.0	2.0	1.0	2.0	1.67	2.00
2009	Uganda	0.03236	0.52403	2.0	3.0	2.0	2.0	2.00	2.33
2009	Zambia	0.94852	0.83237	3.0	3.0	3.0	2.0	2.00	2.67
2009	Zimbabwe	0.16742	1.27754	2.0	3.0	2.0	3.0	1.00	2.33

year	country	IFC DB Security of Property Rights [A]	IFC Doing Business Enforcing Contracts [B]	Re-Scaled, distribution 1 [A]	Re-Scaled, distribution 1 [B]	Re-Scaled, distribution 2 [A]	Re-Scaled, distribution 2 [B]	Security of property rights IPD	Security of private contracts IPD
2012	Angola	-0.80796	-2.26061	1.0	0.0	1.0	0.0	1.67	2.50
2012	Benin	-0.64978	-1.36277	1.0	1.0	1.0	1.0	3.00	3.00
2012	Botswana	1.69624	1.14134	4.0	3.0	3.0	3.0	2.00	2.50
2012	Burkina Faso	-0.18856	-0.62890	2.0	1.0	2.0	2.0	1.67	1.00
2012	Burundi	0.18692	-0.77620	3.0	1.0	2.0	2.0	1.67	2.50
2012	Cameroon	-1.06518	-0.87089	0.0	1.0	1.0	1.0	2.00	1.00
2012	Central African Republic	-0.20187	-1.69946	2.0	0.0	2.0	1.0	1.67	3.00
2012	Chad	-0.69265	-0.52193	1.0	2.0	1.0	2.0	2.00	1.50
2012	Congo (Brazzaville)	-0.35561	-1.80994	1.0	0.0	2.0	0.0	2.00	2.00
2012	Congo (DRC)	-0.82200	-0.60435	1.0	2.0	1.0	2.0	1.00	1.00
2012	Côte d'Ivoire	-0.59509	0.27507	1.0	3.0	2.0	2.0	2.33	2.50
2012	Ethiopia	0.63705	1.26496	3.0	4.0	3.0	3.0	2.00	2.50
2012	Gabon	0.11744	-0.65696	2.0	1.0	2.0	2.0	2.67	2.00
2012	Ghana	1.83298	1.29390	4.0	4.0	4.0	3.0	3.00	3.00
2012	Guinea	-0.76731	-0.11072	1.0	2.0	1.0	2.0	1.67	2.00
2012	Kenya	0.11301	0.18564	2.0	3.0	2.0	2.0	2.50	2.00
2012	Madagascar	-0.31643	-0.44653	2.0	2.0	2.0	2.0	1.33	2.00
2012	Mali	0.25492	0.02168	3.0	2.0	2.0	2.0	2.33	2.00
2012	Mauritania	1.35032	0.65472	4.0	3.0	3.0	3.0	2.00	1.50
2012	Mozambique	0.01618	-1.43730	2.0	0.0	2.0	1.0	1.67	2.50
2012	Namibia	-0.17378	1.11591	2.0	3.0	2.0	3.0	2.67	3.00
2012	Niger	0.47518	-0.32203	3.0	2.0	3.0	2.0	2.67	2.00
2012	Nigeria	-2.47175	-1.16900	0.0	1.0	0.0	1.0	2.00	1.00
2012	Rwanda	0.91349	1.17465	3.0	3.0	3.0	3.0	3.00	2.00
2012	Senegal	-1.61214	-0.16245	0.0	2.0	1.0	2.0	2.67	2.00
2012	Sierra Leone	-0.87374	-1.21723	1.0	1.0	1.0	1.0	2.67	1.50
2012	South Africa	0.88836	1.32721	3.0	4.0	3.0	4.0	2.67	3.00
2012	Sudan	1.69771	-0.92701	4.0	1.0	4.0	1.0	2.33	2.00
2012	Tanzania	0.29409	1.32985	3.0	4.0	2.0	4.0	1.67	2.00
2012	Togo	-2.10958	-0.20980	0.0	2.0	0.0	2.0	1.33	2.00
2012	Uganda	0.09453	0.38379	2.0	3.0	2.0	3.0	2.33	2.00
2012	Zambia	0.59492	0.57230	3.0	3.0	3.0	3.0	3.00	3.00
2012	Zimbabwe	0.86471	-0.87440	3.0	1.0	3.0	1.0	1.00	1.50

## A.7.B. IFC DB – Re-Scaling Parameters & Pairwise Correlations

### 1 Distributions IFC to 0-4 scale

	1	2
0	5	12.5
1	25	25
2	40	25
3	25	25
4	5	12.5

### 2 Pairwise Correlations New Distributions with IFC Indices

	Security of Prop Rights	Security of Contracts
2009		
<b>Dis 1</b>	0.9324	0.9351
p-values	0.0000	0.0000
<b>Dis 2</b>	0.9546	0.9692
p-values	0.0000	0.0000
2012		
<b>Dis 1</b>	0.9520	0.9421
p-values	0.0000	0.0000
<b>Dis 2</b>	0.9551	0.9605
p-values	0.0000	0.0000

### 3 Pairwise Correlations IPD & IFC indices (non-scaled)

	IFC Sec of Prop Rights	IFC Sec of Contracts
2009		
<b>IPD PR</b>	0.3926	
p-values	0.0352	
<b>IPD SC</b>		0.3835
p-values		0.0400
2012		
<b>IPD PR</b>	0.2537	
p-values	0.1543	
<b>IPD SC</b>		0.2623
p-values		0.1403

#### 4 Pairwise Correlations New IFC with IPD Indices

	IPD Sec of Prop Rights	IPD Sec of Contracts
2009		
<b>Dis 1</b>	0.4719	0.3269
p-values	0.0097	0.0835
<b>Dis 2</b>	0.4002	0.3957
p-values	0.0315	0.0336
2012		
<b>Dis 1</b>	0.3091	0.2528
p-values	0.0800	0.1558
<b>Dis 2</b>	0.1855	0.2489
p-values	0.3013	0.1624

#### 5 Pairwise Correlations New Distributions vs. IFC (non-scaled) & IPD rankings

	IFC Sec. PR	IFC Sec. Contract	IPD Sec. PR	IPD Sec. Contract
2009				
<b>Dis 1</b>	0.9315	0.9251	0.4537	0.4133
p-values	0.0000	0.0000	0.0134	0.0258
<b>Dis 2</b>	0.9635	0.9468	0.3966	0.3192
p-values	0.0000	0.0000	0.0332	0.0914
2012				
<b>Dis 1</b>	0.9074	1.000	0.267	0.3018
p-values	0.0000	0.0000	0.133	0.0878
<b>Dis 2</b>	0.9576	1.000	0.174	0.3018
p-values	0.0000	0.0000	0.3325	0.0878

	IFC Sec of Prop Rights	IFC Sec of Contracts
2009		
<b>IPD PR</b>	0.4335	
p-values	0.0188	
<b>IPD SC</b>		0.3803
p-values		0.0418
2012		
<b>IPD PR</b>	0.2744	
p-values	0.1223	
<b>IPD SC</b>		0.3018
p-values		0.0878

## 6 Pairwise Correlations New Distributions vs. IFC (non-scaled) rankings variation

	IFC Security of Prop Rights	IFC Security of Contracts
	Change 2009-2012	
<b>Dis 1</b>	0.7052	0.7718
p-values	0.0000	0.0000
<b>Dis 2</b>	0.8232	0.8502
p-values	0.0000	0.0000
<b>IPD PR</b>	-0.2185	
p-values	0.2549	
<b>IPD SC</b>		-0.0057
p-values		0.9765

	IPD SR	IPD SC
	Change 2009-2012	
<b>Dis 1</b>	-0.2892	-0.0087
p-values	0.1282	0.9642
<b>Dis 2</b>	-0.3337	-0.1437
p-values	0.0768	0.4569

## A.8. Final Index Sub-Components

2009	Urban Areas Only				Overall								
	Efficiency of land tenure policies		Land Tenure Insecurity		Security of property rights				Security of private contracts				Others
	Are there any current procedures for land tenure formalisation and registration of land rights in urban and suburban areas?	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	IFC Doing Business Registering Property	Degree of observance of contractual terms between national private stakeholders - without mediation	Degree of observance of contractual terms between national private stakeholders - with private mediation	Degree of observance of contractual terms between national and foreign private stakeholders	IFC Doing Business Enforcing Contracts	Violent conflicts over land matters
South Africa	3.00	2.00	3.00	3.00	3.00	3.00	3.00	3.0	3.00	4.00	4.00	4.0	3.00
Ghana	3.00	1.00	3.00	4.00	2.00	3.00	3.00	4.0	3.00	4.00	3.00	4.0	3.00
Botswana	3.00	2.00	2.00	3.00	3.00	3.00	2.00	4.0	3.00	3.00	4.00	2.0	3.00
Niger	3.00	2.00	3.00	3.00	3.00	3.00	2.00	3.0	3.00	3.00	4.00	2.0	2.00
Namibia	3.00	3.00	2.00	3.00	3.00	2.00	2.00	3.0	2.00	3.00	3.00	4.0	2.00
Kenya	3.00	1.00	2.00	3.00	2.00	2.00	3.00	3.0	3.00	3.00	3.00	3.0	2.00
Zambia	2.00	3.00	2.00	2.00	2.00	2.00	2.00	3.0	2.00	3.00	3.00	3.0	3.00
Gabon	3.00	2.00	2.00	2.00	2.00	3.00	3.00	2.0	2.00	3.00	3.00	1.0	3.00
Mauritania	2.00	2.00	3.00	3.00	1.00	2.00	3.00	4.0	2.00	2.00	2.00	3.0	2.00
Tanzania	2.00	1.00	1.00	3.00	1.00	2.00	2.00	3.0	3.00	4.00	3.00	4.0	2.00
Burkina Faso	3.00	3.00	1.00	2.00	2.00	3.00	3.00	1.0	3.00	3.00	3.00	1.0	3.00
Sudan	3.00	2.00	2.00	1.00	2.00	2.00	3.00	4.0	3.00	3.00	3.00	1.0	1.00
Uganda	3.00	2.00	2.00	2.00	2.00	2.00	2.00	2.0	2.00	3.00	2.00	3.0	2.00
Mozambique	2.00	2.00	2.00	3.00	2.00	2.00	2.00	1.0	3.00	3.00	3.00	1.0	3.00
Benin	2.00	1.00	2.00	4.00	1.00	2.00	3.00	1.0	2.00	3.00	3.00	1.0	4.00
Senegal	2.00	1.00	1.00	3.00	2.00	2.00	2.00	0.0	3.00	3.00	3.00	2.0	4.00
Ethiopia	1.00	2.00	2.00	2.00	2.00	1.00	1.00	3.0	3.00	2.00	3.00	3.0	3.00
Mali	3.00	2.00	1.00	2.00	1.00	2.00	4.00	2.0	2.00	3.00	2.00	2.0	2.00
Madagascar	3.00	2.00	2.00	3.00	2.00	1.00	2.00	2.0	2.00	3.00	1.00	2.0	2.00
Côte d'Ivoire	2.00	2.00	1.00	2.00	2.00	2.00	2.00	2.0	2.00	3.00	3.00	3.0	1.00
Chad	4.00	1.00	1.00	2.00	1.00	2.00	3.00	1.0	2.00	2.00	3.00	2.0	2.00
Cameroon	3.00	2.00	2.00	2.00	1.00	2.00	2.00	1.0	2.00	2.00	2.00	1.0	3.00
Central African Republic	3.00	1.00	2.00	3.00	2.00	1.00	3.00	1.0	2.00	3.00	2.00	0.0	1.00
Congo (DRC)	3.00	2.00	2.00	1.00	1.00	1.00	2.00	2.0	2.00	2.00	2.00	1.0	2.00
Togo	1.00	2.00	1.00	2.00	1.00	2.00	2.00	0.0	2.00	2.00	2.00	2.0	3.00
Zimbabwe	1.00	2.00	2.00	1.00	1.00	1.00	1.00	2.0	2.00	3.00	2.00	3.0	1.00
Congo (Brazzaville)	1.00	2.00	1.00	3.00	1.00	1.00	2.00	1.0	2.00	2.00	2.00	0.0	4.00
Angola	2.00	1.00	1.00	1.00	2.00	1.00	2.00	0.0	1.00	3.00	3.00	0.0	3.00
Nigeria	2.00	1.00	1.00	1.00	2.00	2.00	1.00	0.0	2.00	3.00	3.00	1.0	1.00



<b>2009</b>	<b>Security of Urban Land Tenure [A]</b>	<b>[A] Excludes IFC</b>	<b>[A] Excl. IPD Security of Property Rights &amp; Contracts</b>	<b>[A] [Excludes Pbes]*</b>
South Africa	3.15	3.09	3.13	3.214
Ghana	3.08	2.91	3.00	3.000
Botswana	2.85	2.82	2.63	2.786
Niger	2.77	2.82	2.50	2.375
Namibia	2.69	2.55	2.88	2.714
Kenya	2.54	2.45	2.50	2.538
Zambia	2.46	2.36	2.50	2.429
Gabon	2.38	2.55	2.38	2.500
Mauritania	2.38	2.18	2.63	2.308
Tanzania	2.38	2.18	2.13	2.286
Burkina Faso	2.38	2.64	2.13	2.273
Sudan	2.31	2.27	2.13	2.182
Uganda	2.23	2.18	2.38	2.286
Mozambique	2.23	2.45	2.00	2.154
Benin	2.23	2.45	2.13	2.077
Senegal	2.15	2.36	2.00	2.214
Ethiopia	2.15	2.00	2.13	2.071
Mali	2.15	2.18	1.88	1.833
Madagascar	2.08	2.09	2.38	2.154
Côte d'Ivoire	2.08	2.00	1.88	2.071
Chad	2.00	2.09	1.75	1.545
Cameroon	1.92	2.09	2.00	1.833
Central African Republic	1.85	2.09	1.63	1.769
Congo (DRC)	1.77	1.82	1.75	1.636
Togo	1.69	1.82	1.50	1.643
Zimbabwe	1.69	1.55	1.63	1.643
Congo (Brazzaville)	1.69	1.91	1.63	1.462
Angola	1.54	1.82	1.38	1.417
Nigeria	1.54	1.73	1.13	1.273

\* Excludes dark and light grey areas

	Urban Areas Only				Overall							
	Efficiency of land tenure policies		Land Tenure Insecurity		Security of property rights				Security of private contracts			Others
	**Are there any current procedures for land tenure formalisation and registration of land rights (incl rural)?	Do public policies efficiently promote access to land for certain disadvantaged groups (minorities, indigenous peoples, immigrants etc.)?	Share of population with no formally recognized land tenure rights in urban or peri-urban areas	Scale of evictions/expulsions (excluding conflicts, civil wars etc.)?	Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?	Generally speaking, does the State exercise arbitrary pressure on private property (red tape etc.)?	Does the State pay compensation equal to the loss suffered in cases of expropriation (by law or fact) when the expropriation concerns land ownership?	IFC Doing Business Registering Property	Degree of observance of contractual terms between national private stakeholders	Degree of observance of contractual terms between national and foreign private stakeholders	IFC Doing Business Enforcing Contracts	Violent conflicts over land matters
<b>2012</b>												
South Africa	2.00	2.00	3.00	4.00	3.00	3.00	2.00	3.00	3.00	3.00	4.00	3.00
Botswana	3.00	1.00	3.00	3.00	3.00	3.00	2.00	4.00	4.00	2.00	3.00	2.00
Namibia	2.00	2.00	2.00	4.00	3.00	3.00	3.00	2.00	3.00	3.00	3.00	3.00
Ghana	2.00	1.00	3.00	4.00	2.00	4.00	na	4.00	2.00	2.00	4.00	2.00
Côte d'Ivoire	2.00	2.00	2.00	3.00	2.00	3.00	4.00	1.00	3.00	3.00	3.00	4.00
Niger	3.00	1.00	3.00	4.00	3.00	2.00	3.00	3.00	2.00	2.00	2.00	4.00
Zambia	3.00	2.00	3.00	3.00	2.00	3.00	1.00	3.00	2.00	3.00	3.00	3.00
<b>Rwanda</b>	3.00	2.00	3.00	3.00	2.00	2.00	1.00	3.00	2.00	3.00	3.00	3.00
Tanzania	1.00	1.00	2.00	2.00	2.00	4.00	3.00	3.00	3.00	3.00	4.00	2.00
Kenya	2.00	2.00	2.00	2.00	2.00	3.00	3.00	2.00	2.00	2.00	3.00	3.00
Ethiopia	2.00	1.00	2.00	3.00	2.00	2.00	1.00	3.00	2.00	2.00	4.00	3.00
Mauritania	1.00	1.00	2.00	2.00	1.00	3.00	3.00	4.00	2.00	2.00	3.00	2.00
Sudan	3.00	0.00	2.00	4.00	1.00	2.00	2.00	4.00	2.00	2.00	1.00	3.00
Senegal	3.00	1.00	3.00	3.00	2.00	3.00	3.00	0.00	2.00	2.00	2.00	2.00
Mali	3.00	1.00	2.00	2.00	3.00	2.00	na	3.00	2.00	2.00	2.00	1.00
<b>Guinea</b>	2.00	1.00	1.00	3.00	3.00	2.00	2.00	1.00	3.00	2.00	2.00	3.00
Benin	3.00	3.00	2.00	1.00	4.00	1.00	1.00	1.00	3.00	2.00	1.00	2.00
Gabon	2.00	1.00	3.00	3.00	2.00	3.00	2.00	2.00	2.00	2.00	1.00	1.00
Burkina Faso	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	1.00	2.00
Chad	1.00	1.00	3.00	3.00	1.00	2.00	1.00	1.00	2.00	2.00	2.00	4.00
Uganda	2.00	0.00	2.00	3.00	0.00	2.00	2.00	2.00	2.00	2.00	3.00	2.00
Zimbabwe	2.00	0.00	2.00	2.00	2.00	2.00	1.00	3.00	2.00	3.00	1.00	2.00
Madagascar	0.00	2.00	2.00	2.00	2.00	2.00	3.00	2.00	2.00	2.00	2.00	1.00
Central African Republic	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	1.00	2.00	0.00	3.00
Congo (Brazzaville)	3.00	1.00	2.00	2.00	1.00	2.00	2.00	1.00	3.00	3.00	0.00	2.00
Congo (DRC)	2.00	1.00	1.00	1.00	2.00	1.00	2.00	1.00	2.00	3.00	2.00	3.00
Angola	1.00	0.00	2.00	4.00	2.00	2.00	4.00	1.00	1.00	2.00	0.00	2.00
<b>Burundi</b>	2.00	2.00	2.00	2.00	2.00	0.00	2.00	3.00	0.00	2.00	1.00	2.00
Mozambique	2.00	1.00	2.00	2.00	0.00	2.00	3.00	2.00	1.00	1.00	0.00	2.00
Cameroon	1.00	0.00	2.00	3.00	2.00	1.00	3.00	0.00	1.00	1.00	1.00	2.00
Nigeria	2.00	1.00	1.00	2.00	1.00	2.00	3.00	0.00	1.00	1.00	1.00	2.00
<b>Sierra Leone</b>	1.00	1.00	3.00	2.00	1.00	1.00	1.00	1.00	2.00	1.00	1.00	2.00
Togo	3.00	na	1.00	2.00	1.00	1.00	1.00	0.00	1.00	1.00	2.00	2.00
Somalia	0.00	0.00	0.00	0.00	0.00	0.00	0.00	na	1.00	1.00	na	2.00

<b>2012</b>	<b>Security of Urban Land Tenure [A]</b>	[A] Excludes IFC	[A] Excl. IPD Security of Property Rights & Contracts	[A] [Excludes Pbes]*
South Africa	2.917	2.800	3.000	2.917
Botswana	2.750	2.600	2.714	2.909
Namibia	2.750	2.800	2.571	2.636
Ghana	2.727	2.444	2.857	2.727
Côte d'Ivoire	2.667	2.800	2.429	2.545
Niger	2.667	2.700	2.857	2.400
Zambia	2.583	2.500	2.857	2.727
<b>Rwanda</b>	<b>2.500</b>	2.400	2.857	2.500
Tanzania	2.500	2.300	2.143	2.500
Kenya	2.333	2.300	2.286	2.333
Ethiopia	2.250	2.000	2.571	2.364
Mauritania	2.167	1.900	2.143	2.167
Sudan	2.167	2.100	2.429	2.167
Senegal	2.167	2.400	2.000	1.889
Mali	2.091	2.000	2.000	2.091
<b>Guinea</b>	<b>2.083</b>	2.200	1.857	2.182
Benin	2.000	2.200	1.857	2.000
Gabon	2.000	2.100	1.857	1.800
Burkina Faso	1.917	2.000	1.857	1.917
Chad	1.917	2.000	2.143	1.700
Uganda	1.833	1.700	2.000	2.000
Zimbabwe	1.833	1.800	1.714	2.000
Madagascar	1.833	1.800	1.571	1.833
Central African Republic	1.833	2.000	1.857	1.727
Congo (Brazzaville)	1.833	2.100	1.571	1.600
Congo (DRC)	1.750	1.800	1.571	1.636
Angola	1.750	2.000	1.429	1.300
<b>Burundi</b>	<b>1.667</b>	1.600	2.000	1.667
Mozambique	1.500	1.600	1.571	1.667
Cameroon	1.417	1.600	1.286	1.750
Nigeria	1.417	1.600	1.286	1.417
<b>Sierra Leone</b>	<b>1.417</b>	1.500	1.571	1.417
Togo	1.364	1.444	1.667	1.200
Somalia	0.400	0.440	0.400	0.400

\* Excludes dark and light grey areas

## **A.9. Country Profiles – Information Collection**

## Countries

---

[Angola](#)

[Benin](#)

[Botswana](#)

[Burkina Faso](#)

[Cameroon](#)

[Central African Republic](#)

[Chad](#)

[Congo \(Brazzaville\)](#)

[Congo \(DRC\)](#)

[Côte d'Ivoire](#)

[Ethiopia](#)

[Gabon](#)

[Ghana](#)

[Kenya](#)

[Madagascar](#)

[Mali](#)

[Mauritania](#)

[Mozambique](#)

[Namibia](#)

[Niger](#)

[Nigeria](#)

[Senegal](#)

[South Africa](#)

[Sudan](#)

[Tanzania](#)

[Togo](#)

[Uganda](#)

[Zambia](#)

[Zimbabwe](#)

---

ANGOLA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	<p>Angola has experience a variety of land tenure systems. At independence, in 1975, the land was nationalized. During the civil war period, in the 1980s and 1990s, there were many attempts to return the land to individual farmers. A new Constitution in 2010 and a specific Land Law (2004) are the main legislations related to land tenure rights. The lack of political stability as well as the remains of the long civil war remain the main effective problems regarding the security of land tenure. Because of the importance of customary law, land grabbings are high and the size of the displaced population (4.1 million) that remains in the peri-urban areas where they settled during the conflict increases the pressure on land.</p>		
Key Legislation	<p>In 1992, Angola adopted its first post-independence land related laws as part of its then Constitution.</p> <p>Angola's Constitution of 1992 stipulates that "The GoA has sovereignty over territory, water, air space, soil, and subsoil. All natural resources, including land, are the property of the GoA. (Arts 6 and 10) The GoA shall respect and protect people's property, including land owned by peasants, although the GoA retains the right to expropriate property in the public interest" (Law 21-C/92, Regulamentos de Concessões, Decree 32/95 of 8 December and 46/92 of 9 September). The law mostly addressed surface use rights to rural land for agricultural use and was limited in scope to issues of land access and titling. While the law recognized the rights of those who received concessions in the post-independence period, it did not recognize customary rights of indigenous populations and did not regularize the rights of those who had informally occupied urban areas and abandoned farms (USAID, 2007).</p> <p><b>The Civil Code (2001)</b> has a lot of provisions regarding land tenure. Yet - ' while it used to provide for some protection for those occupying land informally for long periods, the 2004 Land Law trumped those provisions, subjecting those with informal rights to eviction if they fail to apply for a concession in a timely fashion (USAID, 2007).</p> <p><b>'Angola's 2004 Land Law</b> became effective in February 2005. The law includes some statements of policy. Regarding urban areas it specifically stipulates :</p> <p><b>Urban land:</b> Urban land is the area classified as such or an area delimited by urban agglomeration (i.e., infrastructure zones) and destined for urban development. Urban land is comprised of urban lots, which are lots that are already developed, those that are under construction, and those lots that can be urbanized, i.e., are within an urban plan. (Arts 1, 19, and 21).</p> <p>The GoA can transfer title to urban land to individuals and collectives under certain conditions (see document). The right granted is perpetual. The landholder's use of the private property transferred is restricted by the terms of applicable urban plans. Private urban land rights held by individuals and entities can be subsequently transferred, subject to the terms of the applicable provisions of the law and proposed regulations.</p> <p><b>Purchase and sale of urban land.</b> The purchase and sale of urban land must be by public auction, with prices of urban land fixed by price indices and municipal rules. The recipient of private property rights from the state can only transfer those rights with consent of the local authority and after a period of five years of effective use of the land. The land purchase can be nullified if the concession holder fails to put the land to effective use. (Art 48)</p> <p>New applications for occupancy titles. Those who occupy land without title have three years from the date of publication of the regulations to apply for a concession title. All concession title requirements, such as the need for an urban plan for urban concessions and approval by appropriate institutions, apply to the new applications made. (Art 84)</p> <p><b>'Angola's New constitution 2010, Art. 15.</b> establishes that "All land is state property that can be then transferred to individuals or collective persons; it recognizes the right for fair compensation in case of arbitrary expropriation; and recognizes the state as guarantor for the respect of private property; only nationals have the right to own land"</p>	<p>"After 1975 individuals were no longer able to buy private land, but were instead granted 'surface' or 'possession' rights, which meant that they had the exclusive right to use the land, although it formally belonged to the state. These provisions were included in Angola's Civil Code, inherited from colonial times, which remained the legal framework governing land rights until 1992 (ODI - 2007)".</p> <p>"The Land Law and Proposed Regulations permit the GoA to grant economically disadvantaged persons free concessions. (Art 50; PReg 47). The legislation does not, however, provide a means of determining who will qualify for the free concession or require efforts to identify such persons for inclusion in land development plans for economical housing and other development critical to the livelihoods of the poor" (USAID 2007).</p> <p>"No statistics are maintained that identify what percentage of the country's land is under private tenure as opposed to communal tenure. Customary law still present, mostly in rural and peri-urban areas. The traditional leaders oversee land transactions and the inheritance of land under customary law. 2004 Land Law and Proposed Regulations recognize customary law or traditional practices, the ambit of customary law is highly circumscribed and always subject to formal law (USAID 2007)"</p> <p>"Almost all Angolans hold their land, whether urban or rural, under principles of customary law; few have rights recognized under formal law. Formalization: USAID supported small land-rights formalization pilots in rural and peri-urban communities in 2006–2007. (USAID 2010)</p>	<p>USAID - Report on Tenure Rights (2007)</p> <p>ODI Report (2007)</p> <p>USAID Report- Update on Land Tenure (2010)</p> <p>Law 21-C/92, Regulamentos de Concessões, Decree 32/95 of 8 December and 46/92 of 9 September, 1992</p> <p>Angola's Constitution 2010 [http://urbanlex.unhabitat.org/sites/default/files/constitution_of_angola_2010.pdf]</p>
Evictions- Land Titling	<p><b>2001 Decree Regarding Resettlement of Displaced People.</b> The Resettlement Law, which addresses resettlement of persons displaced by the conflict, acknowledges a right to housing, and provides for new government allocations of land (Article 14)</p> <p><b>'According to the 2004 land laws,</b> the State can only expropriate land for specific public use, and it must declare this purpose when it does so. Anyone whose land is expropriated for public use has a right to compensation. Where the state grants land concessions for urban development projects it has a legal duty to publicise this widely" (ODI 2007)</p> <p>"The land law and regulations set a 3-year window (currently to the end of 2010, with a possible 3-year extension) in which land occupants must apply for formalization of rights. Donors can provide short term assistance that can both address the registration task and build capacities of local authorities to sustain formalization processes over the longer term"(USAID 2010).</p>	<p>"The GoA's authority to expropriate land and evict landholders is, as a practical matter, unchecked; where those evicted have no right to alternate land; and where compensation schemes are poorly defined. Pressures to allocate land for commercial development and the construction of infrastructure have resulted in government decisions to expropriate land, forcing people with various types of formal and customary (informal) land rights to resettle elsewhere. Compensation to those evicted has not always been forthcoming. Such tensions have already been seen in the urban and peri-urban areas where more than half of the Angolan population lives, many having moved to these areas to flee the violence and destruction of the long civil war and acquired land through informal markets or by squatting. As urban land values have risen, competing claims have been registered. Government evictions of informal settlers to make way for commercial development or infrastructure have also contributed to tensions, amid protests that due process has not been followed and compensation not provided" (USAID 2010).</p> <p>"Forced evictions have become one of the most controversial political issues in Angola. According to a report by Human Rights Watch in May 2007, the government has 'forcibly and violently evicted thousands of people living in informal housing areas with little or no notice - 18 mass evictions carried out by the government between 2002 and 2006 documented by Human Rights Watch and the Angolan organization SOS Habitat". In 2009, the homes of an estimated 15,000 people in the capital were destroyed (The Guardian, 2013)"</p>	<p>USAID - Report on Tenure Rights (2007)</p> <p>USAID Report- Update on Land Tenure (2010)</p> <p>Human Rights Watch - Report 2007 https://www.hrw.org/report/2007/05/15/they-pushed-down-houses/forced-evictions-and-insecure-land-tenure-luandas-urban</p>
		<p>"Almost all Angolans hold their land, whether urban or rural, under principles of customary law; few have rights recognized under formal law. Formalization: USAID supported small land-rights formalization pilots in rural and peri-urban communities in 2006–2007. (USAID 2010) "</p>	<p>USAID - Report on Tenure Rights (2007)</p> <p>USAID Report- Update on Land Tenure (2010)</p>

ANGOLA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban Planning	<p>"Angola does not have a comprehensive, written statement of its national land policy and accordingly has no clear, overarching principles to guide land-related legislation and regulations, or to prioritize plans for economic growth and development with issues relating to land access, tenure security, land use, and land administration." (USAID 2007)</p> <p>"Angola's system does not currently support elements of a functioning land administration system— either in design or in practice. The system suffers from an incomplete design, incomplete (or nonexistent) data on land holdings, a lack of records; cumbersome, time consuming, and imperfectly understood transaction processes; high transactions costs; lack of information and processes to determine land values; and lack of institutional capacity to create and maintain records and manage transfers" (USAID 2007).</p>		<p>USAID - Report on Tenure Rights (2007)</p> <p>USAID Report- Update on Land Tenure (2010)</p>
Registering Property - Enforcing Contracts Reforms	<p>2012- Angola made transferring property less costly by reducing transfer taxes</p> <p>2010- Angola speeded up property transfers by digitilizing the land registry in Luanda.</p> <p>2009- Angola made dealing with construction permits easier by eliminating requirements for approval from water and electricity companies.</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

BENIN		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
<b>Notes</b>	The government of Benin was set on rural cooperatives until the inception of the newly elected democratic government in 1990. At this point, the government changed the emphasis to individual land ownership. Since 2005, the Millenium challenge account (MCA) Bénin and the ministry of urbanism and land reform (Ministère de l'urbanisme et de la réforme foncière) started a legal reform of the land tenure system in Benin that aims at modernize it. As a result a Land Policy (2009) and a Land code (2013) were passed, introducing important reforms.		
<b>Context</b>	<p>"The government must maintain a land tenure policy that takes into account minorities, and indigenous land tenure systems if it wants to avoid conflicts over land like its neighbors. For this it needs to establish a clear and comprehensive land tenure policy which addresss all potential owners and users of traditional systems." (John Bruce, 1998)</p> <p>"Since 2005, the Millenium challenge account (MCA) Bénin and the ministry of urbanism and land reform (Ministère de l'urbanisme et de la réforme foncière) started a legal reform of the land tenure system in Benin that aims at modernize it. This project included the renovation of land titles and 'living permits' in urban areas, that will be present in the future legislation (2010)." White Paper on Urban Policy Benin (2010)</p>		<p>John Bruce, 1998 White Paper 2010 - <a href="http://www.mcabenin.bj/publications/3583">http://www.mcabenin.bj/publications/3583</a></p>
<b>Key Legislation</b>	<p><b>Land policy (validated 2009, approved 2010)</b> (Livre blanc de politique foncière - décret portant Déclaration de politique foncière et domaniale au Bénin) : aims to secure rights, facilitate investment and create a market for land and real estate. The white paper discusses approaches for securing land rights, the use of state land, land information systems, efficient (decentralized) land administration, and women's access to land.</p> <p><b>2010 draft Code Foncier et Domanial approved by cabinet in 2011</b> ; discussed in parliament since 2012 - Issues include the merger of urban and rural land, and status of the certificats fonciers. <b>Adopted in 2013.</b></p> <p>The new code defines a right for housing that is closer to a property right than to housing (art.51). Under this new code, expropriations are codified. Compensation will depend on a legal procedure determining the value. Arbitrary expulsions are banned - in line with international laws. The new code also creates and designates specialized agencies to deal with land tenure. Property rights are also recognize fully, but underline the importance of a legal document to assert ownership.</p>	<p>In 2008, the IMF Art. IV estated that there was a "Steady progress in preparing feasibility studies and 'sector strategies to address inefficiencies in the land tenure and judicial systems. They also documented that "other elements of the structural reform agenda include donor-supported initiatives to improve the efficiency of the legal and land tenure systems"</p>	<p>White Paper 2010 - <a href="http://www.mcabenin.bj/publications/3583">http://www.mcabenin.bj/publications/3583</a></p> <p>IMF Article IV (2008)</p>
<b>Land Conflicts</b>		<p>"Conflicts over land are frequent and partly the result of informal and unregulated land markets, where fraud is common. Conflicts between farmers and pastoralist are also frequent and sometimes violent, because the mobility for herds is becoming increasingly difficult due to the extension of farmed land. Coupled with evidence of strong land pressure particularly in main urban areas. " White Paper on Land (2010).</p> <p>"The majority of land conflicts in urban areas are solved by courts of law. Municipal authorities are also involved in the resolution of land conflicts given their proximity with the population and their responsibilities regarding land tenure rights. Per year, there are about 1000 land matters dealt in court, they represent between 75-100% of total court matters for 35% of institutions (municipal and prefectures) White Paper on Land (2010:35)</p> <p>'Most of land disputes happen in rural areas - where they refuse to comply to modern property/land tenure rights. Communal laws are still very much present (Urban Habitat, 2014)</p>	<p><a href="http://www.wm-urban-habitat.org/fra/?p=430#Aspects-lgaux">http://www.wm-urban-habitat.org/fra/?p=430#Aspects-lgaux</a> [2014]</p> <p>White Paper 2010 <a href="http://www.mcabenin.bj/publications/3583">[http://www.mcabenin.bj/publications/3583]</a></p>
<b>Diversity of Land Tenure Regimes</b>	The new 2013 Code recognizes communal tenure rights for areas not government by rural or urban land codes.		<p><a href="http://www.wm-urban-habitat.org/fra/?p=430#Aspects-lgaux">http://www.wm-urban-habitat.org/fra/?p=430#Aspects-lgaux</a> [2014]</p>
<b>Urban Planning</b>	<p>1995 - Adoption of the urban policy declaration (decret 95-341).</p> <p>A code for urbanism and planning is in course of preparation (2010)</p> <p>November 2002: the government adopted la Déclaration de Politique Nationale d'Aménagement du territoire (DEPONAT).</p>	<p>Le Registre foncier urbain (RFU) is a system of urban registration put in place in 1989. It is present as of 2010 in 22 municipalities, and aims at the enhancement of the urban capacities of municipalities. Its main component are a fiscal form that helps raise revenues from the properties, as well as document urban tenure.</p>	<p>White Paper 2010 - <a href="http://www.mcabenin.bj/publications/3583">http://www.mcabenin.bj/publications/3583</a></p>



BENIN		Description	References
Registering Property - Enforcing Contracts Reforms	De Jure - Laws and Regulations	Evidence of De Facto Respect	
	<p>DB2013 : Benin made enforcing contracts easier by introducing a new code of civil, administrative and social procedures. Benin reduced the limit required to obtain a construction permit by speeding up the processing of applications.</p> <p>DB 2011: Benin created a new municipal commission to streamline construction permitting and set up an ad hoc commission to deal with the backlog in permit applications</p> <p>DB 2008: Benin made transferring property less costly by reducing the registration fee.</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

BOTSWANA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	70% of land in Botswana is tribal land, 25% is state land, and 5% privately-owned freehold land (ROB 2002). 'The legal framework governing Botswana's land is a mixture of formal and customary laws, with much of the formal law reflecting longstanding principles of customary law. 'Botswana's regular reviews of its land and natural resources policies and legislation, and its practice of governing through comprehensive six-year plans have kept a focus on land issues and resulted in some of the more progressive land legislation in Sub-Saharan Africa (USAID 2010)		
Key Legislation	<p>The legal framework governing Botswana's land is a mixture of formal and customary laws, with much of the formal law reflecting longstanding principles of customary law.</p> <p><b>The six major pieces of formal legislation include: (1) The State Land Act, 1966; (2) The Tribal Land Act, 1968; (3) The Tribal Grazing Lands Policy, 1975; (4) The Town and Country Planning Act, 1977; (5) The National Agricultural Development Policy, 1991; and (6) The Sectional Titles Act, 1999</b> (Adams et al. 2003; Taylor 2007).</p> <p>Details:</p> <p>"All citizens of Botswana are entitled to receive an allocation of tribal land from the district Land Boards. The 1993 amendment to the Tribal Land Act permits any citizen, regardless of tribal affiliation, to apply for any land, and extends the right to women. In addition to the tribal land allocations, all citizens are also eligible for two serviced plots in urban areas of the country, whether for residential, commercial, or industrial use. The citizen must develop the first plot before being eligible for the second plot. Citizens must pay for the plots at a price determined by the category of land use, although the state Self-Help Housing Agency (SHHA) assists low-income residents. " *(USAID 2010)</p> <p>'Seventy percent of land in Botswana is tribal land, 25% is state land, and 5% privately-owned freehold land (ROB 2002). The following are the recognized tenure types: private ownership (freehold land is located in urban areas although some large cattle ranches (over 100,000 hectares) are freehold land. <b>Ownership rights are held in perpetuity or for 999 years (ROB 2008a; Adams et al. 2003).</b> Leaseholds (info a below); and Customary rights to tribal land. Most land in Botswana is rural tribal land, to which eligible citizens can obtain rights through the Land Board. Citizens can obtain either land grants or leases that allow them to occupy and use allocated parcels of land. The land is heritable but not saleable (Burgess 2002; Adams et al. 2003)</p> <p>(a) The state leases urban land to individuals and entities under Fixed Period State Grants for 50-year terms for commercial purposes and 99-year terms for residential purposes. At the end of the term, the land and all improvements revert to the state without compensation. Leaseholders can transfer their rights to a third party, subject to the terms of the primary lease. The state has also granted Certificates of Rights to serviced urban plots for the purpose of erecting owner-occupied houses. The owners receive unregistered perpetual occupancy rights. This category of land right is currently suspended (ROB 2008a; Adams et al. 2003).</p> <p>Freehold land rights are registered with the Registry Office under the Deeds Registry (Amendment) Act, 1996</p>	<p>"The role of the chiefs in making land allocation decisions has been phased out and replaced with a decentralized system of Tribal Land Boards - which are linked to the Ministry of Local Government Land and Housing "[1998 - John Bruce]</p> <p>"Botswana has a deeds registration system, and pursuant to the provisions of the Deeds Registry Act, 1996, (as amended) deeds evidencing all transactions in private and state land must be recorded at the Registry Office, which is housed within the Attorney General's Chambers. The Registry's files generally provide reliable information about property, rights holders, and encumbrances. Compliance with the deeds registration system is high; the only transfers outside the system are customary grants of tribal land and allocations of state land for residential purposes, and in townships and municipalities to poor households under the Self-Help Housing Agency." (USAID 2010)</p>	<p>USAID - Land Tenure Botswana Profile (2010)</p>
Minorities	<p>The formal law permits women to own land individually and to transfer their land rights without spousal consent.</p> <p>'In the case of all common law leases, the law allows land acquisition by noncitizens but favors Botswana. This is reflected in the requirements for ministerial approval to acquire land for non citizens (John Bruce 1998)</p>	<p>In practice, however, the Registry Office often insists on including the husband's name on a married woman's property-registration, and evidence of his consent for transfer (COHRE 2004). Despite some protective provisions for women in the formal laws, in practice the implementation of the formal laws reflect principles entrenched in Botswana's customary law. Under customary law, rights to arable land are granted to the head of household, who is usually the household's eldest male member.</p> <p>'Support for the Rights of Marginalized Populations within the Decentralized Land Administration and Governance System. Botswana has been a trailblazer in the devolution of powers over land-rights management to district-level and sub-district-level Land Boards. However, the process has often left minority groups (e.g., women, those infected with HIV/AIDS, the economically-disadvantaged, ethnic minorities) without power and representatio (USAID 2010)</p>	<p>USAID - Land Tenure Botswana Profile (2010)</p> <p>John Bruce (1998)</p>

**BOTSWANA**
**Description**
**References**

	De Jure - Laws and Regulations	Evidence of De Facto Respect	
<b>Land Conflict</b>	<p>For tribal land, Land Boards serve as an initial forum to hear disputes and complaints. The Tribal Land (Establishment of Land Tribunals) Order of 1995 provides for the establishment of tribunals to hear appeals of decisions made by the Land Board (USAID 2010)</p> <p><b>There is no separate tribunal dedicated to cases involving private or state urban land</b>, and disputes over the land are increasing. The state is unable to keep up with demand for urban housing, and informal settlements that lack planning, infrastructure, or services are increasing. Parties with disputes must use the formal court system, which has been criticized as often costly, inefficient, and inaccessible to poor litigants (ROB 2002).</p>	<p>Land disputes over access to urban and peri-urban land, grazing land, and forests are increasing in frequency (USAID 2010)</p> <p>"The Land Tribunals appear to operate as an effective check on the Land Boards in at least some instances. In well-publicized cases, two Kgalagadi community trusts have successfully used the Land Tribunals to challenge the decisions of Land Boards to lease communal grazing land to foreign-owned companies without consulting with the District Council or advertising the land leases (Adams and Palmer 2007).</p>	
<b>Diversity of Land Tenure Regimes</b>	<p><b>The State Land Act, 1966</b>, provides for management of state land (urban land, parks and forest reserves) by the central government and local government councils, and allocation of urban land to individuals and entities. The Tribal Land Act, 1968 (amended 1993), vests tribal land in the citizens of Botswana and grants administrative power (formerly held by chiefs and headmen) over the land to one of the 12 district Land Boards. The Land Boards can allocate land, cancel customary rights, and rezone agricultural land for commercial, residential, and industrial uses. The Tribal Land Act also introduced certificates evidencing grants of rights to wells, borehole drilling, and individual residential plots, and allows people to apply for common-law leases of land, which they use to obtain mortgages (COHRE 2004; Adams et al. 2003; ROB 2008a; Taylor 2007). [USAID 2010]</p>		USAID - Land Tenure Botswana Profile (2010)
<b>Urban Planning</b>	<p>The Ministry of Lands and Housing is responsible for the management of land and the delivery of housing throughout the country. The Department of Lands administers state land, regulates freehold land through the Land Control Act, 1975, and provides technical advice on tribal land matters. The Department includes four divisions: Administration; Estates and Land Valuation; Land Inventory and Management; and Land Use and Development. Additional departments within the Ministry of Lands and Housing are the Department of Town and Regional Planning, established to manage urbanization and provide for the efficient utilization of public and private land, and the Settlement Planning Division, which prepares and implements development plans for urban areas and villages (ROB 2008a; Anderson 2005; Adams et al. 2003).</p>		
<b>Price pressure</b>		<p>"Gaborone has undergone rapid expansion since independence, resulting in mounting land values. The pressure on urban areas and the severe shortages of housing there have sky rocketed land values and prices, causing residents to seek land in peri-urban areas where free allocations of customary grants keep land values low. There is evidence of corruption and influence peddling in peri-urban land allocation. Still, probably more than any other country in Africa, Botswana has in place a functional, well-thought through system of land administration. It has invested heavily in creating a serious land administration capability, and has successfully upheld a decentralized system of land tenure administration. No major policy reversals are expected." (John Bruce 1998)</p>	John Bruce (1998)
<b>Registering Property - Enforcing Contracts Reforms</b>	<p>No significant reform in these areas.</p>		IFC- Doing Business _Reforms 2009-2015

BURKINA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	80% of population is rural in BF (2014), which explains the focus in rural land laws. Ouagadougou represents approx 50% of urban population. Information on urban land tenure rights is hard to obtain.		
Context		"Although the government is encouraging intensive production and individualization of landholdings through the implementation of resettlement projects and tenure policies, customary land tenure and traditional extensive agricultural practices are still widely espoused. While the government has made tremendous efforts to overcome population and environmental constraints, its strategies have not recognized indigenous land tenure systems" John Bruce 1998.	
Key Legislation	<p>After independence, land management in rural settings was largely left to customary law. In 1984 - the "Reorganisation agraire et fonciere (RAF)" was passed by the government, and amended in 1991 and 1996, to help develop a private property rights regime for the land. T</p> <p>he RAF vested all landthroughout the country in the state, regardless of tenure status, and outlawed sales of land. Individuals could apply for permits allocatinb use rights to rural land for cash crops. The 1991 RAF amendment allowed privatization of land and recognized use-rights and long-term leases, the 1996 amendment enabled the state to 'cede' land to private operators.</p> <p><b>This law eventually became the framework for the 2009 Rural Land Tenure Law.</b> It enables legal recognition of rights legitimated by customary rules and practices. No mention of what happens in urban contexts = NOTE: 80% of Burkina Faso population is rural (2014)</p>	<p>A review of the land tenure system, which is currently based on traditional rights that inhibit land improvement and access to credit, is underway (IMF Art IV 2010)</p> <p>"To facilitate transfer of ownership, the government set up one-stop shops for land transactions (Guichets Uniques du Foncier—GUF) in Ouagadougou and Bobo-Dioulasso. These were launched in May and September 2009, respectively. To make the GUF operational, manuals were prepared and training exercises for revenue collectors and external stakeholders organized. The implementation of the Real Estate File Information System (système d’information du dossier du foncier—SIDOFO) is expected to help expedite the processing of applications submitted to the GUF (IMF Art. IV 2010)</p>	<p>USAID - Land Tenure Burkina Faso Profile (2010)</p> <p>John Bruce (1998)</p>
Minorities		<b>Urban Upgrading became a national policy in 1983 based on the massive urban land restructuring (lotissements) executed by GOBF.</b> The areas occupied by unplanned settlements diminished rapidly; however, this process was not accompanied by investments in infrastructure, services, and facilities. (MIT 2002)	MIT _BF country profile (2002)
Land Markets		'Burkina Faso land market is just emerging. There is some circulation of rights to land through cash-based transactions, but these rarely invovle a clear transfer of rights. Informal leases of land are becoming more common in many parts of the country. The commercial land market has traditionally been weak. Registering a property transaction is cumbersome, Market values for land in urban and peri-urban areas have recently increased, however, and much has been pruchaes from the government by civil servants and developers for speculative purposes (USAID 2010)	USAID - Land Tenure Burkina Faso Profile (2010)
Urban planning	<p>Between 1983 and 1990, the Government implemented a national urban upgrading program during which more than 125,000 plots were regularized.</p> <p>"Various government agencies are involved in urban management, mainly the Directorate of Urban Planning and Topography of the Ministry of Infrastructure, Habitat and Urban Planning (MIHU); the Ministry of the Economy and Finances (MEF) (intervenes in land management); and the municipalities, which have the responsibility for land tenure (distribution of urban occupation permits (PUH) and preparing the lotissements) and also provide services and facilities in the urban areas. Their roles were, however, insufficiently clarified after the 1995 decentralization in Burkina Faso, and there are overlapping responsibilities regarding the management of urban plots (MIT 2002)</p>	<p>"The national housing policy supported the distribution of a large number of plots in order to provide a substantial response to increasing housing demands. However, upgrading initiatives through the development of these “lotissements,” were generally not accompanied by investment in adequate infrastructure”.</p> <p>""The reform of the Government of Burkina Faso (GOBF) housing policy, attempted in 1991, was not very successful in terms of improving the land delivery system for the urban poor"</p>	MIT _BF country profile (2002)
Land Conflicts	The 2009 law reinforces the jurisdiction of local authorities in dealing with land conflicts.	Disputes over land have become a widespread problem across BF, between and within various communities. Many of these problems are between autochthons and migrants." (USAID 2010)	USAID - Land Tenure Burkina Faso Profile (2010)

BURKINA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Diversity of Land Tenure Regimes	<p><b>New Rural Land Tenure Law (2009)</b> created under the Reorganisation Agraire et Fonciere (RAF) framework. It enables legal recognition of rights legitimated by customary rules and practices. No mention of what happens in urban contexts = NOTE: 80% of Burkina Faso population is rural (2014)</p>	<p>"The Rural Land Tenure Law has been heralded as one of the most innovative pieces of rural land legislation in West Africa. It decentralizes land management and recognizes customary rights. It facilitates legal recognition of individual and collective rights, inheritance through land certificates, land leases, and local land management institutions. Where customary authority over common property resources has eroded, the Act looks to restore local management through the introduction of local rural land charters. The Act both allows for a system of private property based on titling and registration, and seeks to formalize existing customary practices and rules to make them more compatible with modern economies and production systems. The new law is committed to managing land and land tenure in a way that advances development goals." (USAID 2010)</p>	<p>USAID - Land Tenure Burkina Faso Profile (2010)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB2011- BF made enforcing contracts easier by setting up a specialized commercial court and abolishing the fee to register judicial decisions.</p> <p>DB2010 = BF improved its contract enforcement system by reducing court fees and introducing alternative dispute mechanisms.</p> <p>-BF streamlined property registration by allowing the payment of transfer taxes at the land registry, reorganizing the land registry, setting statutory time limits for procedures and simplifying property valuation by government officials through the use of tables of values based on materials used.</p> <p>DB2009- BF made transferring property easier and less costly by eliminating the requirement to obtain authorization from the municipality, merging the payment of 2 taxes at the land registry, and reducing the transfer tax rate.</p> <p>DB2008 - BF made enforcing contracts easier by increasing the efficiency of operation in the commercial courts.</p> <p>- BF made registering property less costly by reducing the registration fee.</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

CAMEROON		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Cameroon has a complicated land tenure legacy as a result of colonial occupation by 3 different countries. Cameroon is a bi-jural country, which means that two different legal systems operate in different parts of the country. French-oriented civil law applies in eight eastern provinces, and English common law applies in the remaining two western provinces. The legal systems also recognize customary law, which, given the country's ethnic diversity, encompasses multiple and evolving traditional rules and norms.		
Context	Cameroon has a complicated land tenure legacy as a result of colonial occupation by 3 different countries. The 1974 ordinances were ostensibly intended to empower the state as a guardian of all land and ensure rational use. However, these laws signified a retrogressive approach to land policy by removing recognition of customary rights. Customary land rights and communal production systems continue to exist in many regions where land values and export crop production have not escalated.		John Bruce, 1998
Key Legislation	<p><b>Cameroon's primary land law, Ordinance No. 74-1 of 6 July 1974</b>, established land tenure rules following the 1972 unification of the country. <b>A companion law, Ordinance No. 74-2 of 6 July 1974</b>, addressed the governance of state land. These laws created a tenure system based on land registration: all privately-owned land must be registered and titled to retain its character as private land. All unregistered land is deemed to be either public land, which is held by the state on behalf of the public, or —national land, which includes unoccupied land and land held under customary law.</p> <p>'<b>Cameroon's 1996 Constitution</b> provides that citizens have the right to own property individually or in association with others, and ownership includes the right to use, enjoy and transfer property. No one can be deprived of property unless it is taken in the public interest, in accordance with applicable law, and subject to payment of compensation as required by law (GOC Constitution 1996).</p> <p>'<b>Cameroon is a bi-jural country, which means that two different legal systems operate in different parts of the country. French-oriented civil law applies in eight eastern provinces, and English common law applies in the remaining two western provinces. The 1996 Constitution and 1974 Land Law apply nationally. The legal systems also recognize customary law, which, given the country's ethnic diversity, encompasses multiple and evolving traditional rules and norms.</b></p> <p>'Communities and individuals are not required by law to title their land prior to usage. Ordinance-Law 94-1 indicates that people may "continue effectively and peacefully occupying" the land without a title. Individuals may also continue hunting and fishing on "vacant land" as long as it does not conflict with other uses by the State (Art. 17 of Ordinance-Law 74-1). These are not guaranteed however.</p>	<p>Most of the land in Cameroon is classified as national land, including farmland, informal settlements, and communal land held under customary law. <b>After more than 30 years, only 125,000 land titles are registered.</b> All untitled land that is not state owned, is considered 'national land'. All untitled, unregistered land that is not designated as public land (i.e., managed by the state on behalf of the public) is considered to be —national land.</p> <p>The government can convert national land into state land and allocate use rights to it (e.g., forest concessions) or convert it to private ownership (e.g., for urban development). Land tenure for most people in Cameroon is therefore insecure. Decentralized Land Consultation Boards, which have significant authority over land matters, are vulnerable to politicization and bias. (USAID 2010).</p> <p>"While registration of urban land is more common than registration of agricultural land, an estimated 80% of plots in urban and peri-urban areas are held under customary law. Plots are obtained through renting or purchase on the informal market (UN-Habitat 2010; AfDB 2009; Hobbs 1998; Nguiffo and Djeukam 2008). 'Formal registration of land rights is more common in urban areas (60% of all titles according to MINDAF Lands Division (AfDB, 2009)) than in rural regions."</p>	<p>USAID - Cameroon's Land Tenure Rights (2010)</p> <p>AfDB 2009</p>
Evictions-Land Titling	<p><b>In 2005, the Cameroon government simplified the titling procedures.</b></p> <p>The government reduced the number of steps and departments involved in the process of reviewing and approving a request to title land. Another improvement was the creation of a single agency within MINDAF to handle most services concerned with the titling process ("one-stop shop"). <b>Decree No. 76-165 (modified by Decree No. 2005-481)</b> provides three titling procedures: holders of certificates of occupancy and "livrets fonciers" issued before 1974 to transform them into land titles, but only for a period of time (within six years for land in urban areas and within 15 years for land in rural areas). After these deadlines (in 1980 and 1989, respectively) the certificates and "livrets fonciers" were cancelled. The other 2 procedures, were to establish a new title for occupied or exploited lands that are part of national lands, and to modify existing titles through transactions and subdivisions. (USAID 2010)</p>	<p>'Yet -- land titles often fail to provide secure tenure because of poor record keeping and document management. Incomplete geographic information and the use of different spatial referencing systems has resulted in overlapping land titles (following the 2005 reform, all overlapping titles were cancelled, including the original title). For example, in 2008, more than 19,000 land titles in Yaoundé had inconsistent geo-references and could not be positioned on a map. Insufficient capacity to process land titles and corruption of administrative support services have also been cited as titling problems (AfDB, 2009; Tadjudje, 2005). As a consequence, land titles are often challenged in court, resulting in the cancellation of titles. (AfDB 2009)</p> <p>'The government has had a practice of destroying informal settlements in urban areas with inadequate notice and no payment of compensation to those left homeless. In some cases municipalities have authorized construction in certain areas, only later to declare the settlements unauthorized and destroy them (HLRN 2005; HLRN 2008). (Focus on Land in Africa Report 2013)</p>	<p>AfDB (2009)</p> <p>Focus on Land In Africa Report (2013)</p> <p>USAID - Cameroon's Land Tenure Rights (2010)</p>

CAMEROON		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Minorities	Cameroon's formal law includes a mix of progressive and traditional provisions. The 1996 Constitution states that all persons have the right to own property and mandates equality of the sexes and principles of nondiscrimination. However, Cameroon's laws of succession and marital property allow for patrilineal control of property	'Despite the progress made, most women in Cameroon do not own land. Most women continue to access land through their husbands, and their access is dependent upon the continuation of their marriages. Barriers to more women obtaining land ownership and secure tenure include lack of knowledge of formal laws and lack of organizations supporting women's efforts to obtain land (USAID 2010)	USAID Cameroon's Land Tenure Rights (2010) Rights
Land Conflicts		<p>'In addition to costs associated with registration, gaps in the land administration processes and infrastructure have contributed to slowing the transition from customary property rights to private ownership of property. Land tenure insecurity has grown rather than diminished. Reports of multiple sales of the same land, false land certificates, and inaccuracies in boundary definitions are commonplace, and conflicts and disputes are frequent.</p> <p>In general, the registration process does not improve tenure security, and neither banks, landholders nor buyers rely on the system 'Fraudulent land documents and land transactions, such as multiple simultaneous sales of the same property, are relatively common (AfDB 2009).</p> <p>'Disputes relating to land transactions and land records are also common. Cameroon does not have an established cadastre and land records are poorly maintained. Land registration requirements and procedures are costly and not well known. (USAID 2010)</p>	<p>USAID - Cameroon's Land Tenure Rights (2010)</p> <p>AfDB 2009</p>
Diversity of Land Tenure Regimes	The legal systems also recognize customary law, which, given the country's ethnic diversity, encompasses multiple and evolving traditional rules and norms. In Muslim regions, which are primarily in the north, principles of Islamic law have been incorporated into customary law, although separate Shari'a law is also recognized (GOC Constitution 1996; Fombad 2009)	Most land in Cameroon has been obtained through purchase, leasing, borrowing, inheritance, or allocation by traditional leaders. Farmers, and particularly migrants, cultivate forest areas in order to gain rights to land under customary law. Under formal law, Cameroonians occupying or using land as of August 5, 1974 (30 days after the 1974 land laws were passed) could apply for formal ownership rights to the land. However, nationwide only about 125,000 certificates of title had been registered by 2008. Only approximately 3% of rural land is registered, mostly in the names of owners of large commercial farms (AfDB 2009; World Bank 2009b; Hobbs 1998; Nguiffo and Djeukam 2008; Kaizanga and Masters 2007).	USAID Cameroon's Land Tenure Rights (2010) Rights
Land Markets	The formal land market is restricted to the roughly 150,000 parcels of registered land, which is primarily urban land, state land in urban development areas and commercial landholdings in rural areas. Most land in urban and rural areas is transferred on the informal market. Demand for urban and peri-urban land is high, and an estimated 80% of transactions in urban areas take place informally. In some areas, rural land that has been individualized can be sold to outsiders.	The formal land market is hindered by the lack of a transparent, functioning system of land administration and cadastre. Fraud in land transactions and registration is so common that a decree passed in 2005 (Decree No. 2005/481 of 16 December 2005) provided that landholders whose rights are adversely impacted by a land sale and registration can bring a claim for damages for fraud, but have no claim to the land unless government error is shown. The decree nullifies multiple land certificates issued for the same land and certificates issued without adherence to procedures. The decree has not, however, rectified weaknesses in the land administration system, at least in part because of continuing issues of lack of capacity, the absence of controls and persistent corruption in the land administration offices (AfDB 2009).	<p>USAID - Cameroon's Land Tenure Rights (2010)</p> <p>AfDB 2009</p>
Urban Planning	The Ministry of Property and Land Affairs (Ministere des Domaines et des Affaires Foncières, MINDAF), which is also referred to as the Ministry of State Property and Land Tenure, is the primary public actor in the land sector. MINDAF has authority over all land, but many of its objectives are largely focused on state land. MINDAF has overall responsibility for land allocations, land development, and land surveys. MINDAF divisions include: the Department of Land; Department of Land Tenure; Department of State Land; and Department of Surveys. In 2010, the ministry opened an office dedicated to supporting commercial investors. The Ministry of Urban Development and Housing (Ministère de l'Urbanisme et de l'Habitat) is responsible for: (1) implementation of the government's general policy on town planning and housing in towns with less than 100,000 inhabitants; (2) land registry and land management functions on state-owned land; and (3) oversight of the Special Agency for Sites and Services Development (World Bank 2002).	<p>"However, the decentralization of many functions has not been supported by the legal framework and the authority of the various levels of government for various tasks has not been well defined. Performance of the ministry and its provincial and prefect-level offices has been poor" (USAID 2010).</p> <p>'[Planned reforms] The country's 2010–2020 Growth and Employment Strategic Plan (GESP) includes two strategies for addressing deficiencies in land administration: (1) build the capacity of the offices responsible for land tenure and state property; and (2) facilitate regional integration and support implementation of decentralization of land administration functions. Key programs will: (1) delimit plots and develop a national cadastre; (2) identify land for public projects and residential use; (3) reform the legal and institutional framework governing land; (4) streamline land access procedures; and (5) build human and material capacities (GOC 2009).</p>	USAID Cameroon's Land Tenure Rights (2010) Rights

CAMEROON		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Registering Property - Enforcing Contracts Reforms	DB-2013- Cameroon made enforcing contracts easier by creating specialized commercial divisions within its courts of first instance.		IFC- Doing Business _Reforms 2009-2015



CAR	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	<p>CAR has a history of authoritarian regimes and coups, and it was 10th on the 2008 list of Failed States. However, CAR's government successfully formed a coalition government in 2009 and has begun efforts toward strengthening its core state institutions and bodies. Urbanization accelerated during the years of civil conflict and violence, and an estimated 40% of the CAR's population resides in urban areas. Little is reported about the numbers of people living in informal settlements in peri-urban and urban areas or their settlement conditions. Since the end of 2012 - CAR has been facing a complex humanitarian and political crisis. In addition to extrajudicial killings, enforced disappearances, torture and sexual violence, the crisis has also led to numerous violations of housing, land and property (HLP) rights.</p>		
Key Legislation	<p>Indigenous land tenure system remained the foundation of CAR land tenure after independence. The government claimed all 'unused' or 'unowned' lands both rural and urban as property of the state. Private ownership could be established and secured through the official entry of lands into the national land register. <b>The regulations are detailed in Law No. 60/76 of 1976.</b> According to this law it is possible to obtain 2 types of permits: official land titles or leasehold rights (permis d'habitation).</p> <p>Certain lands are zoned for habitation only and the state remains the ultimate legal owner of these lands, but individuals can obtain permits to occupy and build nonpermanent structure on these properties. 'Legal registration of land for ownership title is possible in both urban and rural areas, with the applicant having to prove he has put land into viable value, or erected a permanent structure on the land. It is possible for individual or collective registration (John Bruce 1998).</p> <p>'The <b>2004 Constitution</b> of the Central African Republic provides that all persons have a right to property, and the state and citizens have an obligation to protect those rights. <b>CAR's Law No. 63 of 1964 (Loi No. 63.441 du 09 janvier 1964 relative au domaine national) abrogated the prior (and more comprehensive) Law No. 139 of 27 May 1960</b>, which governed land tenure, and <b>Law No. 60/76</b>, which allowed individuals to obtain occupancy rights to land identified by the state for habitation. <b>Law No. 63 of 1964</b> defines the national domain and anticipates additional laws to address land tenure and private property. To date, no additional laws have been enacted; Law No. 63 of 1964 remains the primary formal law governing land rights in CAR (USAID 2010). '</p> <p>The state can also repossess any land that it deems has not been put to proper use, a concept that is broadly defined. Law No. 63 of 1964 includes the principle of eminent domain as an extension of the state's public domain. The state has authority to acquire land for purposes of urban planning, public security, aesthetics, and development of rights of way, and services such as communications and sewer systems. The extent to which the government has exercised its right of eminent domain and the circumstances of governmental land takings is unknown.</p> <p>'Under <b>Law No. 63 of 1964</b>, state land is classified as either within the public domain of the state or the private domain of the state. The public domain of the state includes natural property (such as rivers) and artificial property. Private parties can obtain private property rights to land in the state's private domain (ARD 2007a). Under formal law, individuals, entities, and groups can acquire land rights through purchase, concession and land development (application of the principle of mise en valeur) and rental. Individuals, entities and groups desiring ownership rights to land under formal law must apply for legal title and register the land</p>	<p>CAR's legal system is based on the French civil law system. As with other branches of government in CAR, the judiciary suffered from decades of insecurity and poor governance. Prior to the current crisis, several key legislative documents, such as the Family Law (Code de la Famille) and the 1964 Land Code, were under revision. Due to the events of late 2012 and early 2013, these review processes have not been concluded.</p> <p>"Titling: is expensive, time consuming and complicated - few lands are legally titled. There is little tenure security under the current system. Between 1989, when the title deed was introduced, and July 2012 only 8,579 title deeds had been issued according to the land registry at the Ministry of Finance, the majority of which were for properties in Bangui and other urban areas [UNHCR 2014]"</p> <p>"Land rights throughout much of CAR are considered insecure as a result of political instability, lack of confidence in the government, weaknesses in government institutions, and widespread social unrest (USAID 2010)"</p> <p>"Unsurprisingly, a common feature during discussions with government officials on CAR's land tenure legislation is the recognition that the 1964 Land Code is incomplete, confusing and requires a thorough revision [UNHCR 2014]"</p> <p>"The inclusion of unregistered land in the private domain of the state is therefore a very significant feature of CAR's land tenure system [UNHCR 2014]"</p>	<p>John Bruce (1998)</p> <p>UNHCR _ Land tenure for displaced (2014)</p> <p>USAID - Tenure Rights CAR (2010)</p>
Minorities	<p>The CAR Constitution guarantees equal rights to women and men and the right of all people to hold property. Whether the formal law permits joint titling of property is unknown, as is the incidence of joint titling. The 1998 Family Code provides for equal rights of women in marriage and divorce, and under formal law daughters and sons have equal rights to inherit property. (USAID 2010)</p>	<p>"However, the customary law and traditional practices that continue to govern the rights and obligations of people in CAR – despite enactment of formal laws – do not grant women equal status. Under customary law, men own marital property, and land rights transfer from the eldest male in the lineage to the next eldest male." (USAID 2010)</p>	<p>USAID - Tenure Rights CAR (2010)</p>

CAR	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets		<p>"There is no formal land market in CAR, although there is evidence of the increasingly commercial value of land, especially in areas with significant natural resources (such as minerals) and serviced plots in urban areas" (USAID 2010)</p> <p>"CAR probably never prioritised the passing of adequate legislation as a result of the abundant availability of land and low population pressure [UNHCR 2014]"</p>	<p>USAID - Tenure Rights CAR (2010)</p> <p>UNHCR _ Land tenure for displaced (2014)</p>
Urban planning	<p>"There is a land zoning plan in every major town in CAR. These are hierarchically ordered ( John Bruce 1998).</p> <p>"The CAR's Land Registry (Conservation Foncière) is responsible for maintaining the cadastre and recording land 'transactions. Very little land (an estimated 0.1%) is registered in CAR (IMF 2009a; World Bank 2008).</p> <p>"The Ministry of Urbanism led the ensuing revision process and a draft of the revised code was discussed at a 'validation workshop' at the end of 2011 and two subsequent workshops in early 2012.</p>		<p>John Bruce (1998)</p> <p>UNHCR _ Land tenure for displaced (2014)</p> <p>USAID - Tenure Rights</p>
Land Conflicts		CAR's formal judiciary is weak and lacks independence from the executive branch. Court decisions often lack objectivity, are politically and tribally motivated, and are contrary to existing law. Court procedures are lengthy and costly, and the right to a fair trial not guaranteed.	USAID - Tenure Rights CAR (2010)
Diversity of Land Tenure Regimes	<p>Indigenous land tenure system remain the foundation of CAR land tenure Law No. 63 recognizes customary law, but limits customary land tenure to use-rights. The law provides for the privatization of state land through land registration (GOCAR Constitution 2004; ARD 2007a; GOCAR 2006).</p> <p>"Most urban and peri-urban residents live in informal settlements either as squatters or with occupancy rights purchased on the informal market and recognized under customary law. CAR does not have legislation providing for the formalization of informal settlements (World Bank 2008; World Bank 1998; Furth 1998).</p>	.	USAID - Tenure Rights CAR (2010)
Registering Property - Enforcing Contracts Reforms	DB- 2012 the CAR halved the cost of registering property.	"CAR has a history of authoritarian regimes and coups, and it was 10th on the 2008 list of Failed States. However, CAR's government successfully formed a coalition government in 2009 and has begun efforts toward strengthening its core state institutions and bodies".	IFC- Doing Business _Reforms 2009-2015

CHAD		Description	References
De Jure - Laws and Regulations		Evidence of De Facto Respect	
Notes	Despite oil revenues, Chad remains one of the poorest countries in the world and 80% of the population still lives in agriculture (2010). Only 1% of the population has electricity in their homes, and about 33% have potable water (USAID). Land tenure in Chad is characterized by the interaction of different tenure systems , many land uses and various authorities governing the land. Different tenure sustems include state policy,customary law, islamic law, and the legacy of colonialism.		
Context	Land tenure in Chad is characterized by the interaction of different tenure systems , many land uses and various authorities governing the land. Tifferent tenure sustems include state policy,customary law, islamic law, and the legacy of colonialism (John Bruce 1998)	Chad is divided into 3 ecological zones which also determine ethnic boudaries and land tenure systems. Islamic law governs the north and central regions, customary law is prevalent in in the southern third of the country. Chad's history of political instability and civil conflict, combined with the prolonged drought and resulting environmental degradation has jeopardized traditional tenure relations (John Bruce 1998)	John Bruce (1998)
Key Legislation	<p><b>Chad's formal land legislation is contained in three laws: Laws Nos. 23, 24, and 25 of 22 July 1967.</b> The laws reflect principles of freehold tenure introduced by colonialists, require landholders to register ownership rights, and provide for the expropriation of land by the state. Two recent efforts to make the formal law relevant to the present day are: <b>Law No. 7 of 5 June 2002</b>, which empowers rural communities in natural resource management and environmental protection; <b>and Decree No. 215 of 24 April 2001</b>, which established a National Land Observatory to improve understanding of land-related problems in order to support the development of effective land-related policies and legislation.</p> <p><b>Formal law (including Islamic law) and customary law recognize public and private land rights in Chad.</b> Under its legislative framework, the state holds all public and private land.</p> <p><b>Under Chadian Law No. 23 of 22 July 1967</b>, if a landholder does not use his or her land for ten years, he or she loses the right to it. Law No. 24 of 22 July 1967 provides that if land is not titled and no rights are registered, the land is state land. This requirement trumps provisions that recognize customary land tenure systems.</p> <p><b>'Chad adopted its most recent Constitution in 1996 and amended it in 2005.</b> The Constitution and formal law recognize the existence of customary and religious law but prohibit customs and practices that discriminate among citizens. 'The state cannot alienate public property but can grant rights of occupation under a contract or subject to a permit. Islamic and customary laws classify certain land as held by the imam (religious leader) or traditional leaders at village and canton (district) levels for the benefit of all people.</p> <p>'Islamic law, which governs in the central and northern regions of the country, recognizes collective and individual ownership of land. Private lands are subject to individual control while collective land is governed by the imam (religious leader) on behalf of all Islamic people, and individuals can obtain usufruct right. Under formal law, individuals and entities can obtain private ownership of state-held private land and land owned by private parties, through land grants, concessions, and land purchases. The land laws require land purchasers to register the land with the Land Registry and obtain a titre foncier, a land title.</p> <p>Chad's formal court system reflects the 1967 merger of civil and Islamic systems, but little is reported about the courts' capacity, accessibility, jurisdiction over land matters, or the enforceability of judgments</p>	<p>'Beginning in 2000 the government acquired a substantial amount of land for development of the Chad-Cameroon Oil Pipeline. As of 2007, the project had acquired a total of about 7100 hectares for the length of the project (from Kome, Chad to Kribi, Cameroon), and paid about US \$8.25 million to landholders and communities – either in cash or in kind – for losses sustained from loss of use of the land (lost labor, lost crop opportunities) that was acquired for the pipeline project. Despite these efforts, monitoring reports from villages affected by the pipeline reported local dissatisfaction with how the project determined compensation for land and trees; the failure to compensate for environmental impacts; failure to meet obligations of capacity-building for the local community (especially training for skilled jobs); and the project's lack of transparency and communication regarding issues of compensation" (USAID 2010)</p> <p>"The government has also evicted thousands of residents of informal settlements in N'Djamena and destroyed their homes and businesses. In 2009, UNHCR reported that the government destroyed between 10,000-15,000 homes that had been built on state land. Between 2008-2009 period, the government destroyed an estimated 3,700 structures in slum upgrading efforts. In some cases, residents and business owners received no notice of the action and received no compensation. In at least one case, the government destroyed houses despite a pending court action challenging the legality of the action (UNHCR 2009; Amnesty International 2009) (USAID 2010)"</p>	USAID - Tenure Rights CHAD (2010)
Minorities	Women's rights are governed by the Constitution, the 1958 Civil Code, and Islamic and customary law. The formal land laws (Laws No. 23/24/25 of 22 July 1967) recognize the right of any citizen to own land.	Twenty-three percent of Chad's households are headed by women and 54% of these live on less than US \$1 a day. Most women lack access to fertile land and live off minor food-processing activities, the sale of firewood, and informal sector jobs. Land and housing in urban areas require rent payments, which women usually cannot afford. In practice, women in many parts of Chad have limited rights to land, especially to fertile or irrigated land. Ninety-five percent of women in Chad are illiterate, and few have knowledge of their legal rights.(USAID 2010)	USAID - Tenure Rights CHAD (2010)
Land Markets	"Traditionally, most land held under customary tenure could not be sold; land was considered to be held by the lineage rather than as individual property. Land is increasingly considered a commodity and an informal land market is emerging. In some areas, the roles of chiefs and sultans have evolved from custodians of the land to asserted landowners and agents." (USAID 2010)	In urban areas 90% of households live in informal housing that is often erected using substandard materials in areas unsuitable for construction, such as swamps and landfills. Many housing settlements lack sewage facilities, and access to clean water, while improving in coverage to about 50% of the total population in 2008, continues to be limited in urban areas and cholera, typhoid, and meningitis are common." (USAID 2010)	USAID - Tenure Rights CHAD (2010)

CHAD		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban planning	<p>Chad has no land policy and the government's efforts to establish basic policy principles appear stalled.</p> <p>"The Ministry of Land Management, Urbanism and Habitat (Ministère de l'Aménagement du Territoire, de l'Urbanisme et de l'Habitat, MATUH), through the Director of Urban Cadastre and Cartography (Direction de l'urbanisme du cadastre et de la cartographie, DUCC) is responsible for surveying and registering land.</p>	<p>"Little information about the Ministry's functioning is available, but it reportedly has extremely limited capacity, conducts no land surveys, and its registration activities are very limited, with fewer than 2000 titles issued country-wide"(USAID 2010)</p>	<p>USAID - Tenure Rights CHAD (2010)</p>
Diversity of Land Tenure Regimes	<p>In most cases, Chad's formal land laws have not been translated into local languages (or English) and texts of the laws are not disseminated. The general population, grassroots organizations, and many officials and leaders are unfamiliar with the content of the formal land laws. Customary and Islamic laws govern issues regarding access to and control of land and natural resources in urban and rural areas.</p> <p>"While customary systems of land access vary widely across the country, most Chadians traditionally obtained land through their kinship group or lineage."</p>	<p>As the government recognized when it established a Land Tenure Observatory in 2001, Chad needs a land policy and laws that: take into account aspects of existing customary and Islamic laws; provide guidance on rights to pastureland and natural resources; allow for the formalization of land rights; set standards for the transfer of land; and establish effective, enforceable systems of land dispute resolution (USAID 2010)</p> <p>"Traditionally, most of the population only had occupancy rights to land, with religious and traditional leaders holding ultimate rights in trust for their communities. While the customary system has begun to evolve into more individualized tenure in parts of the country, the role of the traditional leader as a type of trustee for communities and community members' use-rights continue to inform the understanding of land tenure in areas where customary tenure dominates"</p>	<p>USAID - Tenure Rights CHAD (2010)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB 2014 = Chad made transferring property easier by lowering the property transfer tax</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

Congo REP		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	A civil war from 1997-1999, followed by sporadic fighting that ended with peace agreements in 2003, destroyed large portions of the country. The government designed and implemented an "Interim Post Conflict Program: 2000-2002" after an in-depth analysis of the country's economic situation, which had deteriorated considerably during the conflict period. Approximately 60% of the total land area of the Republic of Congo is covered by rainforest.		
Key Legislation	<p><b>Constitution of 1979</b> -- all land is declared to be of the people through state ownership. A new constitution was approved in 1992 but no information on its content. [Note constitution of 2002 is now in vigor]</p> <p>'According to the 1983 Land Code land is divided into two categories - state and popular domains. Regardless of legislative category, all land is the property of the state. Popular domain designates all land that is effectively used by individuals and communities. The code is not intended to formally recognize these rights but rather to provide a legal means for the state to regulate use patterns.</p> <p>Individuals may obtain titles of occupation and use rights to populate rural domain, but not titles of ownership. Renewable residential titles are issued for periods of five years, and 20 years. They cannot be sold or bequeathed. All titles must be registered at the national cadastre.</p> <p><b>The right to property is guaranteed by Article 17 of the Constitution of 2002.</b> Any private person may own land if they have a land title. In the absence of a title, the presumption of public domain applies because under Congolese law, ownership of land is conditional on the acquisition of a written land title. Expropriation is legal only if they can prove public interest in the land in question according to the law. In case of expropriations, in-kind compensation is expected. If the state expropriates individuals in informal situations, they should be compensated by the attribution of one or more parcels of similar size.</p> <p><b>Main legal texts in Congo Rep, regarding land rights are :</b></p> <ul style="list-style-type: none"> <li>- law N° 10-2004 (2004) that determines the main regulations for the land tenure system.</li> <li>- Law N° 9-2004 du 26 mars 2004 (code du domaine de l'état)</li> <li>- Law N° 11-2004 du 26 mars 2004 - deals with expropriation in cases of public interest.</li> <li>- Law N° 24-2008 du 22 septembre - about land/property tenure in urban areas.</li> </ul> <p>The recognition of customary land rights for people occupying the land for 30 years. Unfortunately, this recognition is subjected to timely and costly fiscal and technical conditions.</p>	<p>"In 1988/89, the government began pushing free-market economic reforms, but these reforms have not yet been accompanied by more liberal tenure legislation. All land is owned by the state. Private landownership, even in urban areas, is not recognized. Instead, use and habitation rights may be registered to individuals and groups. Despite economic difficulties, in 80s, Congo in 90s was one of the highest per capita income countries in SSA. During colonial period, there was a practice of dividing the land and giving the rights of exploitation to companies. No customary rights were respected. This changes at independence in 1969 -- all land is declared to be of the people through state ownership (John Bruce 1998)"</p> <p>"The main barriers limiting credit supply include insufficient investor protection, weak contract enforcement, low project bankability, lack of property ownership and bottlenecks in land registration (IMF Art IV 2012). The authorities have recently adopted an action plan to improve the business climate. The near-term priorities contained in the comprehensive plan include addressing issues related to land use and tenure, such as the use of long-term leasing " (IMF Art IV 2011).</p> <p>"Les droits de propriété privée doivent être approuvés officiellement afin qu'un titre foncier soit délivré aux propriétaires. le régime foncier garantit la reconnaissance des droits fonciers coutumiers préexistants. S'il y a un conflit entre les droits coutumiers et les titres issus du régime légal en vigueur, la reconnaissance des droits de propriété des terres situées dans la proximité d'un village, doit être débattue et acceptée par les populations et les instances ou autorités locales concernées." (UN-Habitat 2012)</p>	<p>John Bruce (1998)</p> <p>IMF Art IV (2011, 2012)</p> <p>UN-Habitat Urban Profile of Pointe Noire (2012)</p>
Minorities	<p><b>The constitution of 2002</b>, recognizes that all citizens have the same rights and responsibilities without distinction of sex.</p>	<p>In practice women remain discriminated against in terms of ownership. (UN Habitat 2012)</p>	<p>UN-Habitat Urban Profile of Pointe Noire (2012)</p>
Land Markets		<p>"The main barriers limiting credit supply include insufficient investor protection, weak contract enforcement, low project bankability, lack of property ownership and bottlenecks in land registration." (IMF Art IV 2012)</p>	<p>IMF Art IV (2012)</p>

Congo REP		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban planning	Local communities are administered by the Ministry of Land Administration, Decentralization and Security. It adopts an annual program for the city development, but budget are limited.	Nowadays the proliferation of slums, is the product of the absence of urban planning. It is one of the main motors of price speculation that obliges the poor to move to the outskirts of cities."(UN Habitat 2012)	UN-Habitat Urban Profile of Pointe Noire (2012)
Land Conflicts	2004 Laws establishes that in case of conflict between customary and formal land titles, the recognition will depend on a process derived from the nearest village's local authorities.		UN-Habitat Urban Profile of Pointe Noire (2012)
Diversity of Land Tenure Regimes	'2004 Laws establishes that in case of conflict between customary and formal land titles, the recognition will depend on a process derived from the nearest village's local authorities."		UN-Habitat Urban Profile of Pointe Noire (2012)
Registering Property - Enforcing Contracts Reforms	DB 2012: The republic of congo registering property more expensive by reversing a law that reduced the registration fee DB 2009: the Rep of Congo reduced the cost and time to register property by lowering the registration fee and allowing private appraiser to evaluate property		IFC-Doing Business Indicators 2009-2015

DRC		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	<p>Poor resource governance has been both the cause and result of conflict, instability, and poverty in the Democratic Republic of Congo (DRC) for more than a century. Besides the capital, Kinshasa, the other major cities, Lubumbashi and Mbuji-Mayi, are both mining communities. In 2009 people in the Congo continued to die at a rate of an estimated 45,000 per month - estimates of the number who have died from the long conflict range from 900,000 to 5,400,000. The DRC is distinguished by the diversity and scale of its natural resources, including 2.2 million square kilometers of land, an area roughly equivalent to the territory of eastern Europe. More than half of the country's land is forest, constituting the second-largest contiguous area of tropical forest in the world. Agriculture still contributes more than 40% of the nation's GDP, but 73% of the population is malnourished. An estimated 80% percent of the population of 64 million people currently lives on less than US \$1 per day. Approximately 66% of the population is rural and 34% urban (USAID 2010)</p>		
Key Legislation	<p>Under the formal law (<b>2005 DRC Constitution</b>), the state owns all the DRC's natural resources (land, water, forests, and minerals); people can obtain various types of use and exploitation rights under an evolving set of laws and regulations. In practice, customary law endures, and natural resource rights are subject to parallel, incomplete, and often contradictory systems of formal and customary law. Land rights are often ambiguous, usually undocumented, and tenuous.</p> <p><b>The 1973 General Property Law (Law No. 73-021)</b>, as amended, provides for state ownership of all land, subject to rights of use granted under state concessions. The law permits customary law to govern use-rights to unallocated land in rural areas.</p> <p>"People and entities desiring use-rights to land can apply for concessions in perpetuity or standard concessions. Concessions in perpetuity (concessions perpétuelles) are available only to Congolese nationals and are transferable and inheritable by Congolese nationals. The state can terminate concessions in perpetuity through expropriation. The state can grant standard concessions (concessions ordinaires) to any natural person or legal entity, whether of Congolese or foreign nationality. Standard concessions are granted for specific time periods, usually up to 25 years with the possibility of renewal. Renewal is usually guaranteed so long as the land is developed and used in accordance with the terms of the concession.</p> <p>Under the Constitution and <b>the DRC's 1977 Expropriation Law (Law No. 77-001)</b>, the state owns all land in the DRC and can expropriate land under concession and held by local communities as it deems necessary for public use or in the public interest, subject to payment of compensation. The expropriation process begins with a survey and valuation, followed by issuance of an order signed by the Minister of Land Affairs or a presidential decree (for expropriation of entire zones) identifying the land for expropriation and notifying the concession-holder. Concession-holders have one month to submit any objections and make a specific request for payment of compensation. If the parties do not agree on the amount of compensation, the law provides that the court will make the determination.</p>	<p>"The DRC is a candidate for a new or substantially revised legal framework for land, especially land used for agriculture. The current system provides little security to landholders and does not foster productive and sustainable use of the land.</p> <p>Despite the nationalization of all land and the introduction of formal legislation governing land use rights, as a practical matter, a significant percentage of the land in the DRC (some estimate as much as 97%) remains subject to customary law. Traditional authorities such as chiefs continue to administer land on behalf of local communities in many areas, often in alliance with government officials. As rights have evolved and populations shifted over time, multiple layers of rights over specific areas of land and forest are common.(USAID 2010)</p> <p>However, the Constitution is vague about the definitions of such rights and the Codes that lay out the details of the law do not address it. The Land Law of 1973 still stands, [Long 2007]" (USAID 2010)</p> <p>"Although the formal law applies to all land in the DRC, as a practical matter, application of the DRC's formal law relating to concessions tends to be restricted to urban areas and large holdings of productive land in rural areas. In most rural areas, customary law governs. Under customary law, groups and clans hold land collectively, and traditional leaders allocate userights to parcels.(USAID 2010)</p> <p>As areas have become commercialized, the prohibition against the sale of land to outsiders has relaxed"(USAID 2010)</p> <p>"The ownership of land is, in the best case, reliability relative. In Kinshasa, for example, the proportion of housing plots fitted with title proper form is 30%. The land titles could still be contested, and individual property is never fully guaranteed. It is therefore understandable that 70% of the judgments rendered by the courts of the DRC deal with land disputes. (UN Habitat 2014)</p> <p>The state policy is characterized by enormous institutional and regulatory deficiencies. This explains the frequency of démolissement" plots and uncontrolled construction favored by the authorities of urbanism and housing and land titles that can distribute and break up plots without compliance." (USAID 2010)</p>	<p>USAID Property Rights Profile (2010) UN Habitat Profile (2014)</p>
Evictions	<p>"At present, land tenure information is unavailable for much of the country. In the eastern provinces that have been the subject of some limited studies (largely because they have been the center of much of the country's violence) rural land rights are characterized as insecure. The Congo has a 200-year history of significant migration, with people moving for employment, to take advantage of natural resources, and to escape outbreaks of violence." (USAID 2010)</p>	<p>"The state has used its power of expropriation to evict indigenous communities from forestland, such as in the case of the removal of 3,000-6,000 Batwa families from the Kahuzi-Biega forest in the 1970s. The expropriation took place without notice and without payment of compensation to the families who lost their land. The current frequency and nature of government land expropriations, and the extent to which the government abides by the legislated procedures, is unknown." (USAID 2010)</p> <p>"The civil war exacerbated the amount of migration and land tenure insecurity (USAID 2010)</p> <p>"La sécurité de la tenure n'est pas menacée par l'autorité municipale, mais par le non respect des textes réglementaires en matière d'accès au foncier tant sur le plan de la procédure d'acquisition foncière (10,30 % des parcelles sont acquis par achat auprès des chefs coutumiers) que sur le plan des titres de propriété (14,22 % des résidents détiennent le certificat d'enregistrement, seul titre légal, contre 85,78 % de titres illégaux (fiches parcellaires : 19,15 % ; contrat de location : 8,61% ; contrat de logeur : 38,45 % ; aucun titre : 6,98 % ; indéterminé : 9,13 %). le livret de logeur : 17,12% " (UN Habitat 2005)</p>	<p>USAID Property Rights Profile (2010) UN Habitat Kinshasa Profile (2005)</p>
Minorities	<p>The DRC's Constitution provides for equality of women and prohibits discrimination on the basis of sex. However, many of the country's formal laws continue to discriminate against women. A married woman must obtain her husband's permission to purchase or lease land, to open a bank account, and to accept a job.</p>	<p>A further aspect of land rights that many African states have been nervous about, and which has been the source of much controversy in DRC, is that of indigenous peoples (in the DRC context, these peoples are known as 'Pygmies', 'Batwa' or 'Bambuti'. These peoples tend to be marginalised even more so than many others in Congolese society and are particularly so when it comes to access to and control of land." (UN -Habitat 2008)</p> <p>"Banyarwanda immigrants from Rwanda who were denied land by tribal authorities purchased land from local government administrators (UN-Habitat 2008)</p> <p>"Although matrilineal systems dominate in some parts of the country, in general the majority of women in the DRC only have use-rights to land and access land through their husbands or a chief.</p>	<p>Long (2007) USAID Property Rights Profile (2010) UN Habitat (2008)</p>

DRC	Description	Evidence of De Facto Respect	References
	De Jure - Laws and Regulations		
Land Markets	<p>In the colonial period, the DRC followed a Torrens system in which land held by Europeans was surveyed, titled, and titles registered in centrally maintained land books. At Independence in 1960, all holders of registered land were required to reregister their land and prove that the land was put to appropriate and productive use. The formal law does not recognize private land-ownership, (only perpetual or standard concessions), and the legal status of the rights obtained through these land transfers is ambiguous.</p>	<p>Most Congolese obtain land-rights through inheritance, customary land-allocations from chiefs, or concessions from government officials. Concessions are most common in urban and peri-urban areas and agricultural areas with large commercial landholdings. Customary tenure systems dominate in rural areas and in informal settlements in urban and periurban areas. (USAID 2010)</p> <p>'Surveys regarding living conditions in Kinshasa, show that land transactions are done via consesion (38%) and buying to the state (27%). There is a relatively large informal market, with buying to customary chiefs (10%) or occupation (3%) While the property title is the only certificate recognized by law, only 39% of parcels have one, and the certificate of registration is only valid for 17% of parcels. 81 % of people access land with their own savings.(UN Habitat 2005)</p> <p>'In Kinshasa's urban and peri-urban areas, an estimated 77% percent of residents reportedly own their own plots, but only about 30% have rights recognized under formal law (which are most likely perpetual or long-term concessions). Peri-urban areas are large; Kinshasa covers almost 10,000 square kilometers, but only 600 square kilometers area within the urban perimeter. Sixty percent of Kinshasa residents share their plot with at least two households; 19% of residents share a plot with between 4 and 14 households (UN-Habitat 2008).</p> <p>'Under customary law applicable in most parts of the DRC, land may be leased to third parties for cash or a share of the production, but sales of land are generally prohibited. In some areas, however, especially rural areas in eastern provinces and urban areas, an informal land sale market exists. (USAID 2010)</p>	<p>USAID Property Rights Profile (2010)</p> <p>UN Habitat Kinshasa Profile (2005)</p>
Urban planning	<p>The Ministry of Land Affairs has overall responsibility for the country's urban and rural land and land administration. Within the ministry, various departments are assigned to handle registration, surveys, management of state land concessions (including allocation of concessions), and provide a land-dispute service. The extent to which the Ministry of Land Affairs and its various departments are functioning is unknown.</p>		<p>USAID Property Rights Profile (2010)</p>
Land Conflicts	<p>The DRC's formal court system has jurisdiction over land issues, but the system is in disarray. The courts lack financial resources, suffer interference from political and military leaders, and lack basic skills and training. Allegations of corruption and mismanagement are common.</p> <p>'Most recently, in an effort to address tensions over land claims asserted by immigrants from Rwanda who have ties to the land in the eastern provinces, the government defined Congolese nationals as those descending from a tribe that can trace its roots to the DRC to a time period before 1885.</p>	<p>'Rebel groups have used natural resources and land access to fund conflict and have seized and distributed land to members. Smallholders and marginalized groups fleeing violence encroach on land used by others. Residents who return often find their land occupied. Disputes erupt as a result of widespread displacement during years of conflict, lack of known, enforceable principles governing land tenure, lack of land records, land-grabbing, and corruption in the exercise of land-allocation by local officials and traditional leaders." (USAID 2010)</p>	<p>USAID Property Rights Profile (2010)</p>
Diversity of Land Tenure Regimes	<p>During colonial times, only Europeans were permitted to own land on a private basis; all other land was governed by traditional rulers as communal land subject to customary law. The vast majority of Congolese lived in rural areas and received land allocations from traditional authorities. Over time, land allocations became increasingly individualized, and informal land transactions became common in some areas. During President Mobutu's post-Independence reign (1965–1997), all land in the DRC was officially nationalized, but the system of customary land tenure continued to operate parallel to the formal system. In urban areas, some plots are held under formal, long-term concessions granted by the state, but others particularly plots in informal settlements) are obtained by squatting or through informal market transactions.</p>	<p>Within the current formal legislation of the DRC, there is a great deal of superposition (including contradictory features) in the legal-national allocation of rights to land and resources. In turn, this formal legislation is itself superimposed on – and frequently extinguishes – locally-based traditional and customary systems of land rights (further, more than one customary system frequently operates in the same space). [Cath Long, 2007]"</p> <p>'Despite the nationalization of all land and the introduction of formal legislation governing land use rights, as a practical matter, a significant percentage of the land in the DRC (some estimate as much as 97%) remains subject to customary law. Traditional authorities such as chiefs continue to administer land on behalf of local communities in many areas, often in alliance with government officials. As rights have evolved and populations shifted over time, multiple layers of rights over specific areas of land and forest are common.(USAID 2010)"</p>	<p>USAID Land Tenure Profile _DRC (2010) Long (2007)</p>



DRC		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Registering Property - Enforcing Contracts Reforms	<p>DB2015: the DRC made dealing with construction permits more costly by increasing the building permit fee.</p> <p>DB 2011: The DRC reduced by half the property transfer tax to 3% of the property value.</p> <p>DB 2008: the DRC made enforcing contracts easier by increasing the efficiency of operations in the commercial courts.</p>		<p>IFC-Doing Business 2009-2015 Indicators</p>

CIV	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Nearly 64% of land in Côte d'Ivoire is used for agricultural purposes, and 68% of the labour force works in agriculture. Almost all farmland is held and transferred according to the rules and norms of customary law. Beginning in the 1980s rapid population growth and urban-to-rural migration put increasing pressure on natural resources and led to social conflict over land. In 1999 the government was overthrown in a coup d'état that triggered a series of political crises and armed conflicts lasting until 2011. At the heart of the turmoil was a debate over who should control the land. 49% of population lives in rural land.		
Key Legislation	<p><b>The 1998 Rural Land Law</b> (Loi relative au domaine foncier rural, Loi n°98-750 du 23 décembre 1998 modifiée), along with three decrees and 15 implementation orders adopted between 1999 and 2002, aims to enhance land tenure security by transforming customary rights into private property rights regulated by the state. The law breaks new ground by explicitly recognizing customary landholdings, if only during a transitional period. The law provides for an initial ten-year phase subsequent to promulgation (i.e., until January 2009) during which all persons claiming customary land tenure rights (excluding derived rights holders such as tenants) must apply to have their rights officially recognized with a view to obtaining a land certificate (certificat foncier).</p>	<p>"The Land tenure in Ivory Coast is characterized by continuing reliance on traditional, predominnatly lineage-based tenure practices, which have come under increasing stress with the influx of immigrants labor and intesive monetarization of land values." (John Bruce 1998)</p>	
	<p><b>The 2000 Constitution</b> guarantees the right of property to all. From the colonial period until today all vacant and uncultivated land has been deemed to be owned by the state, while occupied land has been effectively governed by customary law systems, a typical feature of which is that land, in a collective fashion, belongs to the lineage of those who first settled and cultivated it.</p>	<p>'Although under the laws of Côte d'Ivoire the land belonged to the state, the government had always in practice accepted customary law, which held that land belonged to the lineage of the people who first settled and cultivated it (USAID 2013).</p>	
	<p>The principal statutory forms of tenure in Côte d'Ivoire are the following: Land certificate. Legal persons in possession of a land certificate are allowed a transitory form of tenure under the 1998 Rural Land Law . Freehold rights. Persons holding title to a parcel of land have freehold rights. Only the state, public entities and Ivoirian individuals are eligible to own rural land. Emphyteutic lease. Under the 1998 Rural Land Law, a lease of this kind entitles holders to heritable and alienable tenure rights of 18 to 99 years duration. This is the most secure form of tenure available to non-Ivoirians (Chauveau 2007).</p>	<p>'In 1998, with assistance from the World Bank, Côte d'Ivoire adopted the Rural Land Law, which aims to transform customary land rights into private property rights regulated by the state. Because of an extended period of political turmoil from 1999 to 2011, and lack of resources devoted to the effort, very little has been done to make the Rural Land Law a reality for most Ivoirians".</p>	John Bruce (1998)
	<p>The principal customary forms of land tenure in Côte d'Ivoire are the following: Rights of permanent use. Permanent use-rights are the birthright of persons descended from the original inhabitants of an area. Such rights pass from generation to generation by patrilineal or matrilineal line, depending on the community. Rights to use and benefit from land. Usufruct rights are rights to land that is owned by another. Migrants from other parts of Côte d'Ivoire and from neighboring countries obtain land from a local guardian (tuteur) whom they reward with token gifts and loyalty or, occasionally, with more substantial payment in the form of cash, product or labor. Leasehold rights. Individuals granted leasehold rights to a parcel of land must make a formal agreement with the lessor.</p>	<p>"In February 2009, the government, in effect acknowledging that virtually no progress had been made in implementing the law, extended the time limit for issuing land certificates by ten years, to January 2019 (GOCI Rural Land Law, Amended1998a; Chauveau 2007; McCallin and Montemurro 2009)." (USAID 2013).</p>	USAID Land Tenure Rights _CIV (2013)
	<p>'With respect to urban areas, <b>the Law on Development Concessions (Loi sur les concessions d'aménagement), adopted in 1997</b>, authorizes the state to grant concessions to land management. companies to develop serviced land and housing. The government plans to clear the land titling backlog in order to develop a market for such development (World Bank 2001).</p>	<p>"Because of the decade-long political crisis, the complexity of the Rural Land Law and the lack of resources devoted to its implementation, only 1172 title deeds and 339 emphyteutic leases have been issued in the entire country. The vast majority of rural land in the country (about 98%) continues to be governed by customary practices"(USAID 2013).</p>	Huamn Rights Watch (2013)
	<p>In addition, <b>adoption by the government in 2012 of the draft law reforming the property registry</b> should make it easier to obtain title and security for real estate property and should thereby help develop an active mortgage market.</p>	<p>'Many urban-dwellers, because they have no registered title deed, own their houses but not the land on which they stand. Urban land, when not recorded, usually belongs to a traditional local chief or is owned by the government (USAID 2013)</p>	

CIV	Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect
Evictions- Titling	<p>Custom in Côte d'Ivoire makes "a clear distinction between the ownership of the soil—which belongs to the community (family, lineage or village) and cannot be sold under any circumstances—and the right of use of the soil, which may be transferred or sold." Ownership of the soil under this custom generally belongs to those who first arrived to the area. (HRW 2013)</p>	<p>The government uses its power of eminent domain to seize unused land belonging to traditional local chiefs, providing them compensation in the form of lump-sum payments or allocation of one or more serviced plots in a future upgraded area. As of June 2012, the US Embassy in Abidjan was not aware of any cases of illegal government expropriation of private property. (USAID 2013)</p> <p>'The authorities are stepping up efforts to improve the business climate. Measures in this area include setting up a Business Facilitation Center to simplify the administrative procedures required to start a business, and a one-stop window for trade formalities, reform of the property registry to facilitate the delivery of title and the use of land as a security, adoption of a competition law and new investment code, enforcement of arbitration awards (exequatur), setting up commercial courts and broader judicial reform' (IMF Art IV 2011)</p> <p>'Informal settlements are common in urban and peri-urban areas of Côte d'Ivoire and are usually situated on publicly owned land. In Abidjan, roughly 15–17% of settlements are considered illegal because of their location, the absence of basic services or the substandard construction of the dwellings (USAID 2013)</p> <p>USAID Land Tenure Rights _CIV (2013)</p> <p>IMF Art IV 2011</p>
Minorities	<p>Custom excludes women from land ownership even though they produce and market most of the food in Côte d'Ivoire. A woman's access to land is based on her status within the family and involves only the right of use. Of particular concern is a widow's right to remain on the land she farmed while her husband was alive. The 1998 Rural Land Law reverses traditional practices with respect to women and land, granting them rights equal to those of men. However, to make land rights a reality will require engagement at the village and family levels as the Rural Land Law is implemented, to ensure that women are issued individual title deeds.</p> <p>In patrilineal communities, land is passed from father to son. In matrilineal groups, such as the Akan, land is passed from maternal uncles to their nephews. Under customary land tenure systems, whether patrilineal or matrilineal descent, women have no access to property ownership.</p> <p><b>'The Marital Equality Act of 2012</b> revised an antiquated section of the Civil Code that made the husband the sole head of the family. Henceforth, husband and wife have joint and equal responsibility for managing the household and raising children. There remain, however, several discriminatory provisions in Ivorian law. With regard to the right of property, the law gives the husband the authority to administer and dispose of marital assets in a community-property marriage</p>	<p>USAID Land Tenure Rights _CIV (2013)</p>
Land Markets	<p><b>The land market in Côte d'Ivoire is characterized by informality and uncertainty. Less than 2% of land is held under title deed, and land transactions are seldom recorded.</b> Questions frequently arise as to the seller's legitimacy, the contents of the rights being transferred, and the obligations of the purchaser with respect to the seller. 'Land leasing has proliferated since the 1990s. Contractual rights that are clearly set out and agreed upon by the parties enjoy a high level of security.</p> <p>'The urban rental market in Côte d'Ivoire is quite developed. In Abidjan about three-quarters of residents are renters. Elsewhere in Côte d'Ivoire the urban rental market is smaller, as in the municipality of Aboisso, where 37% of residents are renters and the rest own their homes.'</p>	<p>'Despite increased demand for land throughout the country, which is fueled by the continued development of cash crops, population growth and immigration, the process for transferring rights to land, even in urban areas, tends to follow custom rather than law' (USAID 2013)</p>

CIV	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban planning & Administrations	<p>The Land Management Agency (Agence de Gestion Foncière, AGF) negotiates the acquisition of customary land rights from traditional chiefs and then sells the land to developers. The aim of this public-private partnership is to bring order to the development of Côte d'Ivoire's cities and town.</p> <p>'The Ministry of Construction, Housing, Sanitation and Urban Development (Ministère de la Construction, du Logement, de l'Assainissement et de l'Urbanisme, MCLAU) controls and manages vacant government-owned land in Abidjan and the other major towns of Côte d'Ivoire. One priority of the ministry is to develop an urban land law along the same lines as the 1998 Rural Land Law and for the same principal purpose: to improve land-tenure security. 'It is responsible for the distribution of urban plots, which are converted to private ownership in a phased process. First, during the concession phase, one applies for an award letter, which serves as a provisional and temporary title. The holder of an award letter may not sell or otherwise dispose of the lot in question, but it may be inherited. The second phase requires a technical dossier demonstrating that the lot has the necessary amenities and any construction on it is of standard materials. Because the registration process is lengthy, expensive and bureaucratic, it often is not completed. Many urban-dwellers thus own their houses but not the land on which they stand</p>		USAID Land Tenure Rights _CIV (2013)
Land Conflicts	<p>During Gbagbo's administration, schisms in society surfaced in a violent fashion and resulted in an armed conflict that from 2002 to 2007 divided the country between a rebel-controlled north and government-controlled south.</p> <p>'The courts are seldom used and, if they are, only as a forum of last resort. The judicial system is at best slow, expensive, inefficient and ineffectual; in recent years it simply stopped functioning at all.</p> <p>'Land disputes in Côte d'Ivoire were to a large extent both a cause and consequence of the political turmoil that shook the country from 1999 to 2011. While the conflicts of the recent past were unprecedented in their violence, tensions concerning competing land claims are nothing new in Côte d'Ivoire</p>	<p>Because customary procedures for the transfer of land are not well defined or consistently applied, their use has led to conflict, especially in the last few decades as population growth, immigration and commercialization of agriculture have increased competition for land.'</p> <p>'Moreover, there is a widespread belief that judges are subject to political and financial influence. For these reasons, persons who bring a case to court are viewed with suspicion and are thought to be hostile to accepted community standards '</p> <p>'During the armed conflict of 2002–2007, many foreign migrants were forced off their land and became internally displaced persons (IDPs) or refugees in neighboring countries. In late 2005 a survey funded by the United Nations Population Fund and conducted by Côte d'Ivoire's National School of Statistics and Applied Economics (ENSEA) counted almost 710,000 IDPs in five government-held regions. An additional 200,000 persons had fled the country. When IDPs and refugees returned to their farms following the 2007 peace settlement, many found that they were unwelcome and that their plots had been sold (contrary to custom and law) or leased to others. Migrants forced to flee post-election violence in 2010–2011 faced a similar plight. Côte d'Ivoire has not developed a specific system of restitution or compensation for properties abandoned due to conflict.'</p> <p>'The lack of clarity surrounding land transactions gives rise to myriad misunderstandings and conflicts between the parties and between the heirs of both. Customary law does not recognize the "sale" of property; it authorizes only the transfer of usufruct rights, which are accompanied by a complex and ongoing implied system of "payment" from the land user to the guardian in the form of gifts and continued social interdependence. Although such use rights are generally regarded as permanent and heritable as long as obeisance is duly paid, there is a propensity on the part of the heirs of the original landholders to challenge the validity of the transfers or to demand renegotiation of terms'</p>	USAID Land Tenure CIV (2013)
Diversity of Land Tenure Regimes	<p>Rights of permanent use are regarded as communal, inalienable and perpetual. In many cases land has a spiritual component, and offerings to ancestors and spirits ensure its fertility. Administration and management of land-related issues, most importantly the allocation of plots, is generally in the hands of village chiefs or land chiefs, who are patriarchs of the lineage.</p>		USAID Land Tenure Rights _CIV (2013)

CIV	Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect
Registering Property - Enforcing Contracts Reforms	<p>DB 2015: Cote D'Ivoire made transferring property easier by digitizing its land registry system and lowering the property registration tax.</p> <p>DB2014: CDI made enforcing contracts easier by creating a specialized commercial courts.</p> <p>CDI made transferring property easier by streamlining procedures and reducing the property transfer tax.</p> <p>CDI reduced the time required for obtaining a building permit by streamlining procedures at the onestop shop (Service tu Guichet Unique du Foncier et de l'Habitat).</p> <p><b>DB2011:</b> CDI eased construction permitting by eliminating the need to obtain a preliminary approval.</p>	<p>IFC- Doing Business _Reforms 2009-2015</p>

ETHIOPIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Government programs continue to substitute for market incentives in many areas of the Ethiopian economy. This has resulted in strong regulation of individual property rights, development and investment patterns constrained by public financial and organizational capacity, and a close relationship with international donors. 80% of the population said to rely in whole or in part on the production of crops and livestock and more than 40% of GDP coming from that sector. Property rights have been a continuing source of controversy. Most information concerns rural areas given the weight of this sector.		
Context	3 periods : The pre-1974 land right system was characterised by a feudalistic man-to-land relationship / The 1974's land reform - nationalized the rural lands previously held by smallholders. / Post 1991 period.	As Ethiopia was never colonised, it does not have the kind of colonial heritage or legacy which is pertinent in other sub-Saharan African countries and societies – there was no land grabbing by foreigners, and therefore no system to contribute to the establishment of a private property right system. [Adam 2014]	John Bruce (1998)
Key Legislation	<p><b>Constitution 1995 - Art.40</b> : Protects rights of private property and allows it taken by the state only provided proper compensation -- this property includes buildings and improvements but doesn't include land itself. All urban and rural land and all other natural resources are declared ot be owned only by the state. Farmers and pastoralists are declared ot have a right to free use of land. Land may not be sold or otherwise transferred tough houses and other improvements may be sold. Government may lease land to private investors - without prejudice to the people's right to land. The constitution makes the federal ethnically-based regions responsible for the administration of land, and revenue legislation makes the regional governments the beneficiaries of the land tax.</p> <p>The Constitution affirms that —the right to ownership of rural and urban land, as well as all natural resources, is exclusively vested in the State and in the peoples of Ethiopia and reserves the right of the government to stipulate the amount of land a citizen may hold. <b>The Re-Enactment of Urban Lands Lease Proclamation No. 272/2002</b> provides the legal basis for leasing of land in urban areas.</p> <p>In recent years the government has undertakend 2 programs to epxand productive land use: resettlement and long-term leasing to investors. Resettlement was launched in 2004, to encourage move between rural areas. The more cent is the long-term leasing -has been controversial given number of chinese investors. 1.4% of land suitable for rainOfed agriculture had been leased by 2010 according to FAO.</p> <p>Enacting laws promulgated by the Federal Government include <b>Proclamation No. 455/2005 on the Expropriation of Landholdings for Public Purposes and Payment of Compensation and Council of Ministers Regulation No. 135/2007</b> pertaining to the Payment of Compensation for Property situated on landholding expropriated for public purpose.</p> <p><b>The Federal Land Administration Proclamation 456/2005, Article 9</b>, limited redistribution of land by governments only under certain conditions; i.e. lands of deceased persons who did not leave heirs; lands affected by development of irrigation (e.g., upstream landholders losing land to flooding by dams compensated by redistribution of land downstream where irrigation development occurs); or upon the wish and resolution of a majority of land holders (e.g., more than 60% in the Amhara region) to redistribute land (Solomon Bekure pers. comm. 2010).</p> <p><b>Urban land within the administrative boundary of an urban centre is governed by the urban leasehold system (FDRE, 2011)</b> – a means devised by the state, as the owner of land, to transfer urban land rights to the people through lease agreements with lease price payments. The price of the land to be leased is determined either through tender (auction) or allotment (leasehold right transfer without auction). The land needed for residential housing, business (urban agriculture, industry or services), etc. can only be transferred by tender. In addition, people who are displaced from their homes as a result of urban renewal, or expropriation for other public purposes, are entitled to receive land through allotment. All recipients, except the latter, would pay the lease price based on benchmarks set by the municipality/city administration.</p> <p>Urban leaseholders who are granted land either through auction or allotment would have to conclude a contract of lease agreement with a regional state representative, most likely from city administration (FDRE, 2011). The details of the lease contract include the date of commencement of construction, the completion date, lease price per m2, grace period, and the rights and obligations of all the parties.</p> <p><b>The Federal Rural Land Administration and Land Use Proclamation No. 456/2005</b> was enacted for the purpose of ensuring tenure security; strengthening property rights of farmers; sustainably conserving and developing natural resources; establishing land data base; and establishing an efficient land administration in the country. Significant authority and responsibilities for land administration were transferred to regional governments, including authorities that provided the legal basis for piloting of land certification activities that are ongoing and broader in their geographic scope. These certification processes consist of adjudicating land rights for each parcel of land by ascertaining landholdings by village land committees in the presence of adjoining landholders</p>	<p>Though it is widely believed that Ethiopia's approach to land access and use has resulted in a highly equitable distribution of land, there is substantial evidence that this may not be true' (USAID 2010)</p> <p>'The prevailing constant, regardless of the form of governance, has been significant control by the state over the allocation and use of land.' (USAID 2010)</p> <p>"As noted above, all land is now vested by law in the government and people of Ethiopia. However, people have land use rights that are transferable through inheritance, gifting, divorce and rent." (USAID)</p>	<p>USAID Land Tenure, Ethiopia (2010)</p> <p>Adam (urban and peri-urban rights, 2014)</p>

ETHIOPIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Minorities	Certain legal provisions in regional laws are believed to undermine security of land tenure, restrict access to land for in-migrants, or deter people working elsewhere to remit earnings back home.	"While the right of women's access to land is stated in the Constitution, anecdotal evidence suggests that women's role and involvement in decisions regarding the allocation and use of landholdings at the local level remains limited. Certification initiatives have resulted in an increase in the number of women with legally recognized rights as holders by including both spouses on the certificate in the case of joint ownership, and providing certificates to women in case of divorce, separation or death. However, widows do not receive the certificate of holdings until the inheritance issue is settled and recognized by the district court. Women are issued with holding certificates during separation or divorce only if the property was jointly registered in both spouses' names." (USAID 2010)	USAID Land Tenure, Ethiopia (2010)
Land Markets		"Restrictions in Ethiopia's land laws regarding transfer of property have inhibited the emergence of even an informal market for rural and agricultural land. Existing federal and regional requirements for residency on or near one's holding and restrictions on transfers limit access to land for immigrants and constrain the movement of people to areas of greater availability of land for fear of losing existing holdings. There is, however, an active market in land leases for both short- and long-term periods."	USAID Land Tenure, Ethiopia (2010)
Urban planning	<p>In the case of urban expansion, including the zoning of industrial parks, compensation is paid by municipalities in cash, in-kind (providing urban plots) or a mixture of both. Urban expansion problems were not anticipated early enough and the municipalities were not at all prepared for the eventuality of compensation payments. In the early days of urban expansion, most farmers were left uncompensated. The problem is one of both legal and financial capacity.</p> <p>The urban development strategy in Ethiopia is largely based on the expropriation of land from the transitional peri-urban areas located immediately beyond municipal/ urban boundaries.</p>	"In peri-urban areas, the land-holding system is governed by rural legislation and institutions. Landholders in the area are expected to exercise holding rights similar to those of rural landholders, which have no time limit. In practice, however, as the land is claimed through urbanisation, the local government/city administration expropriates the land from peri-urban landholders and transfers it to urbanoriented individuals/companies (private residential house developers, real estate developers, government organisations, etc.) through lease contracts." (Adam 2014)	<p>USAID Land Tenure, Ethiopia (2010)</p> <p>Adam (urban and peri-urban rights, 2014)</p>
Land Conflicts	The Constitution allows the resolution of disputes between individuals using customary laws and practices and may apply to land-related disputes. The State has generally ignored the administration and adjudication of pastoralist tenure.	"Lack of adequate demarcation, registration and record keeping has led to overlapping land claims stemming from inheritance that is beginning to result in conflict."	USAID Land Tenure, Ethiopia (2010)
Diversity of Land Tenure Regimes	<p>The federal Ministry of Agriculture is supporting a broad titling and certification initiative that is being implemented in Amhara, Oromia, SNNP, and Tigray Regions. Regional governments are the principal administrators and regulators of land, including the assignment and granting of use-rights and regional land-use planning and administrative authorities are responsible for recording, documenting, and administering use-rights.</p> <p>Implementation of land administration at the regional and local levels is constrained by a shortage of trained staff and finance, exacerbated by the intent to further decentralize land administration to Land Administration Committees at the woreda and kebele levels without always providing sufficient resource (USAID 2010).</p>	"Other constraints identified are (i) land access (i.e., the availability of land, variations in leasing regulations between regions, pricing of land-use rights, and inability to use land as collateral);" (IMF 2007)	<p>USAID Land Tenure, Ethiopia (2010)</p> <p>IMF Art IV (2007)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB- 2010 - Ethiopia made enforcing contracts easier by reducing delays in the courts - through backlog reduction, improved case management and internal training, and an expanded role for the enforcement judge</p> <p>DB2010 - Ethiopia made transferring property easier by decentralizing administrative tasks and merging procedure at the land registry and municipality.</p>		IFC- Doing Business _Reforms 2009-2015

GABON		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Gabon's legal framework promotes the registry of individual private property to the exclusion of customary rights. The majority of land, however, continues to be held and managed through communally based tenure systems in the rural reas. Gabon is heavily urbanized, 86 % of the population lives in urban areas - exception in SSA (2013), and land legislation has not been a priority. However there is very little information available.		
Context	<p>Gabon has experienced a level of economic prosperity unusual in postcolonial Africa. Given its abundance of natural wealth and a manageable population growth rate, Gabon is not experiencing land shortages or even apprcriable land pressure outside of the urban centers. Gabon has one of the highest per capita incomes in SSA.(John Bruce 1998)</p> <p>"Aujourd'hui, ces deux villes concentrent plus de la moitié de la population, et 60 % des emplois du pays (source ENEC). Alors que Libreville constitue le siège de tous les administrations et des services, Port-Gentil est considérée comme la capitale économique du Gabon: l'activité pétrolière et l'industrie du bois lui permettent de produire près de 75 % de la richesse nationale. Toutefois, cette croissance rapide s'est accompagnée d'une poussée urbaine incontrôlée, entraînant des dysfonctionnements multiples dans le domaine des infrastructures et équipements de base. Cette "crise urbaine" constitue un frein important au développement d'un Gabon économiquement diversifié et ouvert aux services, que les autorités en place souhaitent "émergent" à l'horizon 2025" (Tresor 2014)</p>		<p>John Bruce 1998</p> <p>Tresor FRANCE - <a href="http://www.tresor.economie.gouv.fr/8901_le-developpemen-turbain-de-libreville-et-port-gentil">http://www.tresor.economie.gouv.fr/8901_le-developpemen-turbain-de-libreville-et-port-gentil</a> (2014)</p>
Key Legislation	<p>According to the current legal framework communally based tenure is rendered invalid. The national codes do not recognize village, lineage, clan or tribal roperty claims. The procedures of land registration are prescribed in Land <b>Laws of 1963</b>, amended by an Ordinance in 1970. Accordingly local land mmissions, courts, the Direction of Lands, the council of Ministers, and the Chief of State may all become involved in the administration of land. Officially, land commissions have been created in every administrative district. anyone occupying land may initiate the registration process by contacting the commissions.</p> <p>'State land consist of public and private domains. Private domains include all land without title that has not been registered as individual private property. This includes all land held under customary systems. Private individuals titles to land are ceded by the statefor a provisional period of 2 years in urban areas (5 in rural). Persons who occupy land to which they have customary rights can secure a title only by going through the land registration process. The state can aslo agree to a long term lease of aldn for a limit of 50 years, that can be renewed for 49 years.</p>	<p>"Despite its formal administrative structure for regitrering land, most rural land is not registered and remains under customary tenure. Since Gabon is relatively underpopulated and only a small fraction of the land is cultivated, the abundance of land may forestall severe land conflicts" (John Bruce 1998)</p>	John Bruce (1998)
Evictions-Titling		<p>In particular, property surveys in Libreville and Port-Gentil have helped determine the tax base and update property tax records. There are plans to expedite the process of registering permanent real estate titles in 2005, with the goal of doubling the number of permanent title deeds registered in Libreville and Port-Gentil by end-September 2005.(IMF Art IV 2005)</p> <p>'Progress has been made in Libreville and Port Gentil and the authorities intend to accelerate efforts to attribute permanent land titles. (FERN 2012)</p> <p>'Only 14,000 private land titles appear to have been registered in Gabon. Most refer to tiny urban parcels. The urban area as a whole in Gabon constitutes no more than 1 percent of the total land area. Registration began in 1902 but had reached only 1,100 lots at Independence (1960). This multiplied ten times by 1994 through a special campaign in especially the two cities of Libreville and Port Gentil. Titling was reported by UNDP and Ministry of Habitat in 2011 to have fallen to an average of 100 new titles a year. Very few titles exist in rural areas.(FERN 2012)'</p> <p>'Most of the population has limited tenure security. Traditional rights to land and resources are not upheld and yet formal routes to secure tenure are narrow in their scope and inaccessible to the majority in their procedure. Urban and peri-urban populations are especially vulnerable to state-led evictions without fair compensation and for questionable 'public purpose' at times. Rural populations are routinely displaced to make way for concession activities. (FERN 2012)</p>	<p>IMF Art IV (2005)</p> <p>FERN (2012)</p>
Minorities		<p>In the Libreville area, the land of the Mpongwe ethnic group has been completely subsumed by urbanization. The Mpongwe have claimed urban land through their customary rights but these rights have been ignored by both the colonial and the postcolonial adminsitrations.</p> <p>'The literature is not specific regarding gender. The customary or formal legal frameworks do not specifically include or exclude women.</p>	John Bruce (1998)



GABON		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban Land Planning	Gabon has no national land policy. The nearest document to land policy remains an explanation of colonial land policy in 1911, and whose 1909-1910 legal provisions still provide basis of modern land law in Gabon. Fails to recognize customary land rights as more than casual occupation and use rights on State-owned lands.	En l'absence d'une planification étendue à l'ensemble de leur espace urbain, Libreville et Port-Gentil se développent et s'étendent ainsi de manière essentiellement anarchique" (Tresor 2014)	Tresor FRANCE - <a href="http://www.tresor.economie.gouv.fr/8901_le-developpement-urbain-de-libreville-et-port-gentil">http://www.tresor.economie.gouv.fr/8901_le-developpement-urbain-de-libreville-et-port-gentil</a> (2014)
Land Markets	The literature is disappointingly sparse regarding trade, rent, or sale of land.		John Bruce (1998)
Land Conflicts		Since Gabon is relatively underpopulated and only a small fraction of the land is cultivated, the abundance of land may forestall severe land conflicts	John Bruce (1998)
Registering Property - Enforcing Contracts Reforms	DB2015 - gabon made transferring property more costly by increasing the property registration tax rate. DB2014- Gabon made dealing with construction permits easier by reducing the time required to obtain a building permit and by eliminating the requirements for an on-site inspection before construction starts. DB-2013- In Gabon registering property became more difficult because of longer administrative delays at the land registry,		IFC- Doing Business _Reforms 2009-2015

GHANA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Ghana is characterized by a pluralistic legal system where customary and statutory systems overlap. Almost 80% of land in Ghana is held under customary tenure. One of the major questions facing Accra and Ghana as a whole is to the extent to which traditional customary land tenure framework can co-exist with the English common law system of property ownership (USAID 2013)		
Key Legislation	<p><b>Ghana runs two concurrent tenure systems:</b> formal and customary systems. The customary system was practised since time-immemorial while the current formal system has evolved from the colonial systems of freehold, lease and other lesser titles. Land administration in Ghana is governed by provisions in the 1992 Constitution of Ghana. (John Bruce 1998).</p> <p><b>The formal law governing land rights includes: the 1992 Constitution of Ghana; the State Property and Contracts Act of 1960; the State Lands Act of 1962; the Land Title Registration Act of 1986; the Office of the Administrator of Stool Lands Act of 1994; the Lands Commission Act of 2008; and the Marriage Ordinance of 1984.</b> Ghana does not have a pastoral charter. The Constitution vests all public land in the President, and all customary holdings in stools, skins, or appropriate families or clans. The Constitution allows foreigners to lease land for terms of up to 50 years.</p> <p><b>The 1992 Constitution</b> places all public lands in possession of the President, held in trust for the Ghanaian people. It further distinguishes between public lands that are governed by customary tenure and those that fall exclusively under state authority (GOG Constitution 1992). Stool and skin land is held in trust for the stool's community, including their ancestors, living members, and future generations.</p> <p>The State Lands Act grants the President the executive power to acquire land in the public interest, and delineates the procedures for compulsory acquisition of land. The Land Title Registration Act lays out the responsibilities and powers of land registries in Ghana as well as the appropriate manner for registration, and upholds the government's ability to compel registration of property. The Land Valuation Division manages compensation for lands acquired by government, valuations of property rating and interests in land, and values of government-rented land.</p>	<p>Although community based systems remain the dominant form of land tenure in Ghana, the economic growth surge of the past decade has fueled the emergence of land markets and more privatized forms of landholdings. Particularly in cocoa-growing regions in the south. (John Bruce 1998)</p> <p>'The great majority of land in Ghana is held informally under customary tenure systems. Most of Ghana's land is held under customary tenure and is vested in chiefs, earth priests (who hold spiritual authority over land matters because of their role as the descendants of the first village settlers) or other customary authorities. Approximately 20% of land in Ghana is officially owned by the state, although this number only includes land that the state acquired legally.' (USAID 2013)</p> <p>The government and its major donors commenced a large-scale land reform project in 2003 in the hopes of establishing a fair and efficient process for registering land, building capacity in institutions, harmonizing statutory and customary law and improving land-dispute resolution in Ghana. (USAID 2013)</p> <p>"Not only is the state acquiring stool land (land controlled by chieftaincies or other customary authorities) through compulsory acquisition, but chiefs are facing increasing incentives to alienate land from their lineages, making their subjects more vulnerable and insecure." (USAID 2013)</p>	<p>John Bruce 1998</p> <p>USAID - Tenure Rights Ghana (2013)</p>
Evictions-Titling	<p>The Ministry also oversees the Land Administration Project (LAP), an initiative to improve land administration and land security. <b>To improve the administration of customary lands, the project established 33 new Customary Land Secretariats and strengthened an additional three Secretariats between 2004 and 2008.</b> The Customary Land Secretariats hold authority to record and manage allocations and transactions of land by customary authorities.</p>	<p>Amnesty International held an event to raise awareness on Ghana urban area evictions. It served as a platform to urge local authorities to end forced evictions, develop and adopt guidelines for evictions and push for the adoption of a national housing policy [newspaper article 2012]</p> <p>The customary land tenure framework includes several categories of land interest. These include: allodial title, customary freehold title, freehold title, leasehold title and other lesser interests in the land. (USAID 2012)</p>	<p>USAID - Tenure Rights Ghana (2013)</p>
Minorities & Vulnerable Groups	<p>Informal settlements in Ghana are characterized by insecure land tenure and poor-quality marginal land.</p> <p>'According to formal legislation, men and women enjoy equal rights with regard to property. But according to common practice men, not women, hold and wield authority over property in most parts of the country.</p>	<p>While women's rights to own and inherit land are protected under law in Ghana, in reality their customary rights to land are insecure and they cannot in practice own land. While women have legal rights to own and inherit property, in practice under customary law they gain use-rights through their husbands or fathers and do not themselves own land.</p>	<p>USAID - Tenure Rights Ghana (2013)</p>

GHANA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets	<p>Customary tenure systems still dominate in urban and peri-urban Ghana. With increasing urbanization and its attendant pressures on land, families are alienating land for development and transferring land to outsiders. In urban areas many land transactions still follow customary practices, and the receiver of land is expected to offer a token payment to the original owner. Because of land pressures in urban Ghana, these token payments have increased, and now they are nearly equal to the market rate for land.</p> <p>Land in urban and peri-urban areas is owned by customary authorities but the State controls the allocation of funding gleaned from those lands through the Office of Stool Lands. Public land can be acquired through applying to the Lands Commission or Regional Lands Officer, but private land (converted from stool land before 1992) must be granted by the owner.</p> <p>The Constitution prohibits foreigners from owning land in Ghana and limits them to leaseholds of no more than fifty years. The land market is plagued by a lack of accessible information and data, and property registration in Ghana is very complex</p>	<p>"The land market in Ghana has high levels of uncertainty, related in large part to the predominance of informal, overlapping land rights claims. Land rights insecurity impedes investment in both rural and urban areas, and has therefore slowed economic growth. In urban areas, the lack of clear titles and the predominance of land disputes have discouraged development and contributed to supply shortages in the housing sector. Despite these hurdles, a vibrant market for land sales and lease is emerging in urban and peri-urban locations. Impediments to the land market include a lack of accessible information and data. Information about sales values and property sales is not public or recorded in a database, rendering it difficult for households and developers alike to assess land values. According to the Royal Institution of Chartered Surveyors, "transactions on the market are shrouded in secrecy."</p> <p>While formalization of land ownership is more common in urban areas, rates of land registration are very low throughout the country. In peri-urban Accra, approximately 80% of land transactions take place informally. In a study published in 2011, researchers found that of 88% of respondents who owned land, only 39% had formally registered their holdings. Seventy percent of Ghana's urban population lives in slums, and that population is growing at a rate of 2% per year. " USAID 2013.</p>	USAID - Tenure Rights Ghana (2013)
Urban planning & Land administration	<p>The 1992 Constitution also established ten regional Lands Commissions. The current functions of these commissions include the management of public lands and other lands vested in the President or in the Commission. The Commissions are also responsible for advising the Government and other authorities on the policy framework of land administration and development; creating recommendations on national policy regarding land; supporting the implementation of a comprehensive program of land title registration; and managing all other assigned lands and forestry needs.</p> <p>The Lands Commission was established in 2008, and brought several previous land-related agencies under one roof to streamline services and improve efficiency. Those agencies became the Land Registration division; the Public and Vested Lands Management division; the Survey and Mapping division; and the Land Valuation division</p>	<p>Since urban land development, land-use controls, titling and registration are highly centralised, district assemblies have little authority in terms of land management activities. Instead, the involvement of different agencies often leads to duplication and distortion [UN-Habitat 2009]</p> <p>The lack of policies and legal instruments for regional and physical planning further contributes to the deterioration of living conditions in the face of uncontrolled urban growth.</p>	USAID - Tenure Rights Ghana (2013) UN Habitat Urban Profile Ghana (2009)
Land Conflicts	<p>The frequency of land disputes is high, and land disputes are the most common cause of violent conflict. In rural areas chiefs manage disputes arising from customary law. Community tribunals established by the 1993 Courts Act also settle civil disputes, including land claims</p>	<p>" In Ghana, land disputes and conflicts are prevalent and largely revolve around access to land and issues of land tenure security. Conflicts over land are increasing, and sometimes become violent"</p>	USAID - Tenure Rights Ghana 2013
Diversity of Land Tenure Regimes	<p>The Land Title Registration Law (1986) also established the Land Title Registry to provide a means for the registration of title to land and interest in land. Land title registration was introduced to reduce conflicts over parcel borders, to address weaknesses under the former deed registration system (including multiple registered holders to the same parcel), and to put in place a systematic and compulsory registration of all interests in land throughout Ghana. The purpose of title registration is to give certainty to ownership and to facilitate proof of title to make dealings in land safe, simple and cheap, and to prevent fraud. The 1986 Act provides for registration of allodial title, usufruct/ customary law freehold, freehold, leasehold, customary tenancies, and mineral licenses.</p> <p>The Office of the Administrator of Stool Lands Act of 1994 provides the framework for the management of stool and skin lands.</p>		USAID - Tenure Rights Ghana 2013

GHANA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Registering Property - Enforcing Contracts Reforms	DB2008 -- Ghana made property registration easier by eliminating the requirement to register the deed of sale at the Land Commission	Property registration in Ghana is very complex. For individuals, the process is inhibitive, especially considering that 65% of the population of Accra cannot afford to purchase new land, and most Ghanaians spend more than 40% of their income on housing (IFC 2011; Mahama and Antwi 2006). [USAID 2011]	IFC- Doing Business _Reforms 2009-2015

KENYA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Land and politics have long been entwined in Kenya. The use of land as an object of patronage to engender support and consolidate power has been exacerbated by corruption, forced eviction, government backtracking, and lack of redress for those who have lost land through violence (John Bruce 1998)		
Context		One of Africa's first country to undergo a comprehensive land tenure reform. Prior or during much of the colonial period land tenure in Kenya was governed at the community level, with most of the country's ethnic groups having patrilineal systems. Land allocation decisions were the domain of clan or lineage elders. After independence they embraced the conversion to freehold initiated by the British.	John Bruce (1998)
Key Legislation	<p>In December 2009, the Kenyan Parliament approved the National Land Policy (NLP), the result of a long and intensive process to develop an equitable land policy. The NLP mandates land restitution or resettlement for those who have been dispossessed and calls for reconsideration of constitutional protection for the property rights of those who obtained their land irregularly. The policy reasserts customary land tenure rights and repudiates the focus on converting customary tenure into individual ownership.</p> <p>The new Constitution in August 2010 incorporates many aspects of the new land policy. The Constitution of Kenya (2010) declares that "land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with the following principles: (a) equitable access to land; (b) security of land rights; (c) sustainable and productive management of land resources; (d) transparent and cost effective administration of land; (e) sound conservation and protection of ecologically sensitive areas; (f) elimination of gender discrimination in law, customs and practice related to land and property in land; and (g) encouragement of communities to settle land disputes through recognized local community initiatives consistent with this Constitution" (GOK 2010, Article 60) The constitutional changes now recognize the new categories of public, community, and private lands. Following the promulgation of the Constitution, foreigners who held freehold titles or leasehold titles that were for a term exceeding 99 years, had their titles reduced to 99 year leasehold titles.</p> <p>Land registration is accomplished under The Registration of Titles Act or The Registered Land Act (2012).</p> <p>The enactment of the new constitution provided for the revision, consolidation and rationalization of land laws has led to the enactment of the Land Act 20121, the Land Registration Act 20122, the National Land Commission Act 20123, and Environment and Land Court Act 20114 to replace the various laws that hitherto dealt with the management, administration, registration of land and reducing the confusion arising from use of numerous land laws in the previous constitution.(UN Habitat 2013)</p>	<p>The NLP does little to address urban land rights and rapid urbanization. The NLP focuses heavily on agrarian land issues at the expense of urban and peri-urban areas.. (USAID 2011)</p> <p>'The most common method of obtaining land rights in Kenya is through inheritance, followed by purchase. Land leasing is common in some rural areas. The vast majority of leases are fixed rent; Under current law, any person (citizen or foreigner) can apply for and be allocated land in urban areas. Under the National Land Policy, foreign individuals and companies may acquire land as renewable leasehold from the government or landowners for investment purposes (GOK 2009b). '</p> <p>'Titling and registration programs have frequently dispossessed the holders of secondary land rights, such as tenants and those with rights to natural resources on the land, by limiting registration to the primary user and failing to register secondary rights' (USAID 2011)</p>	<p>USAID - Tenure Rights Kenya (2011)</p> <p>UN HABITAT Tenure in Kenya (2013)</p>
Evictions-Titling	The State has the right of compulsory acquisition of land for public purposes after Constitutional due process procedures are followed. The Kenyan courts have interpreted public purpose narrowly (GOK 2000; Veit 2009).	<p>'Despite these procedures, the Kenyan government has carried out large-scale forced evictions of informal urban settlements for decades, without heeding the legal framework. Government bulldozers have been used to evict residents and demolish their homes with little or no notice, and no efforts are made to resettle or compensate residents. Forced evictions also have occurred (and continue to occur) in forest areas purportedly in the interest of conservation and preservation of existing forests. (USAID 2011)'</p> <p>The government has abolished harambees (coerced fund-raising) and ended land grabbing, which were significant sources of state corruption.(IMF Art IV 2009)</p>	<p>USAID - Tenure Rights Kenya (2011)</p> <p>IMF Art IV 2009</p>
Minorities & Vulnerable Groups	<p>According to the Constitution of Kenya (2010), discrimination on the basis of sex is prohibited. Further, women are granted the right to equal treatment and equal opportunities in the political, economic, cultural and social spheres (GOK 2010).</p> <p>The Transfer of Property Act (TPA) of 1948 limits the rights of married women to own property individually. The country's courts can disregard the provision, but the law continues to be valid (GOK 1948b).</p>	Legislation has failed to rectify women's marginal role in the management of land and natural resources. In both the statutory system and customary practice, women's rights of use and ownership over resources are not equal to those of men.'	USAID Land Tenure Rights - Kenya (2011)

KENYA	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets		<p>'The emergence of land markets as a result of registration has been less than anticipated. Among many ethnic groups, customary rules continue to govern much of the way land is administered and land sales are discouraged or restricted. (John Bruce 1998)'</p> <p>'The majority of slum-dwellers (92%) are rent-paying tenants with no tenure security, either legal or perceived. The buildings are owned by absentee landowners who provide extremely poor housing units without basic services. In Nairobi's Kibera, landowners are often descended from the inhabitants to whom the land was originally granted, or they have paid a fee to a government official to erect a building (Oxfam Great Britain 2009; Malhotra 2002; World Bank 2008; Economist 2007). (USAID 2011)'</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights Kenya (2011)</p>
Urban planning & Land administration	The key institutions, housed within the Ministry of Lands, include: Administration & Planning, responsible for overall administration of the Ministry; the Department of Lands, responsible for land administration, valuation, and registration; the Department of Land Adjudication and Settlement, responsible for land adjudication, consolidation, group ranches, and settlement of landless citizens; the Department of Survey, the official agency of the Government of Kenya on all matters affecting land surveys and mapping; and the Department of Physical Planning, responsible for the production of physical development plans for both urban and rural areas (GOK 2008).		USAID Land Tenure Rights - Kenya (2011)
Land Conflicts		<p>"Land distribution is a high profile issue, in part because of the well-documented illegal appropriations of public land by the elite during the late 1980s through the 1990s. Throughout Kenya, security of tenure under both customary and statutory systems has been undermined by arbitrary decision-making, corruption, government backtracking, and lack of redress for those who have lost land through violence.</p> <p>Population pressures, commercialization of agriculture, and urbanization have contributed to increasing numbers of land conflicts in Kenya. Outdated land registrations are also a cause of landholder concern about future conflicts. Land disputes were a source of conflict in the aftermath of the post-election violence experienced in Kenya in early 2008."</p>	USAID Land Tenure Rights - Kenya (2011)
Diversity of Land Tenure Regimes		Kenya has a diverse complex of ethnic groups, each practicing its own land-management customs. These very different systems are referred to in the aggregate as customary law and practice, for the purpose of differentiating them from formal legal systems	USAID Land Tenure Rights - Kenya (2011)
Registering Property - Enforcing ContractsReforms	DB2008= Kenya speeded up property registration by allowing private practitioners (in addition to government valuers) to carry out land valuations, which reduced the time required for a valuation from a month to a week.		IFC- Doing Business _Reforms 2009-2015

MGA	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	<p>Agriculture dominates the overall use of the island's land and water resources and provides the livelihoods for more than 60% of Madagascar's population. The country is unique among African nations in having more than 40% of its cropland under irrigated rice production. Average productivity in the agricultural sector is low, access to quality land is a challenge, and rural poverty rates are relatively high. A coup d'état in March 2009 led to suspension of donor support - Constitutional governance was restored in January 2014, following elections in 2013. Madagascar has a pluralistic legal environment governing land. The country has a formal land tenure system that recognizes individual freehold tenure under formal law and a community-based customary land tenure system. The systems are governed by national-level, formal law and community-based rules that regulate access and use.</p>		
	<p>Madagascar has a pluralistic legal environment governing land. The country has a formal land tenure system that recognizes individual freehold tenure under formal law and a community-based customary land tenure system. The systems are governed by national-level, formal law and community-based rules that regulate access and use (USAID 2013).</p> <p><b>In 2004, the Government of Madagascar launched its National Land Program. A 2005 Letter for Land Policy</b> focused on four tasks: (1) restructuring and modernizing land ownership and topographical records; (2) improving decentralized land management by creating Land Management Offices at the commune (subdistrict) level authorized to issue and manage land certificates according to locally established procedures; (3) updating the legislation to incorporate the principles of decentralized administration and to formalize local landholdings; and (4) establishing a national land tenure training program to build local capacity. A Land Observatory was charged with monitoring progress.</p> <p>Following the Letter for Land Policy, Madagascar passed a new land <b>law in 2005, Law No. 2005-019</b>. The 2005 Land Law classified land as state or private, delineated land tenure types, and provided procedures for land registration. The law specifically recognized the rights of individuals and groups to unregistered land, which had previously been considered state land.</p> <p>The following year, <b>the government passed Law No. 2006-031</b> (Loi No. 2006-031 de 24 Novembre 2006 fixant régime juridique de la propriété foncière privée non titrée), which allows individuals and groups asserting rights to untitled land to obtain certificates recognizing their rights from the local land administration office (la Collective Décentralisée). The 2006 law does not extend to grazing land.</p> <p><b>Madagascar's formal law recognizes the following tenure types:</b></p> <p>Ownership. Land can be owned by the state, individuals or groups. Landowners have the rights of exclusive possession and use of their land, and land is freely transferrable. Leasehold. Landowners are free to transfer their rights by lease. Leaseholds are subject to the terms of the parties' agreement. Leasing is relatively common, with between 10% and 30% of land leased in cropping. About 36% of tenancies are fixed-rate lease contracts. Sharecropping. An estimated 40–47% of all tenancies are sharecropping relationships. Concession. Concessions can be granted on state land up to a period of 30 years. Concessions are subject to the government's terms regarding land use and can be revoked for noncompliance.</p>	<p>"Madagascar has gone through a number of land and natural resource tenure reforms, yet in much of the country, its community based tenure systems are still strong. In general, land and natural resource tenure security is high. However, it is low ehre people do not understand the state laws and have lost confidence in the community-based systems or where the community based systemsa nd state laws overlap and people variously respect on or the other rules. Individual ownership under the law preceded the colonial era" (John Bruce 1998).</p> <p>"Given the different situations there are different levels of tenure insecurity throughout the country. Tenure insecurity is the highest in areas where community based rules contradict state laws" (John Bruce 1998).</p> <p>"Ownership of agricultural land is a significant determinant of welfare in Madagascar. Seventy-seven percent of the rural population is below the national poverty line, and those without land are the poorest. Landholdings in Madagascar are highly fragmented" (USAID 2013).</p> <p>"An estimated 93% of Madagascar's urban residents live in informal settlements with limited or no services. Most urban land is held under customary tenure and residents do not have title recognized under formal law" (UN-Habitat 2010).</p> <p>"Tenure security varies in Madagascar depending on the strength of customary systems and conflicts between the customary systems and formal land laws. Most land rights held under customary tenure are clearly defined and understood. A prior government policy that did not recognize many customary landholdings was a growing source of tenure insecurity. Law No. 2006-031 (2006) recognizes private property rights to untitled, customarily held land. The legislation seeks to bring formal and informal tenure systems into alignment and thereby maintain or increase tenure security". (USAID 2013)</p>	<p>John Bruce (1998)</p> <p>UN-Habitat (2010)</p> <p>USAID-Land Tenure Rights, Madagascar (2013)</p>
Evictions-Titling	<p>In 1989, the government made an effort to bring all land under the individual land tenure system. In an effort to prevent encroachment of protected areas, the 1989 Environmental Action Plan (EAP) mandated the replacement of the community-based tenure system with a formal land tenure system under which all land would be titled in the name of individuals. The program was suspended due to costs and the difficulty of reconciling incompatible formal and customary tenure systems (World Bank 1998).</p> <p>Under Madagascar's Constitution, land can only be expropriated for public use and expropriation is conditional upon prior payment of fair compensation. Under the 2005 Land Law, expropriated land becomes government land within the government's private domain.</p> <p>Under the new land rights certification process, a Local Recognition Committee comprised of elected commune representatives and community representatives visits land sites to determine land rights and boundaries. Their findings are recorded in a report that describes the various land rights and any disputes. Based on this report, the office agent prepares land certificates for the mayor's signature. These rights are systematically recorded in a Local Plan for Land Occupation (PLOF).</p>		
		<p>The French colonial state introduced the titling system, giving private property rights to land, in 1896 to create tenure security for the French settlers. After independence in 1960, the titling system remained, and only some of the colonial titles were cancelled (USAID 2013).</p> <p>The second external source of tenure insecurity is commercial pressure on land. Foreign investment in land is not a new phenomenon in Madagascar.Madagascar has received international attention for its resistance to land grabbing (Borras, Jr. and Franco 2012). Protests against two large-scale projects, South Korean Daewoo and Indian Varun, which were negotiating access to 1.3 million hectares of land, escalated to a coup d'état, and the deals were suspended. [ Land Rights in Madagascar, Feminist Economics].</p> <p>Under customary law, land in Madagascar is perceived as the land of the ancestors (tanindrazana). Although land may become individualized, many believe that land must be titled or recorded in some fashion before an individual can claim perpetual ownership rights to the plot (Bellemare 2009). (USAID 2010)</p>	<p>USAID-Land Tenure Rights, Madagascar (2013)</p>

MGA	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Minorities & Vulnerable Groups	<p>Under formal law, both women and men have equal rights to land and natural resources. Land is typically titled in the name of the male head of household. <b>Property ownership rights within families are governed by the Marriage and Family Code (1962, as amended). Under Law No. 90-014 (1990)</b>, if a legally married couple divorces, the property acquired during the marriage must be divided equally. Under customary law, the division is typically one-third of the property to the wife and two-thirds to the husband. Under the country's formal inheritance law, when a spouse dies intestate, the wife is a distant eighth in the line of succession for the husband's separate property or property obtained prior to marriage. In much of the country, land traditionally passes from fathers to sons, though matrilineal inheritance exists within some groups. The 1968 Law on Inheritance provides that daughters and sons have the right to inherit equally [2005]</p>	<p>In practice, women most commonly access land rights via a male relative, such as their husband, father, or brother. If women inherit land from their parents, they typically leave it in the care of their brothers when they move to their husbands' villages.(USAID 2013)</p>	<p>USAID-Land Tenure Rights, Madagascar (2013)</p>
Land Markets	<p>Land sale and land rental markets are increasingly active in Madagascar. The latest data (from the 1990s) indicates that 13% of households bought or sold land in the five years preceding the referenced study (USAID 2013).</p> <p>Foreigners can purchase and lease land in Madagascar, and the 2005 Land Law specifically excludes from its requirements land designated for investment. In 2004, Madagascar passed legislation permitting foreign land ownership (up to 2.5 hectares, according to USAID/Madagascar) conditional upon a US \$500,000 investment in Madagascar's real estate, banking, insurance or tourism industries</p>	<p>Land Markets are officially encouraged through the state laws, that regulated land titling. In cases where state land laws are vigorously enforced, land markets are also present. However, even in these cases, traditional views of land influence arrangements between buyers and sellers. Informal land markets exists. Formal markets are found in urban areas and rural areas but are highly influenced by cultural aspects (John Bruce 1968)</p> <p>In areas dominated by local land tenure practices, local rules govern who can buy and sell land. In these areas, landholders will typically only sell land if they are under financial stress. When land is sold, local practices favor purchases within families and local communities. In some cases, land may transfer to outsiders without approval from the traditional authorities (USAID 2013).</p> <p>Roughly 90% of farmers own the land that they cultivate. Approximately 78% of farmers obtain their land through inheritance. Local land-sales and rental markets are increasingly active; in highly commercialized areas purchased plots can make up 40% of holdings (USAID 2013)</p>	<p>USAID-Land Tenure Rights, Madagascar (2013)</p> <p>John Bruce (1998)</p>
Urban planning & Land administration	<p>Under the National Land Program, officially launched in 2005, many land administrative functions were decentralized to the commune level. Communes have permanent Land Management Offices that hold land records and oversee land certification. Local Recognition Committees adjudicate local land rights, which are recorded in a Local Plan for Land Occupation. At the national level, the Ministry of Agriculture, Livestock, and Fisheries (MAEP) oversees the National Land Program and decentralization. The Land Observatory was established in 2007 to: monitor and assess the progress of implementing the National Land Program.</p>		<p>USAID-Land Tenure Rights, Madagascar (2013)</p>
Land Conflicts	<p>Land disputes in Madagascar can be divided into two broad categories: (1) conflicts between private persons over land ownership at the local level, often between or within families; and (2) conflicts between the state and private persons over ownership and control of land and local resources. Conflicts between the state and private persons are often the result of differences between formal law and customary practice. Communities usually have clearly defined land tenure rules and processes for resolving local conflicts between private persons. However, these local understandings of tenure rules are often at odds with the formal system regarding the acquisition and ownership of land.</p> <p>Complex procedures and the need to travel to regional courts and seek legal advice can deter private persons from pursuing resolution to disputes with the state. Under the National Land Program's decentralized land certification program, approximately 3% of certification requests have been disputed</p>	<p>In 2009 it appeared that a giant foreign company was trying to grab 1 million hectares (700,000 for maize and 300,000 for oil palm plantation). The population, very much sensitized to land issues, reacted strongly and this was one of the major causes of the collapse of the Government in March 2009.</p>	<p>USAID-Land Tenure Rights, Madagascar (2013)</p>



MGA	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Diversity of Land Tenure Regimes	Madagascar's community based tenure systems recognize that different people have different rights to land and natural resources. Consequently, academics and others have used the categories of primary, secondary and terciary holders of rights to land. community based tenure systems include informal and formal land markets. Each community has a complex set of rules that dictate who can sell land, buy and under what conditions land can be sold (John Bruce 1998).	The majority of landholders in Madagascar assert rights to the land under customary law. Population pressure has led to individualization of customary land previously controlled as commons. Most land used for crops is individualized while pastureland is held communall [USAID]	USAID-Land Tenure Rights, Madagascar (2013)  John Bruce (1998)
Registering Property - Enforcing Contracts Reforms	DB2010- Madagascar made trasnferring property harder/more costly by making the use of a notary mandatory for proeprty transactions. DB2009- Madagascar made registering property easier by reorganizng its land registry and adding more staff, computers and offices, and made it less costly by abolising 2 taxes and removing the mandatory stamp duty on documents		IFC- Doing Business Reforms 2009-2015

MALI		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Since 1992, Mali’s democratic constitution and policies of economic liberalization and political decentralization have expanded political participation and spurred economic growth. This all hung in the balance in early 2012, when the steady collapse of state control over the north of the country was followed by an inconclusive military coup and French military intervention against Islamist fighters who threatened to advance south. Although civilian rule was re-established in the summer of 2013, a fragile truce with Tuareg separatists broke down amid resumed fighting a year later. About 68% of the population is rural and nearly 79% of the active population engaged in agriculture.		
Key Legislation	<p><b>New Malian land legislation as embodied in the Code Domanial et Foncier was drafted in 1986.</b> However, eve up to the present date, tenure and resource legislation has maintained many fundamental characteristics inherited from French colonial law. Such characteristics include continued state ownership over all lands not registered as private property, the role of the central state as teh sole legitimate authority governing natural resoruces, and teh ocnept of exploitation as the rpiciapl means for establisihing land rights. effort to foster European traditions of private property were first attempted in the colonial era and have been contineud to the rpresent day. However despite the assumed evolution toward private, freehold property rights, methods for registering and titling land are complicated and expensive (John Bruce 1998).</p> <p>The formal law governing land rights includes: <b>the 1992 Constitution of the Republic of Mali</b>, which guarantees citizens the right to own property and provides for the protection of property; <b>the 2000 Land Code, as amended (Ordinance No 00-27/P-RM of March 2000 Pertaining to the State Property and Land Code)</b>; and <b>the Agricultural Orientation Law (Law No. 06-045 of September 2006)</b>. The Land Code recognizes state land, land owned by individuals and entities, and use-rights to customary land held by groups and individual group members (GOM 1992; GOM 2000). The Pastoral Charter (Law No. 01-004) was passed in 2001 and its implementing decree in 2006. The Charter recognizes pastoralism and the right of pastoralists to move their livestock and have access to natural resources to support their livestock.</p> <p>Under the Land Code, land is classified as either state land or private land. State land includes all public property (e.g., roads, public buildings, large surface water sources), land titled in the name of the state or transferred to the state, and all unregistered land, including vacant land. State land includes land granted to individuals or entities on lease or concession, and land on which customary use rights are exercised. Private land is land titled and registered in the name of an individual or entity in accordance with formal law.</p> <p>The following tenures are recognized by the law: Ownership. An individual or entity can obtain ownership of land by obtaining the land title and registering the title with the state. Leasehold. The state can lease its land to individuals and entities for periods of 50 years, or as otherwise agreed to by the Council of Ministers and the lessee. The state can also enter into a purchase agreement with a lessee, allowing for the transfer of ownership of the land following registration. Rural concession. The state can grant rural concessions to unregistered state land. If the land on which the concession is granted is subject to competing customary use-rights, customary users may be compensated for the expropriation, assuming that they can establish their customary rights, are aware of their right to compensation, and are able to navigate the process successfully. Use-rights to customary land. The Land Code recognizes the rights of groups and individuals to use unregistered land. Use of land by pastoralists. Permit rights. The state and local governments can issue occupation permits to urban land to individuals. The occupation permits allow residential use of the land. The occupant is bound by the terms of the permit.</p>	<p>De facto land rights in Mali continue to rely on legitimacy as established through customary rights (John Bruce 1998).</p> <p>The root causes of land tenure insecurity in Mali are diverse in nature, anchored in the complex interface between age-old customary tenure practices and newer statutory law; the lack of effective institutional structures to support policy development and implement appropriate administrative procedures; and environmental factors such as unsustainable land and resource management, climate change, and demographic pressure (USAID 2010).</p> <p>Under formal law, individuals and entities can own and transfer land in Mali, and the Land Code allows holders of concessions and leases to convert their rights to ownership interests. However, the lack of knowledge of their rights, illiteracy, and the cost and complication of the procedure to obtain and register a title deed exclude most people – and particularly the rural people – from land ownership (USAID 2010b).</p> <p>Formal laws, such as the 2001 Pastoral Charter and 2000 Land Code, are inconsistent among themselves and inconsistent with customary laws, which have more social legitimacy. The parallel systems allow those with knowledge, sophistication, and resources to select the most advantageous law and institutional channel (USAID 2010)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights - Country Assessment (2010)</p> <p>USAID Land Tenure Rights_Mali (2010b)</p>
	Titling	<p>Under the Land Code, the government can expropriate registered property and customary land if necessary to the public interest and upon payment of just compensation. Public interest includes the development of public works, preservation of forests, and the creation of infrastructure for needs such as irrigation and drainage. The Ministry for Lands issues a public notice and notice to all those identified by the landowner as having rights to the land. The government is required to pay the landowners for the land expropriated; the landowner is responsible for making compensatory payments to any holders of derivative rights. Unless agreed to by the parties, compensation is determined by the court; parties can provide expert testimony on valuation and damages sustained (GOM 2000). If expropriation involves unregistered customary land, the state will conduct a public investigation to determine the existence of the customary rights and the holders of the rights.</p>	<p>While efforts over the past 10 years to develop sound land legislation (Code Domanial et Foncier, Agricultural Orientation Law, and current efforts to define the Agricultural Land Policy and Law) are to be applauded overall, the resulting legislation (policies, laws, codes, and decrees) is fragmented, lacks overall coherence, and is sometimes contradictory. Development of the country’s General Land Policy is ongoing in parallel with the development of the Agricultural Land Policy and Law (USAID 2010, 2010b).</p> <p>Most urban residents do not have formal rights to their land and their tenure is highly insecure,</p>

MALI		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Evictions	<p>Mali recognizes private land ownership secured through land titling and registration, but the vast majority of titled land is in urban and periurban areas. Very few smallholder farmers or gropastoralists own the land they work. Untitled land is considered owned by the state; almost all rural land is technically under state ownership with customary use-rights exercised by sedentary farmers, agro-pastoralists and transhumant pastoralists.</p> <p>In principle, an ownership title guarantees total security for its owner. In practice, forged ownership titles may be issued. Banks in particular report their reluctance to grant loans on the basis of these titles. There are many inhabitants of Bamako and of Kati cercle who have lettres d'attribution (LA) for the same plot.</p>	<p>which contributes to the lack of investment in housing and other improvements to the land. Over 90% of Mali's urban population lives in slums, without formal legal rights to their land. The urban population is expected to grow 4–5% annually in the near future, increasing pressure on periurban lands and informal settlements (USAID 2010b).</p> <p>In spite of increased awareness of the political risks of mismanagement in land administration and of tenure insecurity harming many households, the effective implementation of more transparent modes of land access is severely impeded by clientelistic practices and the weak economic environment, in particular the limited opportunities for wealth creation that make investing in land one of the only options (WB 2015)</p>	<p>Rights_Mali (2010b)</p> <p>West africa Land Tenure - Mali (WB 2015)</p>
Minorities & Vulnerable Groups	<p>Customary tenure puts women, youth, and migrants at a disadvantage with respect to land and access to resources. Women are simply not permitted to own or control land as this presents a risk to the patrilineal land inheritance system practiced throughout the country.</p> <p>"The Constitution prohibits discrimination on the basis of gender and provides that all citizens have the rights to own land. Mali has a policy to promote women and acknowledge and strengthen their rights, but the status of women has not improved due to poor legal awareness and persistent sociocultural norms.</p>	<p>Particularly for poor and marginalized groups, lack of access to the formal legal system (resulting from illiteracy, lack of experience with government institutions, and lack of financial means to travel to courts), gaps and inconsistencies in the legal and administrative framework, and institutional deficiencies create land tenure insecurity (USAID 2010).</p> <p>"The Government of Mali acknowledges its lack of progress in securing women's rights to land, despite having fairly gender-equitable policies and laws. Under customary law, women are excluded from inheriting land from their natal family because they are expected to leave the family at the time of marriage. The customary rights to land that women hold are usually not very secure. Women often voluntarily relinquish their use-rights to married sons (USAID 2010)..</p>	<p>USAID Land Tenure Rights_Mali (2010)</p>
Land Markets	<p>Mali's land market is characterized by a growing commoditization of land and increased competition among land users. The value of rural land varies widely based on location, proximity to infrastructure, and the type of crops it can support. In peri-urban areas, urban expansion and increasing demand for land have fueled the land market. <b>Municipalities often expropriate peri-urban land in order to establish new residential areas. Urban elites have increased pressure on peri-urban land by buying land for investment and speculation. Urban and peri-urban areas have seen an increase in land titling and registration, especially in the vicinity of the capital, Bamako, where Malians living abroad returned after the 1991 regime change and began investing in property. Many urban elites have acquired land from the state through concessions, only to parcel off and sell the land to developers.</b></p> <p>Especially since 2007, land prices have steadily increased in Bamako's urban and peri-urban areas (with several observers mentioning annual increases of up to 100 percent in some locations), further stimulating the demand for land in expectation of further increases. The disappearance of cheap options for accessing land may have been exacerbated by the upgrade.</p> <p>In urban and peri-urban areas, there is a rapidly growing movement toward formalization of land ownership. Acquisition of land by obtaining titles to rural concessions is increasingly the norm. In the past, land acquisition was dictated by customary practices. Today, at least in urban and peri-urban areas, land purchases depend almost entirely on one's ability to pay for official papers. The emergence of the urban and peri-urban land market is thus dominated by the more economically privileged. Land titling procedures are complex, ill defined, and not widely understood by all those who are expected to carry them out, much less so by the public seeking these services. The complexity of the titling system and length of time it takes to advance through all the prescribed steps in the procedure can sometimes lead to ill-advised expediting that jeopardizes the validity of the titling transaction.</p>	<p>" In peri-urban areas, the market has been fueled by urban expansion and increasing demand for land. However, the evidence thus far suggests that the way in which the land market currently operates is further marginalizing the already vulnerable (WB 2015).</p> <p>The vast majority of land in Mali is not held in registered ownership, and therefore cannot legally be sold or purchased. Land sales and leasing in urban and peri-urban areas are almost always informal transactions because neither party has registered the land (and therefore does not have formal title). These transactions are usually made in writing to promote their security (WB 2015).</p> <p>In urban areas, residents generally build housing in informal settlements, without formal claim to their land. Many of these settlements have developed on land traditionally controlled by chiefs. Over 90% of Mali's urban population lives in slums. Land tenure is very insecure and, as a result, investment in urban land is limited (WB 2015)"</p>	<p>USAID Land Tenure Rights - Country Assessment (2010)</p> <p>USAID Land Tenure Rights_Mali (2010b)</p> <p>West africa Land Tenure - Mali (WB 2015)</p>
Land Governance	<p>The Land Code requires each of the 703 communes in Mali to set up a land register and conduct a land inventory. Registration of land in the capital involves five procedures that on average require 29 days. The average cost is 20% of the value of the property. The time required may be far longer in rural areas.</p>	<p>The Government of Mali (GOM) has decentralized some of its authority over land and water rights since independence in 1992. especially in regard to pastoral and irriation resources. In some cases this has strenethened local democratic</p>	

MALI		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban planning & administrative	<p><b>Law No. 95-034 AN-RM of 12 April 12 1995</b> gave local authorities (the Regional Assembly, the Circle Council, and community councils) responsibility for land administration, land-use planning and development, and organizing rural activities, including agro-forestry-pastoral production (USAID 2008).</p> <p>The Ministry of Housing, Land Affairs and Urbanism was established in 2000. The Ministry is responsible for developing both urban and rural land policy and operating property-registration offices.</p>	<p>decision-making, but in many cases it has furthered confusion and conflict, especially where decentralized policies clashed with traditional rights and restrictions.</p> <p>'As a practical matter, customary law governs land rights in much of Mali, particularly the rural areas. Customary tenure administrative systems continue to be the primary mode of land administration in rural Mali (USAID 2010).</p>	USAID Land Tenure Rights_Mali (2010)
Land Conflicts	<p>While the GOM and/or contracted investors should be held responsible for compensation and resettlement of affected populations, in reality this is not always practiced due to lack of adequate resources or the fact that these issues are not adequately addressed prior to drafting the contractual agreements.</p> <p>Disputes over land are a widespread problem in Mali. They take several forms, including: (1) within sedentary communities; (2) between generations; and (3) between different natural resource users.</p>	<p>Conflicts over access to land and natural resources are a problem throughout Mali. Sedentary farmers and transhumant pastoralists clash over resource access and damage to crops, generations of farmers dispute inheritance rights, and pastoralists vie for primary rights of access to water and pasture (USAID 2010b)</p>	<p>USAID Land Tenure Rights - Country Assessment (2010)</p> <p>USAID Land Tenure Rights_Mali (2010b)</p> <p>West africa Land Tenure - Mali (WB 2015)</p>
Diversity of Land Tenure Regimes	<p>Indigenous tenure systems vary throughout Mali according to both ethnic traditions and land use practices. Mali recognizes private land ownership secured through land titling and registration, but the vast majority of titled land is in urban and periurban areas. Very few smallholder farmers or gropastoralists own the land they work. Untitled land is considered owned by the state; almost all rural land is technically under state ownership with customary use-rights exercised by sedentary farmers, agro-pastoralists and transhumant pastoralists (John Bruce 1998).</p> <p>Customary law varies across the regions and ethnic groups, but general principles of customary law recognize the right of clan and community members to access land for a residence and for farming (USAID 2010b)</p>	<p>Under customary law, land is obtained by the following means: (1) founding or conquering a village; (2) inheritance; (3) gifts and loans; (4) leasing and sharecropping; (5) pastoralists' exercise of use rights.(USAID 2010)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights - Country Assessment (2010)</p> <p>USAID Land Tenure Rights_Mali (2010b)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB2011- Mali eased property trasfers by reducing the property transfer tax for firms from 15% of the property valuet o 7%. Mali eased construction permitting.</p> <p>DB 2010 - Mali improved contract enforcement process through amendements to its civil procedure code, introducing case time limits and allowing a summons to be served, with no itnerrvention by the judge, upon the filling of a complaint at the competent court.</p> <p>DB 2008- Mali reduced tje toe, reqiroed tp regoster [rp[ertu nu decemtra;ozomg ajd reprgamozm registry operations and reassining staff.</p>		IFC- Doing Business _Reforms 2009-2015

MAURITANIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	<p>Unlike the other African countries production from pastoral activities contributes to 30% of the country's gross domestic product (GDP) and pastoralists exert considerable influence over the country's political system. . Caught in a 30-year long cycle of military rule and successive coups d'états, this vast desert nation has experienced intense waves of change since gaining independence in 1960. Land tenure is an extremely sensitive issue. The control of flood recession land, has long been a source of competition and tension within and across communities and ethnic groups in the region. 80% of the country is desert, and all but 20% of the population live in 1/3 of the country in the southern tip. Mauritania and Sudan are exceptions to the low regional poverty levels, with 40 percent of both countries' populations living below the poverty level.</p>		
Context	<p>Mauritania's adoption of a private property framework for landownership proved to be an instance where tenure legislative reform was justified by the national government as part of their "Islamization" program, but proved to be a vehicle for land grabbing by a dominant ethnic group (John Bruce 1998).</p>	<p>Although traditional tenure is officially abolished, individual registration does not replace the standar Islamic Law procedures that are delcared valid when they do not conflict with the new law. All land that is not private or public land, remains under the jurisdiction of the Shariah. Traditional collective landholdings can be preserved in a community based system only if the lineage or clan forms a legal cooperative that meets the cirter for cooperatives, including equal rights for its members.</p> <p>While promoting private property the law is more bluntly intended to make clear the state's right to delcare any land as state domain, leaving no recourse to traditional tenure claims. The satate again bases this right on the Indirass principle, which asserts that land not used for ten years reverts from private ownership and becomes available to the Islamic community for private or public acquisition.</p>	John Bruce (1998)
Key Legislation	<p>Just before Mauritania gained independence in <b>1960, the French passet Decret 60.139</b> which both recognized traditional claims to land and nationalized all land not claimed or under recognized use. Reference was made with Islamic principle of Indirass - according to which property rights might be continually exercised to be renewed, the time period after which rights lapse is usually deemed to be ten years.</p> <p><b>In 1983, Mauritania initiated its own tenure reform: with ordinance 83.127 and Decret 84.009.</b> These broadly state equal rights to property rights, and landowning, individual property rights and restablished through a registration procedure and becomes the standard form. Customary tenure systems in the flood recession land of the river valley are abolished but continue to exerce.</p> <p>Law governing land tenure is primarily ensconced in the <b>Code Pastoral enacted in 2000 and published in 2004.</b> Embodying a combination of both traditional and Shari'a law, the Code Pastoral represents one of the most far reaching examples of national codification of customary tenure of nomadic pastoralists</p>	<p>'Conflicts, whether between herding groups or between herders and settlers, are to be settled by arbitration involving representatives of both parties and the administration closest to the location where the conflict occurred. Taking a conflict to the courts is only as a last resort and judgments are rendered within a 15 day limit. Although traditional tenure is officially abolished, individual registration does not replace the standar Islamic Law procedures that are delcared valid when they do not conflict with the new law. All land that is not private or public land, remains under the jurisdiction of the Shariah. Traditional collective landholdings can be preserved in a community based system only if the lineage or clan forms a legal cooperative that meets the cirter for cooperatives, including equal rights for its members (USAID 2006)</p> <p>While promoting private property the law is more bluntly intended to make clear the state's right to delcare any land as state domain, leaving no recourse to traditional tenure claims. The satate again bases this right on the Indirass principle, which asserts that land not used for ten years reverts from private ownership and becomes available to the Islamic community for private or public acquisition. (USAID 2006)'</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights Mauritania (2006)</p>
Minorities & Vulnerable Groups	<p>In the first phase of national land management regulation plans, spanning from 1974 to 1988, the Mauritanian government implemented a range of policies in an effort to manage and regulate the growth of informal settlements in the capital, by distributing over 200 thousand lots to the inhabitants of Nouakchott (PDU, 2012: 20). The second phase of state-led urban planning initiatives, from 1988 to 2000, marked a continuation of the politics of land distribution, only that this time the efforts concentrated on Nouakchott</p>	<p>Mauritania's urbanization took place for the most part in squatter settlements on the fringe of the capital city of Nouakchott and in the other main cities – Nouhadibou, Kiffa, Kaédi, Rosso and Atar – resulting in a sharp increase in urban poverty.</p>	The State of African Cities [UN HABITAT] (2008)

MAURITANIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Urban planning & Land administration	<p>Planning in Mauritania is still largely centralised with no intermediate structure between the State and the communes and with limited powers vested in the governorates, whose function is primarily administrative. The formulation of a national spatial development strategy and its regional components as well as the preparation of specific urban plans is the responsibility of the Ministry of Equipment and Transportation, which is also responsible for land reform. The Directorate of Buildings, Housing and Urbanism (DBHU) is charged with urban planning, the preparation and enforcement of building regulations, and for the overall management of the regularisation of informal settlements and the allocation of state land to individuals (UN Habitat 2008)</p>	<p>As the urgent demand for housing challenges the city's boundaries set by the dunes, the phenomenon of the gazra, 'invented' by an immigrant rural population four decades ago, challenges the function of urban planning and land management institutions, undermining slum upgrading efforts and questioning the role and purpose of formalisation and regularisation in the Mauritanian context (Dessie 2014)</p> <p>'As a response to this, the Urban Development Programme (PDU), launched in 2002 with funding from the World Bank and the Mauritanian government, was based on principles focused on three main objectives: The eradication of slums and informal neighbourhoods in Nouakchott and Nouadibou, a city in located in the north-west; The equipment of these cities with basic infrastructure; And build the capacities of the full range of urban actors, including government services, decentralized entities, and civil society (Dessie 2014)</p>	<p>The State of African Cities [UN HABITAT] (2008)</p> <p>Dessie (2014)</p>
Land Conflicts	<p>The effect of the 1983/1984 tenure reforms which were in part designed to address the rising values of river basin land as irrigation was promoted, were compounded by severe environmental changes. This combination of factors gravely upset the existing tenure compromises among the local communities and led to a conflict of international proportions between Mauritania and Senegal.</p> <p>Herders and cultivators have always come into conflict with each other, but the promotion of irrigation especially has generated or escalated several types of conflict.</p>	<p>The local patterns of resource tenure had woven into them complex compromises among different user groups. Each of Mauritania's ethnic groups can make legitimate historical tenure claims to flood recession land in the Senegal River valley (John Bruce 1998)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights Mauritania (2006)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB2010: Mauritania made dealing with construction permits easier by establishing a one-stop shop.</p> <p>DB2009: Mauritania introduced its first building code, which simplifies the requirements for small construction projects and lays the groundwork for a one-stop shop for building permits.</p> <p>DB 2008: Mauritania made enforcing contracts easier by hiring additional judges and updating the way in which commercial courts function</p>		<p>IFC- Doing Business Reforms 2009-2015</p>

MOZ		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Following a 16-year civil war that began shortly after independence from Portugal in 1975 and ended in 1992, Mozambique achieved political and economic stability and began to experience very rapid growth on its small economic base. While Mozambique has grown very rapidly since the end of its civil war, more than half of its population remains poor. Mozambique's agricultural sector consists primarily of small farmers with limited amounts of unproductive land under rainfed cultivation.		
Context	As the country emerged from the war and entered a period of national reconstruction, the government gave substantial attention to creating legal frameworks governing land, and these frameworks recognized traditional community rights while encouraging investment. The resulting legislation was progressive: land is owned by the state, and communities and good-faith occupants have perpetual use- rights to land. Grants of 50-year renewable use-rights are available at next to no cost for investors and others seeking land, subject to approved exploitation plans. Investors are required to consult with communities before obtaining concessions for agribusinesses and other developmen.	<p>In 1995, the GOM began to seriously address needed changes in national land policy, gradually moving toward a position which appears to recognize the need for encouraging land markets, decentralizing authority within state institutions and integrating customary institutions and practices into the statutory land regime (John Bruce 1998).</p> <p>The dual objectives of Mozambique's progressive land law – support for rural community land-rights and encouragement of private investment – have been unevenly implemented. The legal framework provides communities with some degree of tenure security over their land, but despite significant public awareness building efforts, a majority of the thousands of rural residents are unaware of their land rights as communities and as individuals (USAID 2011)</p> <p>To date, most of the population are not yet benefiting adequately from the legal reforms, and more than half are poor. Most of the country's producers are small farmers primarily growing for their own consumption (USAID 2011).</p>	<p>USAID Land Tenure Rights Mozambique (2011)</p> <p>John Bruce (1998)</p>
Key Legislation	<p>The <b>2006 Urban Land Regulations</b> apply to existing areas of towns and villages and to areas subject to an urbanization plan. The regulations govern the preparation of land use plans, access to urban land, rights and obligations of owners of buildings and DUAT holders, and transfer and registration of rights (GOM Urban Land Regulations 2006).</p> <p><b>Article 109 of Mozambique's 2004 Constitution</b> states that all ownership of land vests in the state and all Mozambicans shall have the right to use and enjoy land as a means for the creation of wealth and social well-being. The Constitution further provides that the state shall recognize and protect land rights acquired through inheritance or by occupation, unless there is a legal reservation or the land has been lawfully granted to another person or entity</p> <p><b>Article 82 of the Constitution</b> provides that the government can expropriate land only for reasons of public necessity, utility or interest. The government must pay fair compensation to the landholder (GOM Constitution 2004).</p> <p><b>The 1997 Land Law</b> reasserts the state's ownership of land and provides that individuals, communities and entities can obtain long-term or perpetual rights to use and benefit from land. The Land Law was drafted with the objective of supporting and protecting the land rights of communities, women and smallholder farmers while also encouraging investment. The Land Law protects the customary rights of communities to their traditional territories and recognizes rights obtained through traditional and good-faith land occupancy as equivalent to rights obtained by government grant. Community land use rights are legally equivalent to rights granted by the government to individuals and entities</p> <p><b>The 1998 Rural Land Law Regulations</b> provide rules for the acquisition and transfer of use-rights. The process for identifying and recording the rights of local communities and good-faith occupants is governed by the 2000 Technical Annex to the Land Law Regulations.</p> <p><b>Decree No. 1/2003</b> established new provisions for the National Land Registry and Real Estate Cadastre, procedures for the registration of inherited land use rights and secure rights to customary rights-of-way (GOM Decree 1/2003).</p> <p>DUATs can also be registered under the Real Estate Registration Code in the deed-based registry maintained by the Ministry of Justice. Registration of land rights under the Registration Code is only required for mortgages, although registration of DUATs in both systems is required by banks extending land-secured credit.</p>	<p>"In cities, the majority of residents live in informal settlements with limited services. The land legislation provides a basis for long-term residents to formalize their rights, but most are unaware of the process, and those who are aware consider the cost prohibitive. Meanwhile, the informal market in land use rights is active." (USAID 2011).</p> <p>"One report states that compensation amounts and procedures for land expropriations are often agreed to by the principal stakeholders on a negotiated case-by-case basis. Anecdotal evidence suggests that in some cases displaced people have received land and assets of equal size and value to those taken. There is considerable doubt, however, whether such cases are representative of the norm (Swedish Geological AB 2003).</p> <p>Mozambique remains nationalised, which means individuals cannot buy or sell it" (USAID 2011) The state owns all land in Mozambique. Land ownership rights may not be sold, mortgaged or otherwise alienated (GOM Land Law 1997). The Land Law recognizes a use right to land, known by the Portuguese acronym, DUAT (direito de uso e aproveitamento dos terras). DUATs can be held individually or jointly. Two types of DUATs are available. The rights are classified according to the means by which they are obtained: DUAT obtained by occupancy.; DUAT obtained by grant =The state grants DUATs for renewable periods of 50 years. DUATs can be obtained through: (a) occupancy of land according to customary norms and practices; or (b) good faith occupation of land for 10 years. Local communities have DUATs to their traditional territory. DUATs obtained by occupancy are perpetual and do not require plans for exploitation of the land.</p> <p>In urban Mozambique, individuals may apply for concession of a plot of land from the relevant municipal directorate or municipal cadastre services (USAID 2011).</p> <p>DUATs based on occupancy need not be registered to be recognized and protected by law. If the occupation is challenged, the occupant must provide proof of customary or long-term occupancy.</p>	<p>USAID Land Tenure Rights Mozambique (2011)</p>
Minorities & Vulnerable Groups	<p>In cities, the majority of residents live in informal settlements with limited services. The land legislation provides a basis for long-term residents to formalize their rights, but most are unaware of the process, and those who are aware consider the cost prohibitive. Meanwhile, the informal market in land use rights is active.</p> <p>In general, Mozambique's formal law supports and protects women's rights to land. The 2004 Constitution provides for the equality of men and women in all spheres of political, economic, social and cultural life and prohibits discrimination on the basis of sex. The 2004 Family Law reasserts the equality of women, provides that both women and men have rights to administer marital property and have equal rights to devolve and inherit property. The 1997 Land Law gives women the right to participate in all land-related decisions and the right to register DUATs individually. However, the primary formal law governing inheritance and succession is out of step with these progressive laws.</p>	<p>75% of city dwellers live in informal settlements characterized [Urban Landmarkets 2012 -Maputo study]</p> <p>"Without assets, and dependent on relationships with men for access to land, women are extremely vulnerable. Widows and divorced women in both patrilineal and matrilineal areas risk losing their homes and access to agricultural lands. Other cultural barriers also negatively affect women's land rights in Mozambique. In general, women have lower literacy and lower levels of formal education than men, and are less likely to be aware of their rights. Women are often excluded from or poorly represented in local governance bodies and thus have more limited access to information. (USAID 2011)"</p> <p>Landholdings in Mozambique tend to be either smallholdings (averaging 1.8 hectares) or very large concessions on the scale of hundreds and thousands of hectares. There are relatively few medium sized (10-100 hectare) landholdings. Land ownership does not appear to be disproportionate among ethnic groups, and Mozambique does not have a minority group controlling large amounts of productive land. (USAID 2011)"</p>	<p>USAID Land Tenure Rights Mozambique (2011)</p> <p>Urban Landmarket 2012 - Maputo study (2012)</p>

MOZ	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets	<p>Land use rights are obtained by inheritance, occupation, state grant, purchase or lease. In urban Mozambique, most residents access land through the land market (62%), either obtaining land on the formal market by buying or leasing use-rights held by DUAT-holders or, more commonly, obtaining use-rights on the informal market.</p> <p>Applicants for state grants of land use rights file applications with the local, provincial or national government authority, depending on the size and location of the land. The applicant must submit a land development plan and participate in a community consultation process to determine if the land is occupied. If the land is occupied, the applicant must consult with the local community regarding the planned land development as part of the application. The state is required to process applications for DUATs within 90 days.</p> <p>Demand for land in Mozambique is increasing, especially in urban and peri-urban areas, rural areas with access to markets and infrastructure and areas favorable for tourism development. In urban areas, land use rights (DUATs) can be transferred with buildings and other improvements. In rural areas, government permission is required to transfer a DUAT.</p> <p>In Mozambique, informal systems are the most important means of accessing urban land for housing. They include chiefs and local levels of city administrations [ Handbook Urban Land Markets in Africa 2010].</p> <p>For many households in peri urban areas, the declaracao is the only document that links their name to a particular space in the city. Although it is not a title deed, it is recognized by banks, the municipality and employers to obtain a loan or verify to potential employers that an individual is bona fide. [paper one step 2012]</p>	<p>Most rural land is held by communities, which have perpetual DUATs based on their traditional occupancy.</p> <p>The requirement that investors consult with communities before obtaining a DUAT is a legislative effort to protect customary rights to land and encourage local participation in rural development. In practice, investor consultations with communities have tended to be substantively limited and have had little positive impact on planning for development. Challenges to local participation include community lack of knowledge regarding their land rights and the investor's obligations, low participation in decision-making of some community members, including women and marginalized members, and lack of capacity among local government officials charged with managing the process (USAID 2011).</p> <p>In urban areas, many parties are unaware of the requirement of registering land transactions, the cost of registering transactions is high (11% of property value), and the process is cumbersome (USAID 2011)</p> <p>"The informal market in land use rights is active in urban and peri-urban areas, and several studies suggest the number of transactions is increasing, especially in areas with basic infrastructure and urban growth. Individuals with DUATs or informal rights evidenced by sales agreements are transferring all or some portion of their rights through rental agreements, loans and subdivisions. Land speculation is occurring in some areas -- 49% bought their land through the market</p> <p>Social networks and relationships play a major role in the land market 19% had verbal agreements witnessed by family members, neighbours and local leaders - in urban areas .</p> <p>Local, neighbourhood leadership figures are significant in legitimizing agreements, resolving disputes, keeping land registers. Despite not having formal title (only 2.6%), 66.5% of those surveyed had a strong or very strong sense of security." [Urban Landmarket 2012 - Maputo study]</p>	<p>USAID Land Tenure Rights Mozambique (2011)</p> <p>Urban Landmarket 2012 - Maputo study (2012)</p>
Urban planning & Land administration	<p>The Government is committed to spatial planning in rural areas and towns, and to regulate urban and peri-urban land use, with a target to demarcate 70,000 plots across the country (IMF Art IV 2013).</p> <p>The Lei do Ordenamento do Território has been submitted to the Assembly for approval. The Government remains committed to conducting an economic analysis of urban land markets with a view to understanding how these function in practice, as well as assessing the associated poverty reduction impact analysis of urban tenure regulations and monitoring the implementation of the Land Law and its regulations. The survey of land holding in some selected districts in the southern part of the country will end in June 2007 and the titling after digitization is expected to be completed by the end of 2007. Finally, the Government is also preparing a draft strategy for slum upgrading. (IMF Art IV 2007)</p>		IMF Article IV (2007, 2013)
Land Conflicts	<p>Mozambique has a system of about 1600 community courts that evolved separately from the formal court system. The community courts are highly accessible, and community members often elect to bring land disputes to these forums even though the adjudicators do not receive professional training and the procedures and outcomes often lack consistency.</p> <p>Mozambique's formal court system has jurisdiction over land-related disputes. The country's system includes an administrative court to hear challenges to state administrative actions, and district courts, provincial courts and a supreme court. Particularly at the higher levels, the formal court system suffers from lack of skilled administrative personnel, lack of qualified judges, and inadequate facilities and equipment.</p> <p>Land disputes are relatively common in rural areas where concessions have been granted within or near a community's traditional territory. Because the Land Law does not require communities to register their rights, local governments and investors often fail to recognize the extent of community land and the nature of community land uses, and community consultations are often ineffective.</p>	<p>Most of the population uses informal mediation and conciliation processes to resolve disputes. Elders, traditional leaders, neighborhood heads, district officials and many NGOs provide informal dispute-resolution services. Some bodies, such as district administrators, provide arbitration and adjudication services, and some provinces have special dispute-resolution commissions supported by technical advisors on issues such as delimitation processes. Most disputes are resolved in these forums, particularly in rural areas where access to another forum would require significant travel and expense</p>	USAID Land Tenure Rights Mozambique (2011)
Diversity of Land Tenure Regimes	<p>In 2012 there was progress in the area of Land use titles. Land rights to 108 community areas were delimited, covering a total area of 1.6 million ha, mainly in the provinces of Niassa (48 communities with 1.2 million ha), Zambézia, (27), Gaza (16) and Nampula (6). Also, 56 communities were certified with and area of 0.1 million ha. This has allowed us to enforce community land use rights, reducing land conflicts and ensuring land use for agriculture and other productive purposes.</p>		IMF Article IV (2013)



MOZ		Description	References
	De Jure - Laws and Regulations		Evidence of De Facto Respect
Registering Property - Enforcing Contracts Reforms	<p><b>DB2015:</b> Mozambique made registering property easier by streamlining procedures at the land registry and municipality.</p> <p><b>DB2014:</b> Mozambique made dealing with construction permits easier by improving internal processes at the Department of Construction and Urbanization, though it also increased the fees for building permits and occupancy permits.</p> <p><b>Db 2009:</b> Mozambique improved its contract enforcement system by adding more than 20 judges all of whom received formal training, introducing court administrators to ease the administrative burden on judges and introducing performance measurement for judges</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

NAMIBIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	The country has the world's second-lowest population density and its natural resource endowment has enabled it to generate an average per capita income that puts it in the middle-income category, although Namibia has the highest income disparity in the world with basic health, poverty measures and unemployment worsening substantially over recent years. Low precipitation and high evaporation makes Namibia the most arid country in sub-Saharan Africa. Sixty-three percent of the population is rural and 37% urban (World Bank 2009a). Freehold and communal land suitable for cultivation is extremely scarce; only 1% of Namibia's cropland is irrigated, and rainfall is erratic and insufficient most years for dryland farming.		
Context	Namibia's legal framework governing land rights is generally comprehensive and up-to-date. The government is currently engaged in an effort to harmonize its communal and commercial land reform acts. Over the years following Independence, the GRN enacted a series of well-considered laws that formed a comprehensive plan of land reform (USAID 2010)	<p>Since the country's independence in 1990, the Government of the Republic of Namibia (GRN) has taken steps to address the inequality in ownership of agricultural resources, employing market mechanisms to redistribute land from a small number of large commercial white cattle-owners to a broader group of black farmers. Due to the limited success of the willing buyer/willing seller approach, the government has considered the option of expropriation in some cases. Progress toward wider, sustainable ownership by previously disadvantaged Namibians of farmland and grazing lands, and the provision of property rights to marginalized groups (e.g., women, those affected by HIV/AIDS, the San ethnic group) has been slow, however (USAID 2010)</p> <p>Roughly 65% of the population is concentrated on underdeveloped communal land in the northern regions of the country, a region that has low agricultural productivity and is highly vulnerable to climatic variability. Livelihoods are based on diverse mixtures of livestock-rearing, subsistence farming, wage labor, hunting and gathering, and remittances from abroad. The white minority (6.5% of population), mostly of European and South African descent, mainly resides in the commercial agricultural areas of the central and southern regions of the country. About 240,000 rural Namibians are completely landless. (USAID 2010)</p>	USAID Land Tenure Rights - Namibia (2010)
Key Legislation	<p>The legal framework governing land rights is a relatively nascent set of formal laws that are focused on the government's land reform objectives and that in many cases recognize the continuing authority of some principles of customary law.</p> <p><b>The Constitution of the Republic of Namibia of 1991</b> provides that all people have the right to own, acquire, and dispose of property, individually or with others, and to bequeath property to heirs and legatees (LAC 2005).</p> <p><b>The Land Policy of 1998</b> contemplates a range of land rights, including freehold titles, leaseholds, customary grants, licenses, certificates and permits, and state ownership of certain classifications of land (LAC 2005).</p> <p><b>The Communal Land Reform Act 5 of 2000</b> regulates the powers of traditional authorities over communal land and establishes 12 regional communal Land Boards that control the allocation of customary land rights by the traditional authorities (e.g., chiefs, headmen). The Land Boards grant, record, and cancel land rights in consultation with the traditional authorities (LAC 2005).</p> <p><b>The Traditional Authorities Act 25 of 2000</b> recognizes traditional authorities (e.g., chiefs, headmen) as legal entities, provides for their designation as leaders, and defines their powers and duties. Traditional authorities have the obligation to supervise and ensure observation of customary law, to assist the local government with development of land-use plans, and to ensure that their communities are using natural resources in a sustainable fashion (LAC 2005).</p> <p><b>The National Resettlement Policy of 2001 and the Affirmative Action Loan Scheme</b> are designed to resettle landless households on land acquired under the Agricultural Commercial Land Reform Act of 1995 (LAC 2005; Fuller 2006).</p> <p>Ownership/freehold tenure. Forty-four percent of Namibia's land is privately owned. Owners of freehold land in Namibia have rights to hold the land in perpetuity, to use, transfer, and dispose of the land, and to exclude others from the land. Freehold land is considered secure. Most urban and rural freehold land is registered and can be used as collateral for loans. As of 2002, the Land Boards had granted 4500 households lease rights to communal land. The</p> <p>Communal tenure. Thirty-nine percent of Namibia's land is communal land. Communal land is owned by the state and held in trust for local communities. Traditional authorities and Land Boards administer the communal land, allocating land for residences, agriculture, and other uses recognized by the Minister. Leaseholds. Common law and the Communal Land Reform Act allow for land leases. Leases of communal and commercial land can be granted by Communal Land Boards and government</p>	<p>In Namibia, tenure is equated to land ownership, people's rights to access land, conditions under which land or buildings are held and occupied and the manner in which access to resources is obtained and conditions under which they may be utilised (USAID 2010)</p> <p>Most Namibians have rights to communal land, which they obtained through traditional authorities prior to adoption of the Communal Land Reform Act, 2000, or through traditional authorities working in conjunction with the Land Boards thereafter. Customary law recognizes people's need for land for a residence and for cultivation or livestock-rearing, and recognizes plots of up to 25 hectares (USAID 2010).</p> <p>RESULTS - Matthaei (2013): 108,000 communal land titles verified;</p> <ul style="list-style-type: none"> <li>o 87,000 communal land titles registered;</li> <li>o 55,000 certificates issued, thereof 41% women;</li> <li>o Secured communal land rights increased by approx. 9 Mio ha since 2003. Total area of communal land= 33.6 Mio ha</li> <li>o Since 2013, women can apply for land rights in their own</li> </ul>	USAID Land Tenure Rights - Namibia (2010)
Evictions-Titling	<p>Private individuals, entities, and the state can hold land. The state owns all communal land, holding it in trust for indigenous tribes. The state also owns nature reserves, game parks, military bases, and some urban land. Constitution permits the government to expropriate land when doing so is in the public interest, and upon payment of just compensation. The government began land expropriations under its land reform program in 2005.</p> <p>Occupancy in informal settlements. Roughly 30% of urban residents live in informal settlements. In the past, local governments issued Permissions to Occupy (PTO) to residents. PTOs were licenses allowing the holder to occupy government land and apply for ownership if such rights became available. The PTO system has been phased out, and PTO-holders are permitted to seek leaseholds under the Communal Land Reform Act.</p> <p><b>Promulgation of Flexible Land Tenure Act, 2012:</b> The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution. The concept of the FLTS is derived from the need by</p>	<p>"Three German landowners challenged the procedures the Ministry used to select their land, notify them of the selection, value the land, and seize it. The High Court ruled that while the government had the right to expropriate the land, it had not followed appropriate procedures and, having dispossessed 100 farm workers in the process of the expropriation, had failed to advance the objectives of the land reform program (Harring and Odendaal 2008). "</p> <p>"It is unknown how many leaseholds have been granted by the government in informal areas. The Flexible Land Tenure Act (draft) is aimed at the 30% of urban Namibians who live in informal settlements and as backyard squatters without secure tenure. The Act provides for an alternative system to formalize land rights to existing informal settlers by establishing housing blocks on land owned by local authorities. Residents of the block can obtain —starter title, which provides the right of perpetual occupancy and can be transferred. The residents can apply for land titles, which grant all common law rights of ownership and can be mortgaged. USAID (2010) "</p>	<p>USAID Land Tenure Rights - Namibia (2010)</p> <p>Official Gazette Namibia (2012)</p>

NAMIBIA	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
	the Government to create upgradeable alternative land tenure options to informal settlements, which complements the current formal system of freehold tenure (see Table 4 in the Annex for a comparison between the FLTS and freehold tenure). These tenure options should be administered through a parallel interchangeable property registration system obtained in various steps. The FLTS is supported by the Flexible Land Tenure Act, Act No. 4 of 2012. The Act provides for the application of this system in urban areas and peri-urban areas that are within the municipal boundaries	"The FLTS was thus developed and enacted under the Flexible Land Tenure Act of 2012 as an innovative concept to provide affordable tenure security for informal urban settlers. The basic idea of the FLTS is to establish a parallel, interchangeable system complementary to the current formal system of freehold tenure ( Official Gazette Namibia 2012)"	
Minorities & Vulnerable Groups	<p>There have been legislative and programmatic efforts to protect and improve the rights of marginalized groups, but access to Namibia's productive agricultural lands remains highly inequitable. On the other hand, significant progress has been made in establishing wildlife tourism as a rural economic activity, with local communities exercising natural resource management rights through entities known as conservancies.</p> <p>Despite the various legislative pronouncements granting women equal rights to own land, most women obtain access to land through their fathers prior to marriage and through their husbands after marriage. In most parts of Namibia, men are generally deemed to be the owners and controllers of land, and women's access rights depend on their marital status.</p> <p>The Agricultural (Commercial) Land Reform Act of 1995 provides for government acquisition of agricultural land for purposes of land reform and redistribution. The Married Persons Equality Act 1 of 1996 entitles women farmers to equal and independent land ownership under the Agricultural (Commercial) Land Reform Act of 1995 (LAC 2005).</p>	<p>"Under the formal law, land can be titled in the name of individuals and entities, jointly in the name of spouses and in the name of communities, development authorities, and conservancies. In practice, however, communal land belonging to a married couple is often registered individually in the name of one spouse(LAC 2005; Werner 2008)."</p> <p>"Tenure remains insecure for some historically marginalized groups such as the San, women, and people affected by HIV/AIDS. The land reform programs require some degree of interface with government and thus the ability to travel to offices, complete forms, and participate in decisions. These groups suffer from higher rates of illiteracy and less mobility and often have less awareness of programs (USAID 2010)"</p> <p>"Parts of Namibia have matrilineal societies; in these, women tend to have greater control over property. However, land rights nonetheless tend to vest with male family members, and women must actively assert their rights to obtain and retain land any time their status changes (e.g., marriage, divorce, or widowhood). In the event of divorce, traditional leaders generally meet with the parties to decide who will retain rights to land. In some communities the spouse initiating the divorce must leave the communal land (LAC 2005; Werner 2008)."</p> <p>"Namibia's land-reform initiatives require prospective beneficiaries to interact with various governmental and traditional entities, such as Land Boards and Traditional Authorities. Absent affirmative efforts, Namibia's most marginalized people, including the San, those affected by HIV/AIDS, and women are may be overlooked in land-reform programs because they lack awareness of the programs and their potential benefits, are more likely to be illiterate, and often have limited mobility. (USAID 2010)"</p>	USAID Land Tenure Rights - Namibia (2010)
Urban planning & Land administration	The Ministry of Lands, Resettlement and Rehabilitation was established at Independence in 1990 for the planning and administration of lands. The Ministry is responsible for eradicating the disparities in land distribution and providing for the resettlement of disadvantaged Namibians. The Ministry includes the Directorate of Land Reforms, which is charged with acquiring land for resettlement and formulating rural development plans. The Ministry is responsible for the overall administration of state land, including communal areas, through the Division of Land Boards. The Ministry also includes a Division of Land Use Planning and Allocation, which is responsible for developing plans for land use for commercial and communal land, and a Directorate of Survey and Mapping, which supports land-use planning in urban areas, and a Directorate of Deeds Registry (GRN MLR 2001).		USAID Land Tenure Rights - Namibia 2010
Land Conflicts	<p>Namibia's formal court system, which includes magistrate courts, regional courts, the High Court, and the Supreme Court, routinely handles land cases. Namibia's formal courts are distinguished from many on the continent by their independence and attention to matters of both law and fact. In the first challenge to the country's land expropriations under the Constitution, the court criticized the Ministry of Lands and Resettlement for mismanaging the expropriation process and leaving the land-reform program in a state of disarray. The court's judgment is especially noteworthy as the criticism targeted the former Minister of Lands and Resettlement, who is the current President of Namibia.</p> <p>The Community Courts Act 10 of 2003 is an effort to bring the traditional system into the formal court system by recognizing and establishing community courts and allowing them to function as lower courts. The community courts have jurisdiction over any causes of action arising within the community, including matters relating to communal land and housing, and matters of customary law. The process of establishing community courts has been slow, and it is unknown whether they are operational.</p>	<p>Owners of farms seized by the government since 2004 have brought high-profile cases before the formal court system. The initial consolidated cases of three landowners (Gunter Kessi v. Ministry of Lands and Resettlement) confirmed the state's right of expropriation but handed a victory to the landowners because the ministry had not followed appropriate procedures.</p> <p>Local land conflicts have erupted over access to and use of land. As some traditional authorities have lost power, outsiders have been able to take advantage of the vacuum and access natural resources such as grazing land and forests without seeking permission of the people or paying compensation. Communal land has been lost through illegal fencing that has enclosed areas as large as five square kilometers and effectively kept communal landholders from accessing grazing land and bore wells. The problem has created violent confrontation between poorer and wealthier farmers in communal areas. such conflicts are exacerbated by the difficulty of determining who has jurisdiction to resolve the disputes.</p>	USAID Land Tenure Rights - Namibia (201)
Diversity of Land Tenure Regimes	Namibia became independent at a time when customary law and the rights of indigenous people were becoming recognized on the continent. As a result, Namibia's formal laws reflect greater recognition of customary rights than the laws of other African countries. Under Article 66 of the Constitution, principles of customary law in force at time of Independence remain in force until declared unconstitutional. In most communal areas, traditional leaders continue to control the allocation and use of land, applying customary law under the oversight of the Land Boards		USAID Land Tenure Rights - Namibia (2010)
Registering Property - Enforcing Contracts Reforms	<p>DB2014 - Namibia made transferring property more expensive by increasing the transfer and stamp duties.</p> <p>DB2013: Namibia made transferring property more difficult by requiring conveyancers to obtains a building compliance certificate beforehand.</p> <p>DB2012: Namibia made transferring propterty more expensive for companies</p>		IFC- Doing Business _Reforms 2009-2015

NIGER		Description	References
		De Jure - Laws and Regulations	Evidence of De Facto Respect
<p><b>Note:</b> mainly rural country and information regarding urban tenure is limited.</p> <p>Niger is among the poorest countries in the world, with most of its population dependent for their livelihoods upon subsistence agriculture and livestock-rearing. The country has experienced declining average rainfall, desertification, recurring droughts and deforestation. Undermourishment is widespread and the majority of the rural population does not have access to safe drinking water. The government has been unsuccessful in its attempts through legislation to increase land tenure security for the population, individualize land-use rights, and reduce the power of traditional chiefs. Instead, there are now layers of often contradictory land rights. In 2007, 84% of Niger's population lived in rural areas, the vast majority in a semi-fertile swath of land along the country's southern border (USAID 2010).</p>			
Notes			
Context	<p>Niger has been in the proces of revising land tenure and natural resource legislation since 1986. <b>This new legislation (Rural Code 1993)</b>, is motivated by the perceived need to rationalize resource tenure in the face of increased competition. A history of contradicotry land policies, population growht and environmental degradadon has led to escalating tensions over resource access (John Bruce 1998).</p> <p>Since its independence from France in 1960, Niger's successive governments have passed legislation intending to increase land tenure security for the population, support the individualization of land-use rights, and reduce the power of traditional chiefs. Niger's Constitution asserts the right of all individuals to own property, and the Rural Code provides women and men with equal rights to land and other natural resources.</p> <p>A common denominator of all of Niger's land policies since independence is the ineffectiveness of the implementing institutions[ Bloch 2003].</p>	<p>At Independence in 1960, a survey concluded that land ownership was highly concentrated in the hands of traditional leaders, and recommended that the government engage in land reforms to gain popular support, improve the productivity of the land, and conserve natural resources. Successive governments have enacted land reform legislation, including laws granting land to the tiller, reducing the power of traditional chiefs, and individualizing chieftaincy land. The laws have been imperfectly implemented and have failed to account for the political power of traditional leaders and the wide range of land- and natural resource interests, resulting in confusion of land tenure and a high incidence of land conflict.</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights _ Niger (2010)</p>
Key Legislation	<p>The <b>1993 Rural Code</b> decentralizes land administration and allows for registration of customary land rights, but confusion over what rights can be registered, and the lack of capacity to manage land registration, has caused an increase in land disputes and increased the risk that those with less power to assert claims, such as women and pastoralists, will ultimately lose land rights.</p> <p>Niger's Rural Code (<b>Principes d'Orientation du Code Rural, Ordinance 93-015 of 2 March 1993</b>) is the most recent land legislation in Niger. The Rural Code has the following objectives: (1) increase rural tenure security; (2) better organize and manage rural land; (3) promote sustainable natural resource management and conservation; and (4) better plan and manage the country's natural resources. The code seeks to strengthen tenure security by recognizing the private property rights of groups and individuals if such rights were acquired according to either customary or formal law.</p> <p>Two types of land tenure are recognized in rural Niger: individualized ownership rights and a variety of land-use rights. Customary law and traditional practice provide that rural land in Niger can be acquired under the principle of the right of first occupant. Rural land includes individual land, family land, and village common lands, known as chieftaincy lands. The chieftaincy lands include cultivated land, pasture land, fallow, and land devoted to village activities; chieftaincy lands are held and managed by the chief on behalf of the group. Among pastoralists, land-use rights are directly linked to water-use rights. Individuals and groups who control access to a water-point exercise de facto control over access to surrounding land.</p> <p>Rural lands are managed by customary institutions that hold lands according to a variety of indigenous tenure forms. Many customary rights to land are recognized under the Rural Code and can be registered. Urban lands are owned and managed by the state and by collectives; occupants enjoy use-rights. Vacant lands are owned by the state (AUC et al. 2008).</p> <p><b>Article 21 of the Constitution</b> provides that no one can be deprived of property except when taken for public use and when the landholder is fairly compensated in advance. The Rural Code narrowed the state's ability to expropriate land for public us.</p>	<p>"Many commentators have noted that the Rural Code is being only marginally implemented, and that where it is implemented it has uncovered latent conflicts without providing for an accessible and effective dispute-resolution forum, thus reducing tenure security (USAID 2010)</p> <p>With adoption of the Rural Code, demand for tangible, written evidence of rights has increased.</p> <p>Land Commissions are charged with determining land ownership and recording land rights but are hampered by lack of training, capacity, and funding to execute their duties". (USAID 2010)</p> <p>"Urban land rights are allocated by the government in the form of use rights, which the state regulates. Local land tenure commissions can temporarily take land from owners who use land irresponsibly or neglect or abuse the land (AUC et al. 2008; Hobbs 1998)."</p> <p>"The authorities are working with the World Bank to review the land-tenure system and strengthen the judiciary system, especially the commercial courts. In the next two to three years, measures will be taken to improve the legal and judicial environment (modification of legislation for the issuing of land titles, improvement of the legal framework for the taking of guarantees, training of magistrates, etc.)." (IMF Art IV 2007)</p>	<p>USAID Land Tenure Rights _ Niger (2010)</p> <p>IMF Art. IV (2007)</p>

NIGER	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Minorities & Vulnerable Groups	<p>In principle and under law, women and men have equal rights to land and other natural resources. However, in practice, rural women are among the country's poorest people and their ability to access land depends on their relationships to male family members.</p> <p>The Rural Code allows for formal registration of some categories of customary rights to land. The law does not account for the historical patterns of landholdings, and layers of rights and disputes have arisen as various interests seek to register rights to the same land. Simplification of a complex composite tenure system created categories of primary right holders and weaker groups of secondary right holders. Those who lose rights tend to be women, pastoralists, and other less powerful groups.</p>	<p>"Women are among the poorest and most vulnerable groups in Niger. Although almost all of Niger's women work in agriculture, women possess little economic power, and access land only through male relatives." (USAID 2010)</p>	<p>USAID Land Tenure Rights - Niger (2010)</p>
Land Markets		<p>In rural Niger - with customary practices - land transactions take place on the informal market and are validated through witnesses or, in the case of land sales, often by written agreements (Hobbs 1998; McCarthy et al. 2004; Gnoumou and Bloch 2003; Ngaido 1996).</p> <p>In order to promote housing credit, steps will be taken to expedite real estate titling, through rapid strengthening of land registry services. (IMF Art. IV 2009)</p>	<p>USAID Land Tenure Rights - Niger (2010)</p> <p>IMF Art. IV (2007)</p>
Urban planning & Land administration	<p>The National Committee on the Rural Code is the central decision-making body responsible for the implementation of the Rural Code. The Permanent Secretariat of the Rural Code is responsible for developing policies and laws that complement and support the Rural Code, create a resource center, and evaluate the work of the decentralized land commissions. The Rural Code establishes Land Commissions at three levels: department, commune, and village</p>		<p>USAID Land Tenure Rights - Niger (2010)</p>

NIGER	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Conflicts	<p>The Rural Code allows for formal registration of some categories of customary rights to land. The law does not account for the historical patterns of landholdings, and layers of rights and disputes have arisen as various interests seek to register rights to the same land. Simplification of a complex composite tenure system created categories of primary right holders and weaker groups of secondary right holders. Those who lose rights tend to be women, pastoralists, and other less powerful groups.</p>	<p>"Three types of land conflict are common: (1) intra-family conflicts; (2) conflicts between pastoralists and sedentary farmers; and (3) conflicts between villagers and traditional chiefs over access to and use of land (Gnoumou and Bloch 2003). Multiple institutions are involved in dispute resolution, including local administrative institutions, the formal court system, and traditional institutions (including village and canton chiefs). Landholders most often approach traditional institutions before turning to administrative forums or the formal court system."</p> <p>"In rural Niger the pressure on the land has led to increasing conflicts among family members, farmers, farmers and herders, traditional chiefs and some villagers. " (USAID 2010)</p>	<p>USAID Land Tenure Rights - Niger (2010)</p>
Diversity of Land Tenure Regimes	<p>Most customary practices reflect the influence of Shari'a law . However there remains a great deal of diversity between ethnic groups regarding such practices as inheritances, individual versus family tenure, and women's rights of access and ownership.</p> <p>Customary land tenure practices govern all types of land, including agricultural land, pasture land, and housing plots. The laws have significant regional variations in subjects such as the right to inherit land, individual and family tenure, and women's land access.</p> <p>Rural lands are managed by customary institutions that hold lands according to a variety of indigenous tenure forms. Many customary rights to land are recognized under the Rural Code and can be registered. Urban lands are owned and managed by the state and by collectives; occupants enjoy use-rights. Vacant lands are owned by the state (AUC et al. 2008)</p>	<p>"Agricultural land is held communally in many areas of the country, and even where communal land is individualized and passed from generation to generation, customary law often precludes sale of the land. " (USAID 2010)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights - Niger (2010)</p>
Registering Property - Enforcing Contracts Reforms	<p>DB2014: Niger made transferring property easier by reducing the registration fees.</p> <p>DB 2008: Niger made property registration faster and less costly by streamlining the process at the Direction des Domaines and reducing the registration tax.</p>		<p>IFC- Doing Business - Reforms 2009-2015</p>

NIGERIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	More than half of Nigeria's population reportedly lives on less than US \$1 a day, with the greatest poverty in the northern region, which is primarily Muslim. Oil and gas exploitation accounts for 80% or more of government revenues and 95% or more of export earnings. Agriculture and oil account for approximately equal shares of GDP, largely because the agricultural sector employs more than half of the working population. Almost half of Nigeria's population lives in cities; 80% live in slum conditions. Rapid growth of cities has engulfed nearby towns and villages, pushed back forests and coastal mangrove areas, and created conditions of congestion, poor health, and poverty (USAID 2010)		
Key Legislation	<p>The 1978 Land Use Act delegated authority over land allocation to the 36 states and their local governments in an effort to ensure that rural and urban populations had access and secure tenure to land. Land-allocation advisory committees were intended to assist in the issuing of customary certificates of occupancy to applicants, reducing speculation and streamlining access.</p> <p>In 1978, the Land Use Act (or Decree) was enacted. The objectives of the Land Use Act were to: (1) make land accessible to all Nigerians; (2) prevent speculative purchases of communal land; (3) streamline and simplify the management and ownership of land; (4) make land available to governments at all levels for development; and (5) provide a system of government administration of rights that would improve tenure security.</p> <p>The 1999 Nigerian Constitution provides that all citizens have the right to acquire and own immovable property. The 1978 Land Use Act (also known as the Land Use Decree) nationalized all land in Nigeria, formally replacing the customary system of land tenure. The 1999 Constitution incorporated the Land Use Act, which has the effect of requiring any revisions to the Act to comply with rules governing constitutional review and revision, i.e., an act of the National Assembly.</p> <p>The Act imposed a ceiling on urban and rural landholdings: no individual can hold more than 0.5 hectares of undeveloped urban land, 500 hectares of non-urban land, or 5000 hectares of grazing land. The Act prohibits challenge to the nationalization of land and gives state officials authority over provision and revocation of statutory and customary certificates of occupancy.</p> <p>Under the Land Use Act, all land in Nigeria is vested in the government. The Land Use Act recognizes two types of occupancy rights: Statutory occupancy rights. Under the Land Use Act, individuals and entities can obtain a statutory right of occupancy for urban and non-urban land. Statutory occupancy rights are granted for a definite term, which is set forth in the certificate. Recipients of certificates of occupancy are obligated to pay the state for any unexhausted improvements (i.e., improvements with continuing value such as a building or irrigation system) on the land at the time the recipient takes possession and must pay rent fixed by the state. Rights are transferrable with the authorization of the state governor.</p> <p>Customary right of occupancy. Local governments may grant customary rights of occupancy to land in any non-urban area to any person or organization for agricultural, residential, and other purposes, including grazing and other customary purposes ancillary to agricultural use. The term for customary rights (which is contained in the application form and not the legislation) is 50 years, and may be renewed for a second 50-year term. Recipients of customary rights of occupancy must pay annual tax on the land and cannot transfer any portion of the rights absent approval of the governor (for sales of rights) or the local government</p>	<p>"Most observers believe that not only have the objectives of the Land Use Act not been achieved, but that the law has contributed to further distortions and abuses of citizens' rights to access and own land. Further, government's land-use administration has not constrained the unrelenting expansion of agricultural land into fallow and forested areas or the overuse of forest resources to meet the population's energy and food needs.</p> <p>Allocation procedures are highly discretionary, allowing opportunities for corruption and self-dealing by state and local government officials and politicians. Individuals can obtain land use rights, but they have no foundation of communal land holdings and no presumption of inheritance within families or lineages.</p> <p>In contrast to the occupancy system in the Land Use Act, Nigeria's customary land tenure system allows for flexible leases, rentals, pledges, and borrowing arrangements that adapt to the needs and circumstances of different communities, such as new or temporary populations in a remote community.</p> <p>In 2007, Nigeria's President Umaru Musa Yar'Adua announced a 7-Point Agenda, which included land reforms that optimized economic growth through the release of state land for commercialized farming and other large-scale businesses operated by the private sector. A Presidential Technical Committee on Land Reform was formed to advise the government on the creation of a national cadastre, a plan for registration of landholdings, and the development of mechanisms for land valuation and conflict resolution. The Government's 2010 budget includes support for a land reform program, but the details of the program have not yet become available." (USAID 2010)</p>	USAID Land Tenure Rights_ Nigeria (2010)
Evictions-Titling	<p>The Constitution provides that no property can be taken except in accordance with applicable law and upon prompt payment of compensation. The Land Use Act, which was designed to assist the government in its ability to expropriate land, sets out the conditions for such acquisitions: a state governor can revoke a right of occupancy (statutory and customary) for a public purpose or in the event of breach of any provision of the right of occupancy. Local governments can take any land for a public purpose so long as the land is: (1) non-urban; (2) not the subject of a statutory right of occupancy; (3) not within any area compulsorily acquired by the government; and (4) not subject to any legislation regarding minerals or mineral oils</p>	<p>Expropriation of land increased following enactment of the Land Use Act, and large numbers of people were displaced for the development of industry and urban areas, often without compliance with the law. As of 2006, roughly 2 million people had lost their homes and land to compulsory land acquisitions.</p>	USAID Land Tenure Rights_ Nigeria (2010)
ities & Vulnerable Groups	<p>80% of Nigeria's urban residents live in informal settlements with inadequate shelter and limited access to water and sanitation services. These settlements are subject to takeover by the government if development needs are deemed to be of higher interest. In the capital, Abuja, for example, the government has repeatedly bulldozed informal settlements, destroying more than 800,000 homes since 2003. Sporadic efforts to support formalization of land rights through certification of occupancy in cities such as Lagos have been costly and largely unsuccessful.</p> <p>Nigeria's Constitution provides that all persons have the right to acquire and hold property and that no one can be discriminated against on the basis of sex. Land can be registered individually in the name of either a wife or husband, or can be registered jointly in the name of both husband and wife. Women can make requests for land either as heads of households or to obtain land to farm in addition to the land deemed to be held by the husband. The individual is responsible for clearing and cultivating the land and may be expected to make a tribute or gift to</p>	<p>Despite the support for women's land rights in the formal law, customary law and traditional norms tend to disregard the rights of Nigerian women, especially those in polygamous relationships and with regard to rural land. Under traditional customary tenure practices, and especially in non-Muslim areas, women usually accessed land through their status as daughters or wives'.</p> <p>Most people in Nigeria apply principles of Islamic or customary law to the division of property. In the northern states, Islamic law provides that daughters inherit land in an amount that is half the share given to sons. In Nigeria most daughters will generally relinquish their shares to their brothers as a gesture toward family unity, to preserve the value of the land by limiting partition, and as insurance against a future in which they may need to appeal to their brothers for support. A wife</p>	USAID Land Tenure Rights_ Nigeria (2010)

NIGERIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Minor	the chief in exchange".	who survives her husband receives a quarter of his estate if he had no descendants and a one-eighth share if he had descendants. Customary law tends to leave women with fewer rights than Islamic law.	
Land Markets	<p>Land is considered a good investment in many urban areas, especially by speculators who can identify land that the local government might acquire for development, entitling the landowner to compensation.</p> <p>Rights to rural land held under customary and Islamic law are generally considered secure as against other claims from within the community or other communities recognizing customary or Islamic law. Very few people in Nigeria, and particularly those in rural areas, are aware of the Land Use Act, and they do not look to formal law for tenure security.</p> <p>Nigeria has three types of land markets: (1) a market for allocations of certificates of occupancy from the government (formal market); (2) a market for the transfer of land rights documented by certificates of occupancy (formal and informal markets); and (3) the market for land that has no certificate of occupancy (informal market). Formal markets are limited. A study of land allocations and transactions in Lagos and Kano states found that only an estimated 1% of land allocations and transactions occur on the formal market. Roughly 25% of urban land transactions involve land for which there is a certificate of occupancy but the transactions are done without the required consent, payment of taxes, and registration. The balance of transactions involve land for which there is no certificate of occupancy. Almost all rural land is in this last category.</p> <p>Urban land values in Lagos and Kano states increased by about 30% in 2007, and the practice of allowing purchased land to lie undeveloped continues.</p>	<p>"An estimated 80% of urban landholdings in Nigeria are in informal settlements and considered by residents to be governed by customary law.</p> <p>Almost all urban landholders obtain their land-rights by purchase or inheritance.</p> <p>Nigeria's informal land market is vibrant in urban and many rural areas of the country. Population growth, urban development, the increasing commercialization of agriculture, and the expansion of the money economy have spurred the evolution of customary tenure based on families to individualization of land rights.</p> <p>The Land Use Act itself is considered by many observers to be a primary barrier to the development of a formal land market. The high cost and time required to obtain certificates of occupancy and the right to transfer them has kept most land transactions within the informal market and increased land prices while reducing security of tenure after the sale." (USAID 2010)</p>	<p>USAID Land Tenure Rights_ Nigeria (2010)</p>
Urban planning & Land administration	<p>Nigeria's planners have not yet determined how best to formalize land rights, particularly in areas of great sensitivity, such as informal urban settlements, communal lands that are under pressure for development, land used by pastoralists, and encroached forestland.</p> <p>Under the Land Use Act, governors of the 37 Nigerian states have principal authority for land administration. The governor has authority over all urban land within the state, while the local government has authority over all non-urban land. The governor has discretionary authority to classify land as urban or non-urban and to revoke rights of occupancy for overriding public interests, which include urban and rural development. The Land Use Act provides for establishment of a Land Use and Allocation Committee to assist the governor in the implementation of the Land Use Act, and a Land Allocation Advisory Committee advises the local government authority.</p>	<p>In many areas, the Land Allocation Advisory Committees are reportedly not functioning, and the rural populations continue to look to their chiefs and emirs on matters relating to land. The chieftaincy or emirate (in northern Islamic states) is responsible for managing the community land, making allotments to individuals and households, establishing the areas of communal land</p> <p>The Federal Capital Territory (FCT) computerized its land records, uncovered forgery of certificates of occupancy, and is validating more than 50,000 plot allocations made over the past two decades (IMF Art IV 2005).</p>	<p>USAID Land Tenure Rights_ Nigeria (2010)</p> <p>IMF Art IV 2005.</p>
Land Conflicts	<p>Land disputes are frequent and often violent in many parts of Nigeria. Disputes over environmental destruction and access to natural resources in the Niger Delta are commonplace and can often be traced to the pressure of the oil industry on the region.</p> <p>Industrial development, particularly related to the oil industry, has put significant pressure on the people living in the Niger Delta. The discovery and extraction of the massive oil deposits in the Delta have resulted in loss of land and rights to other natural resources. In addition, the region's air, soil, and water have been polluted by oil spills, dredging, construction, and gas flaring, decimating livelihoods based on agriculture and fishing. Social instability and violent conflict have become endemic, with people asserting their rights to natural resources against the government and the oil companies</p>	<p>Nigeria's formal court system suffers from corruption and lack of funding. Cases may take more than two years to resolve; appeals generally add another four years. Facilities are in disrepair, personnel have not received appropriate training, and, once rendered, judgments are poorly enforced in part because records are not computerized and the links are not well established between the courts and enforcement systems, such as the police.</p> <p>In addition to its formal court system, Nigeria has Shari'a courts that apply Shari's law in the northern Muslim states. The formal law also allows states to establish customary courts, and most states have done so. Both systems hear cases on a broad range of issues, including issues of personal law (e.g., marriage, divorce, succession), contract enforcement, and land rights outside the scope of the formal law.</p> <p>"Fraudulent transfers are commonplace, and with only a very small percentage of transactions registered, disputes over the validity of land transactions are frequent." (USAID 2010)</p>	<p>USAID Land Tenure Rights_ Nigeria (2010)</p>
f Land Tenure Regimes	<p>The country is roughly 50% Muslim and 40% Christian, with the remainder of the population holding indigenous beliefs. Many ethnic groups adhere to different versions of customary law. The 12 northern states, which have majority Muslim populations, have officially adopted Shari'a law. In these states of northern Nigeria, Shari'a law supplanted customary law; elsewhere the two systems merged to create a type of hybrid system (USAID 2010)</p>	<p>Rights to rural land held under customary and Islamic law are generally considered secure as against other claims from within the community or other communities recognizing customary or Islamic law. Very few people in Nigeria, and particularly those in rural areas, are aware of the Land Use Act, and they do not look to formal law for tenure security.</p> <p>Nigeria's customary law is a local, uncodified, evolving system of principles and norms that vary by region and community. Under customary law, which prevails in Nigeria despite enactment of the Land Use Act, land is generally regarded as owned by a universal deity, held by a community, and administered for the benefit of the community by the village head, chief, or oba (head chief).(USAID 2010)</p>	<p>USAID Land Tenure Rights_ Nigeria (2010)</p> <p>John Bruce 1998</p>



NIGERIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Diversity o	Customary tenure regimes in Nigeria involve a complex set of rules surrounding natural resource management (i.e tree tenure -- ).	Rights to rural land held under customary and Islamic law are generally considered secure as against other claims from within the community or other communities recognizing customary or Islamic law. Very few people in Nigeria, and particularly those in rural areas, are aware of the Land Use Act, and they do not look to formal law for tenure security (John Bruce 1998)	
Registering Property - Enforcing Contracts Reforms	DB2008- Nigeria made dealing with construction permits easier by setting an official time limit for issuing permits.		IFC- Doing Business _Reforms 2009-2015

SENEGAL		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Urban areas have experienced rapid growth in recent decades. Dakar is the largest metropolitan area, housing 20% of Senegal's total population and 50% of the country's urban population. The city has sprawled outward in informal settlements characterized by little or no infrastructure. Other urban areas are much smaller . The legal framework of Senegal's land regime consists of multiple civil laws, religious law, and a long history of evolving principles of customary law. Fish supplies about 75% of the population's animal protein and is also the country's leading export, accounting for between 22 and 30% of export earnings in the 2001–2008 period.		
Context	<p>Like all contries in West Africa, Senegal is ethnically diverse. Incorporated within the many groups are myriad customary land tenure systems. These systems are not static. Unfavorable environmental conditions coupled with population presures have pushed agriculture onto new lands. Asa result many conflits have risen between farmers and other use groups. Almost every group practices herding at some degree (Bruce 1998)</p> <p>Senegal's policy of decentralization with regard to land administration, implemented over the past 45 years, has not, in general, resulted in greater local control, more productive and/or sustainable land use, or greater security of family or individual tenure. Customary law continues to prevail in most rural areas, but a great variety of approaches is being applied. The rights of women and youth to land and incentives to use it sustainably are not always in place. In urban areas, there are high levels of informal transactions. Where land rights were complex, as in the Senegal River Valley, state-led investments have replaced customary tenure with new systems, but security of rights remains an issue.</p>		
Key Legislation	<p>Under colonial rule, customary law jurisdictions were permitted to coexist alongside a French-modeled legal code. In 1964, the government passed the National Domain Law, which was intended to break the grip of traditional ethnic and religious hierarchies over land access, to encourage productive use of land, and create an economic environment conducive to agricultural exports. The National Domain Law classified about 97% of all land in Senegal as state-owned; the 2–3% of land that had been registered as freehold during the colonial era remained under private ownership. The National Domain Law classified land as within urban, classified, agricultural, or pioneer zones. The law also decentralized control over land to local governance bodies (municipalities and rural communities).</p> <p>Articles 8 and 15 of the Constitution of the Republic of Senegal (2001) provide for fundamental economic and social rights, including the right to property (GOS Constitution 2001</p> <p>The Rural Community Law of 1972 (Loi relative aux Communautés Rurales) provided the structure for the elected rural councils (counseils ruraux) and the ambit of their authority. As the representative of the rural community, the rural council has the authority to allocate use-rights to land, conditional upon the landholder's, economically productive use of the land. The concept for productive use of land is not defined in the law; the rural council establishes criteria based on local development plans. Natural persons and legal entities can obtain long-term, heritable use-rights to rural land, subject to a productive use requirement.</p> <p>Law No. 76-66 of July 2, 1976 extended the state's public domain to include subsurface land, inland waters, ocean shores, and offshore waters. The law also identified types of land tenure: authorized occupancy, leases, and land concessions. Decree No. 80-1051 of 14 October 1980 gives the préfet (local official of the central government) the authority to define the minimal conditions for productive use of land with reference to the conditions of the local area</p> <p>Two decrees focus on urban land. First, Decree No. 91-386 of 1991 provides for the regularization of rights to plots in informal settlements and upgrading of services and facilities. The decree characterizes regularization and upgrading of informal settlements as an issue of public utility, thus permitting the state to expropriate land in areas designated for urban renewal without following the procedural requirements and specific showing of public interest. Second, Decree No. 91-748 of 1991 sets out the procedures governing the registration of ownership, eases, and occupancy rights to urban land, including regularization of informal settlements</p> <p>Senegal's land is classified as in either the national domain or the private domain. Land in the national domain includes state land, which is further classified as either non-transferable public land or transferable state land. Land in the private domain is land held by individuals or entities under registered title documents. Senegal's land is also classified by zone: (1) urban zones (zones urbaines) are urban areas or community settlements; (2) classified zones (zones classes) include land that is governed by specific statutes, such as classified forests, national parks, and other government protected areas; (3) territorial lands (zones de terroir) include agricultural land (including pastureland) and non-classified forests in the national domain; and (4) pioneer zones (zones pionnières), which includes all remaining land.</p> <p>The law requires all land transactions to be conducted through and recorded with the rural council, and the rural council has authority to decide land disputes in its jurisdiction. The rural council's authority is circumscribed by the central government, which retains the right to veto the decisions of the rural council. Officials of the Ministry of the Interior (e.g., sous-préfets, préfets) have exercised the authority to trump decisions considered contrary to protection of the state's interest in natural resources.</p> <p>Senegal's formal law recognizes the following tenure types: Ownership. Natural persons and entities can own land under formal law and have all freehold rights, including the right to exclusive possession, use, and transfer (Monkam 2009). Leasehold. Natural persons or entities can obtain leaseholds of private land or land in the national domain that is transferable. Leases can be granted for terms up to 30 years and are renewable (Monkam 2009). Occupancy rights. The formal law recognizes two types of occupancy rights on urban and peri-urban land: surface rights and occupancy under administrative certificates (ACs). Surface rights are granted for urban land for periods of 50 years, with one 50-year renewal. The state grants surface rights for urban areas that are planned for envelopment or informal settlements that are identified for upgrading. Surface rights cannot be transferred during the first five years but are fully transferrable thereafter. Holders of surface rights can apply for freehold ownership rights upon payment of fees, taxes, and the administrative cost of the land. Occupancy under administrative certificate is a temporary, revocable right granted by the government for occupancy of public land. In the event the land is developed in accordance with a sanctioned plan, the AC may be converted into a leasehold. Land-use allocations under customary practices. The National Domain Law permits rural councils to allocate territorial land for use under customary principles so long as the land is used productively. Occupants of land for three or more years can apply for use-rights, regardless of competing claims of customary ownership rights</p>	<p>Despite the efforts to control land tenure in Senegal through a framework of formal law, customary law continues to govern land rights and the transfer of land in much of the country. In Senegal's highly-stratified society, customary practices tend to favor elites (i.e. elders, and religious and political figures) at the expense of lower- caste farmers. In urban areas, land rights regularization programs have granted 50-year surface rights to urban residents. However, lack of knowledge of or resistance to the authority of the formal law has led many landholders dependent on principles of customary law to support their rights to land. (USAID 2010)</p> <p>Most of the land in Senegal continues to be governed in large measure by customary law. In rural areas, land is held communally by families and lineages, although over time rights have become highly individualized. Loans, leases, and gifts of land governed by local customary law are common in most parts of the country. About one- third of land in urban areas is in informal settlements. Some residents claim rights to their plots pursuant to an occupancy certificate issued by the government or informal documentation evidencing a land purchase or lease (Furth 1998; Monkam 2009). Foreigners are permitted to own land in Senegal. Regulations generally require land purchased for commercial purposes to be acquired via a governmental body and developed according to specific requirements.</p> <p>Senegal's legislation supporting the regularization of land rights in informal settlements has not had the impact drafters intended. The government's plan to conduct systematic regularization and upgrading of informal settlements has been delayed by lack of human and financial resources and complications in the procedures. Informal settlements often include residents and developers with a variety of rights, and different procedures must be followed depending upon whether the land has been registered as state land and whether title has been registered. Of those residents receiving 50-year surface rights, few residents have paid the fees to obtain ownership rights to their land. In informal settlements, most residents report that in the short term their customary rights are secure as against claims from other community members or migrants to the settlement; in the longer term residents recognize the value of formal rights. (USAID 2010)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights - Senegal (2010)</p> <p>USAID Land Tenure Rights - Senegal (2010)</p>

SENEGAL	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Evictions-Titling	Government expropriation of land requires a showing of public necessity and payment of just compensation, which includes actual cost and earned value. Decree No. 77-563 of 3 July 1997 outlines the expropriation procedure under which the state can expropriate land for public utility and subject to fair and prior compensation. The law provides for establishment of a Conciliation Commission that is responsible for determining fair compensation. If the parties are unable to agree on an amount, an expropriation judge delivers a ruling. Either party can request the services of an evaluation expert, but once the expropriation judge rules, only limited grounds for appeal exist. Separate laws provide streamlined procedures for certain land expropriations, such as land-takings for regularization and upgrading of informal settlements	At least with relation to large projects with reported procedures, recent governmental land-takings have been compensated in accordance with the law. Anecdotal reports suggest numerous cases of expropriations without payment of fair compensation. Municipalities can expropriate rural land for urbanization and often provide compensation in the form of upgraded land or alternate land. Arrangements are often unsatisfactory to rural landholder. (USAID 2010)	USAID Land tenure rights - SENEGAL (2010)
Minorities & Vulnerable Groups	The 2001 Constitution guarantees gender equality, and national land policy appears to foster gender-neutral access to land. Despite the support for equitable access in the formal law, in large measure social and religious norms continue to dictate women's land rights: most women access land through their husbands, and the security of their rights is dependent on maintaining the relationship with their husbands.	Informal settlements make up 25% of urban land in Senegal. Thirty percent of the residents of the capital city of Dakar live in informal settlements, often with no, or limited, access to services. From 1960 to 1987, Senegal's government undertook large-scale slum clearance efforts, but informal settlements continued to spread, and the government faced increasing vocal public criticism of its actions. In 1987, the government adopted a progressive policy of systematic regularization of informal settlements and planned to provide upgradeable, 50-year rights of occupancy to 41,000 households. As of 2007, however, only about 1600 plots had been regularized under the program (USAID 2010)  'In some areas, the National Domain Law has increased the insecurity of women's land rights. Women and other marginalized groups that may not have access to the most productive land often reach agreements with landholders to farm underutilized parcels. The National Domain Law provides that cultivators who have used the same land for three years or more may claim long-term use-rights to the land. The provision causes some landholders loaning or renting land to women and other cultivators to reclaim their land before three years have passed in order to make sure the women or other cultivators do not obtain long-term rights to the land (Furth 1998).	USAID Land tenure rights - SENEGAL (2010)
Land Markets	Land in the national domain cannot be sold, limiting the formal land-sale market in Senegal is limited to privately held freehold land. Freehold land was estimated at 2–3% of total landholdings in 1964. The amount of registered freehold land has increased because some holders of surface rights have converted their rights to freehold rights. However, that number is presumed to be quite small due to the limited amount of informal settlements regularized and the high cost of obtaining freehold title.  Senegal has an active informal market in land sales and leases. and in peri- urban areas have become increasingly valuable and support a vibrant informal land market. Collusion between developers and elected officials is common in some areas, particularly where land is highly productive or well-suited to development and prized by investors.		USAID Land tenure rights - SENEGAL (2010)
Urban planning & Land administration	<b>The Decentralization Law, Law No. 96-06 of March 22, 1996</b> , clarified the subnational governance structure at the regional and commune levels in both urban and rural areas. In urban areas, communes are governed by elected municipal councils. Municipal councils have input into local planning and can apply for use of state land for infrastructure development, but the central government retains primary control over urban land. Rural communities are governed by elected rural councils, which are responsible for the allocation of rural land rights and establishment of agricultural production standards in rural areas.  Senegal's formal law – including the National Domain Law of 1964, the 1972 Rural Community Law, and the Decentralization Law of 1996, and multiple decrees – decentralized land administration functions to a subnational system of regional and local governing bodies (the commune in urban areas and communities in rural areas). Regional government has a broad mandate to support economic and social development, but has no separate source of revenue (USAID 2010)	Implementation of a new software for management of the property tax base and the digitization of land and forest registry are proceeding (MEFP para. 33). The Government will continue its efforts to the computerization of the DGID, and digitizing the Land Registry. The electronic data-sharing system will become fully operational by June 2005. It will make it possible to prepare monthly reports on taxes assessed and collected with a maximum lag of one month. The digitization of the Land Registry will enhance the efficiency of land and government property management. The numerical mapping of the 40 largest urban areas was finished in December 2004 (IMF Art IV 2006).  The process of enhancing transparency in real estate transactions and advertising sales and transfers of holdings of the government's land is continuing. By end-January 2013, the government will publish on a website accessible for the public all information relating to the number of files involving final property sales and transfers from government holdings, indicating the land areas sold, the geographic location of the land, and the corresponding revenue received (IMF Art IV 2012).  The African Development Bank (ADB) is funding the 5-year (2005–2010), US \$13.5 million UAC Land Register and Cadastre Modernization Project, which is digitizing the land register and reducing processing time for land certificates (USAID 2010)	USAID Land tenure rights - SENEGAL (2010)  IMF Art IV (2006, 2012)
Land Conflicts	Land tenure insecurity has resulted in increasing degradation of forests and other natural areas due to encroachment, as well as a growing number of land-based disputes. Open-access rules and practices on public lands lead to a —tragedy of the commons situation.	Urban land disputes are under the jurisdiction of criminal rather than civil court, and the commencement of a criminal action is a deterrent to many claimants. Those who do proceed often criticize the court as inefficient, corrupt, biased, and lacking necessary resources.  Land disputes are relatively common in Senegal and dispute-resolution procedures include formal and customary mechanisms and tribunals. One common cause of disputes is competition for resources between pastoralists and sedentary farmers. Disputes regarding rights to urban plots and urban expansion into rural areas are also common. (USAID 2010)	USAID Land tenure rights - SENEGAL (2010)
Diversity of Land Tenure Regimes	Despite the efforts to control land tenure in Senegal through a framework of formal law, customary law continues to govern land rights and the transfer of land in much of the country. In Senegal's highly-stratified society, customary practices tend to favor elites (i.e. elders, and religious and political figures) at the expense of lower- caste farmers.	The primary means by which people access land in Senegal is through inheritance, leasing, borrowing, land purchase, and allocations from rural councils. Inheritance rights are governed in most communities by customary and religious law. Rights to land pass through generations, either through the father or mother's lineage, depending on the local practice. The application of formal law and assertion of the authority of rural councils have created a pluralistic legal environment that is most marked in areas of development for irrigation or commercial agriculture where land rights are granted under formal law. In such areas, multiple land tenure systems may exist.	USAID Land tenure rights - SENEGAL (2010)

SENEGAL		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Registering Property - Enforcing Contracts Reforms	<p>DB-2015: Senegal made it easier to transfer property by replacing the authorization from the taz authority with a notification and setting up a single step at the land registry.</p> <p>Senegal made dealing with construction permits easier by reducing the time for processing building permit applications.</p> <p>DB2014: Senegal made transferring property easier by reducing the property transfer tax</p> <p><b>DB 2012: Senegal made enforcing contracts easier</b> by launching specialized commercial chambers in the court</p> <p>Senegal made obtaining a building permit more expensive by increasing the cost.</p> <p><b>DB 2009: Senegal reduced the time needed to transfer property</b> by introducing time limits at the land registry - for issuing registry certificates and registering property , and at the Directorate of Taxes and Property.</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>

SA	Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect
Notes	Land reform in SA is one of the outcomes of democratization in 1994. Land tenure rights are more based on property than land itself. Checks and balances exist, despite limitations. There is a highly functional market vs. an informal one that is moderately secure. Courts of Law have been seized against evictions and many rulings have been in favor of evicted.	
Context	Major land reforms 'are being' implemented aimed at more equitably distributing the currently highly skewed racial distribution of land. From 1913 to 1992, the majority of black SA was prohibited from owning land and excluded from participation in the land market. Colonial land dispossession and legislation, South Africa's Land Acts of 1913 and 1936 and apartheid laws solidified white control of 87% of SA's land and created extreme inequities between the white and black population. White property rights and claims consist largely of legally recognized title: title deeds, mineral rights leases which were originally established by the Dutch and British colonial governments - these are protected by laws, institutions and regulations. State administered tenure were implemented in bantustans, reserves and townships. <b>In urban areas, black occupied land was owned by the state or white local authorities and occupation rights were granted by Certificates of Occupation or loggers' permits.</b>	Freehold tenure for blacks has survived to a limited extent in South Africa. Under severe demographic and social pressure most privately owned black land carries tenancies, with tenants living under informal tenancy leaseholders in densely populated informal settlements (John Bruce 1998)
Key Legislation	<p><b>The 1996 Constitution</b> includes a property clause which provides the protection of property rights, and expropriation only " for public purpose or in the public interest and subject to compensation" the amount and method which will be agreed by a court of law.</p> <p><b>The Urban Development Strategy (1995) and Urban Development Framework (1997)</b> set out government policies relating to urban development in the country. They were revised in 2007 --NPH paper.</p> <p>A range of land related legislation were passed at the end of Apartheid: <b>The Restitution of Land Rights Act (1994)</b>, which created a Commission on restoring land rights and a Land Claims Court, <b>The Development Facilitation Act (1995)</b>, which introduces measures to speed up land development, <b>The Land Administration Act (1995)</b>, which makes provision for the assignment and delegation of powers to the appropriate authorities and <b>The Upgrading of Land Tenure Rights Act (1993)</b>, which provides for the upgrading of various forms of tenure.</p> <p><b>The new Municipal Property Rates Act, 2004</b>, seeks to reform the current system of levying property rates by municipalities and as such introduces fundamental changes to the current system of property rating provided for in the various local Government Ordinances. The Act seeks to enhance certainty, uniformity and simplicity in property rating, and provide local government with a sufficient and buoyant source of revenue to fulfil its development responsibilities and ensure economic and financial viability of municipalities without debilitating the poor. In particular, municipalities are required to do the following: ▯ Prepare a Rating Policy; and ▯ Establish a Property Rates Management Information System which should include property imagery, cadastral information, ownership details, land use management and zoning details for every property parcel with the area of jurisdiction.</p> <p>The basic principles that must guide housing development as outlined in <b>section 2 of the Housing Act</b> include:</p> <ul style="list-style-type: none"> <li>• giving priority to the needs of the poor in respect of housing development;</li> <li>• consulting meaningfully with individuals and communities affected by housing development.</li> </ul> <p>Legislation related to evictions: This legislation includes: • The Extension of Security of Tenure Act 62 of 1997 (ESTA); • The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act No 19 of 1998 (PIE); • Land Reform (Labour Tenants) Act 3 of 1996 (LRLTA); • The Rental Housing Act 50 of 1999 (RHA); • The Restitution of Land Rights Act 22 of 1994 (RLRA); and • The Interim Protection of Informal Land Rights Act 31 of 1996 (IPIIRA)</p> <p><b>In South Africa, the law does not explicitly guarantee title to land and other real rights. The system of registration is based on a juristic foundation as well as long-standing practices and procedures. It is the system of registration that has the effect of "guaranteeing" title.</b> The system's processes of examination and registration, its control and monitoring of standards, its public register and information systems, and its methods of preservation of records, all contribute towards providing security of title in the eyes of the law, financial institutions and the public. The system is based on the principles of Private Law, accommodating and giving effect to statutory, case and common law in so far as it relates to vested ownership in land and other real rights. To regulate the system, the Deeds Registries Act and the Sectional Titles Act are applied. These Acts form the foundation of land registration in South Africa. (Royston 1998)</p> <p><b>The Consumer Protection Act 68 of 2008, came into force on 31 March 2011.</b> That Act promotes a fair, accessible and sustainable marketplace for consumer products and services. It protects consumers against certain suppliers of services (i.e., developers) in the property sector and other industries. The intention of the Act is also to promote the economic welfare of consumers in South Africa. Agreements between suppliers of property to consumers are regulated, outlawing certain unfair practices and illegal provisions and allowing the reversal of transactions under certain circumstances (Chenwi 2008)</p>	<p>"Yet land reform, in the sense of redistribution, has been low on the agenda, and what has been undertaken since 1994 has been concentrated in the area of land restitution. [2013 Law Blog]The Constitution requires that fair value be given to any property expropriated for land restitution or other purposes. Land claims have been made mostly in respect of rural property and not urban property, although certain tracts of urban property are subject to outstanding land claims. This has had an effect on investment in properties subject to land claims --- All land claims had to have been filed with the Land Claims Commission by December 1998, and no new claims may be entertained. The Land Claims Commission continues to settle land claims". (Royston 1998)</p> <p>"As the township register includes only formally registered erven, it excludes vast populated areas such as the formal home lands and tribal land. Examples of these include the former Transkei and Ciskei, and tribal areas; The land use or zoning of the registered erven are not recorded in the township register, and it is therefore not possible to assemble the data based on land use or zoning;The register does not capture any demographic data and consequently cannot be used to analyse any property ownership trends on, for instance, a racial basis; and finally, it must be noted that the deeds registry records property transactions, not land transactions" (Urban Land Report 2007)</p> <p>"The Consumer Protection Act requires compliance but has had little effect on real estate activity". (ENSLAW 2013)</p>

Minorities & Vulnerable Groups	<b>The Land Reform (Labour Tenants) Act No. 3 of 1996, the Interim Protection of Informal Land Rights Act No. 31 of 1996 and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998</b> all provide security of tenure to particular classes of tenants. The legislation, while giving protection to tenants, does not restrict landowners from approaching a court of law for the eviction of those tenants.		Urban Land Markets SA (2007)
Land Markets		<p>How people make agreements - Only 36.8% of the respondents in the RDP housing projects refer to title deeds as their means of securing tenure. Of this figure, 25.4% of respondents were given a title deed and 11.4% indicated that a title deed was coming. For many people, therefore, the title deed was not perceived as being important for making agreements. The acceptance of written evidence is high at 33.4%, including receipts, documents or letters.</p> <p>The informal urban property market is a competitive market. The market provides access to low-income households, individuals and enterprises to urban amenities and opportunities. However, there is limited access to legally defensible tenure and generally quality is inadequate. As a result, the ability of this market to generate wealth or offer security of tenure is limited.</p> <p>The formal urban property market allows the trading of urban property as a commodity for a range of uses. The market functions adequately, but with some problem areas that should be addressed. Generally, this market provides limited access to the poor except where there are dysfunctional areas. Interventions to increase access for the poor need to be implemented.</p>	Urban Land Markets SA (2007)
Urban planning & Land administration	<p>Historically, land administration was clear and record keeping was well documented in white areas, while administration in the black areas was chaotic. In the townships, colored reserves and bantustans different laws, administrative systems and authorities existed to administer land matters. Up to the 1995 - the existent legislative framework for land development was inappropriate, apartheid based and duplicative (John Bruce 1998).</p> <p>The Chief Directorate : Deeds Registration (Department of Land Affairs) is charged with the administration of the land registration system, including the registration of rights to land and other matters prescribed by the Deeds Registries Act (Act 47 of 1937), the Sectional Titles Act, (Act 95 of 1986), and other laws relating to land or rights to land.</p> <p>In the case of urban properties, planning control is extensive through planning ordinances, municipal by-laws and approved development frameworks of the municipalities indicating the extent to which land may be developed with support of the authorities.</p> <p>Urban Development Framework (UDF) is an update of the UDS and is government's policy framework for urban development. The emphasis is more on implementing the vision and no new tools are introduced. However, there is a new recognition of land reform, as well as promoting land markets and protecting property rights (Urban Land as Commodity Report 2007)</p>	<p>Provincial governments have concurrent responsibilities with national governments with regard to critical areas that affect the sustainability of land reform, including development planning. Provincial steering committees are being created to plan, implement and support land reform. However land administration functions remain fragmented among disparate departments at the national, regional and local levels (Urban Land Markets SA 2007)</p>	<p>John Bruce (1998)</p> <p>Urban Land as Commodity Report (2007)</p> <p>Enslaw (2013)</p>
Land Conflicts	Evictions are handled by courts of law. EXAMPLE: Port Elizabeth 2004: The Constitutional Court denied the eviction order on, among other grounds, the basis of the length of occupation of the land, the fact that the land was not being put to some other productive use, and the lack of suitable alternative land.		Chenwi (2008)
Diversity of Land Tenure Regimes		<p>"Just over 40% of respondents indicated that even though they did not have any means of assuring that land access would be valid, they still took a chance claiming land in informal settlements. This high rate suggests that people feel it is worth taking a chance in this risky and precarious undertaking. Commonly agreed systems, such as those put in place by local committees, are the most important means of checking."</p> <p>" Most households in the informal settlement case studies relied on written documents to make agreements. About one in five households either made the agreement verbally or had no agreement."</p> <p>"Since 2003 almost 16% of households have traded their shack in Cape Town's Nkanini IS for an average price of R1 350. In the last five years (to 2007), an impressive 38% of households have traded shacks at an average price of only R50 - in Ekurhuleni 'IS Somalia. In the last five years, 24% of households have traded shacks in the area at an average price of R590 - Durban IS." (Urban Land Markets SA 2007)</p>	Urban Land Markets SA (2007)

Registering Property - Enforcing Contracts Reforms	<p>DB2015- South Africa made enforcing contracts easier by amending the monetary jurisdiction of its lower courts aand introducing voluntary mediation.</p> <p><b>DB 2012-</b> South Africa made transferring property less costly and more efficient by reducing the trasnfer duty and introducing electronic filing.</p>		IFC- Doing Business _Reforms 2009-2015

SUDAN		Description	References
	De Jure - Laws and Regulations	of De Facto Respect	
Notes	<p>Sudan - context complicated by the separation of N-S in 2011. Violent conflict over resources, revenues and aspirations has defined Sudan's history. A civil war that lasted 20 years and killed more than 2.5 million people concluded with the signing of the Comprehensive Peace Agreement (CPA) in 2005 and later, in 2011, a referendum that created the newly independent state of South Sudan. The Khartoum government's repressive appropriation of land and systemic abuse of local land rights were significant factors fueling the civil war. As part of the peace process, the Government of Sudan (GoS) and the Government of South Sudan (GoSS) recognized the need to develop land policy, land legislation, and functioning land institutions and supporting services. Urbanization is on the rise, however, as a result of insecurity in rural areas and the perception of greater opportunities in urban centers. The population of Sudan is primarily located in the urban areas, along the Nile River, and in areas of industrial and mechanized agricultural development. (USAID)</p>		
Context	<p>[historical context only]: Patterns of land law and administration under the Islamic regime do not appear, in practice to differ significantly from those of earlier regimes. While private ownership is well established in the Northern Sudan, in the rest of the country existing policy and law use government ownership of land to provide access to resources to Northern elites on conditions which are highly profitable but not environmentally sustainable. Conflict over land has become endemic, information is however scarce and it is hard to evaluate the context appropriately.</p> <p>The Anglo-Egyptian administration enacted the 1970 legislation that limited private ownership to limited area, mostly along the northern Nile. All other land was state owned. Customary tenure controls access to most agricultural land - particularly in the whole southern region. However, customary tenure has been replaced gradually but steadily by tenure rights derived from national law. Private individual law is part of the Islamic law and has long been practiced in urban areas and other more thoroughly Islamized areas of northern and central Sudan.</p>		John Bruce (1998)
Key Legislation	<p>The formal laws governing land include colonial era laws and a handful of post-independence statutes relating to the registration of land and its impact on land rights, and the legal framework regarding land access.</p> <p>Formal law, including Islamic law, governs land access and tenure security. Formal law provides that all unregistered land – which comprises 90% of the country's land – is owned by the government. Customary land tenure systems exist throughout Sudan but are not formally recognized by the government. Sudan's current interim constitution was installed in <b>2005 following the signing of the Comprehensive Peace Agreement. The Interim National Constitution (INC)</b> does not directly address land rights and ownership of natural resources, but it does sanction the establishment of a National Land Commission to direct the development of land policy, the adjudication of land disputes and the development of policies for the recognition of customary land rights. The legal framework governing land in Sudan is a complex mix of statutory law and customary law that have evolved over time, with little to no coordination between the two.</p> <p>Under formal law, the GoS has been free to issue long-term leases to unregistered land without consulting local communities, while smallholders and pastoralists have been evicted from land and denied access to natural resources in favor of private investors, land speculators, military personnel and elites. Most of the country's urban population – including millions of internally displaced persons (IDPs) and rural residents whose means of livelihood have been destroyed – live in informal settlements without secure rights and are vulnerable to eviction and the destruction of their residence.</p> <p><b>The Land Resettlement and Registration Act (1925) (LRRRA)</b> is the primary reference for details on land settlement and the registration of rights. The LRRRA also consolidated government ownership over land by establishing that all unoccupied land is presumed to be state land. <b>The Unregistered Land Act (1970)</b> served to nationalize all unregistered land in the country. The Act provided that all land that had not been registered at the time of the Act's passage was state land. <b>The Civil Transaction Act (1984)</b> repealed the Unregistered Land Act, but retained the principle of state ownership of land. The Act provides the framework for transactions in land, including leases and easements, transfer and inheritance of rights, and conditions for obtaining usufruct rights. The Act affirms the government's authority to administer rights over land and provides that registered usufruct rights to land are equal to registered ownership rights to land. The 1984 law also introduces Sharia law into the formal legal framework and includes a requirement that the government provide compensation when it appropriates land.</p>	<p>"In urban areas, state ownership of land predominates, and the government allocates land through formal leases. Informal leases between individuals remain common in communities and informal settlements that have not been subjected to government allocation of lands. Eviction, demolition and relocation of communities have been common in Khartoum as the government asserts control over land to implement its urban planning strategy.</p> <p>Since independence, the Sudanese government has expropriated land without due process or payment of compensation. The GoS has relied on formal law – the Unregistered Land Act of 1970 and the Civil Transaction Act of 1984 - to designate all unregistered land as state land." (USAID 2013)</p>	USAID Land Tenure Rights - Sudan (2013)
Evictions	<p>Under the 2005 Interim National Constitution, private property cannot be expropriated except in accordance with law and for the public interest. Prompt and fair compensation must be paid. The Land Acquisition Act (1930) is consistent with the constitutional provisions. The Acquisition Act authorizes the state to take private property in the public interest, under terms consistent with the Seventh Constitutional Decree (1993) and the Civil Transactions Act (1994) (UNHCR 2005).</p>		UNHCR (2005)



SUDAN		Description	References
	De Jure - Laws and Regulations	of De Facto Respect	
Minorities & Vulnerable Groups	In much of Sudan, Shari'a law governs property rights in the event of marriage, divorce and death. Land rights tend to be retained by male family members, and women's land rights are highly insecure.	<p>Women's land rights are highly insecure in Sudan.</p> <p>'Khartoum, the capital, has an estimated 5–7 million residents, including a UN-estimated 1–1.2 million IDPs from southern conflict zones and from drought areas in the east and west. Most residences are single story buildings, constructed on plots of 300–500 square meters. Large unauthorized settlements are growing on the outskirts of Khartoum and Sudan's other cities and towns. The settlements are characterized by lack of planning, inadequate water and sewage services, and the prevalence of disease.</p> <p>'Historically, land tenure insecurity has resulted from the imposition of formal law that does not recognize individual rights to unregistered land. State authorities have considered unregistered land to be state land and thus available for the state to transfer to private commercial interests, the military, land speculators and elites without regard for customary rights.' (USAID 2013)</p>	USAID Land Tenure Rights - Sudan (2013)
Land Markets	<p>The recognition and use of formal law is predominant in urban areas and towns (UNEP 2012). In urban areas, formal and informal leases of state-owned land are the most common tenure systems. The terms of leases vary and are often undisclosed to tenants. Plots offered under formal leases are rare and expensive, and most urban and peri-urban residents live in informal settlements with limited or no services. The government has used the demand for housing to forcefully evict occupants and demolish informal settlements. The sites are then allocated (leased) by the government to investors for new residential construction.</p> <p>Under the Civil Transaction Act of 1984, land transactions must be registered. In Khartoum, land registration requires six procedures and nine days, and costs 3.1% of property value. Only a very small percentage (10% or less) of land in Sudan is surveyed and registered. Urban cadastral information is largely nonexistent or in disarray. Most land transactions are informal and not registered</p>		USAID Land Tenure Rights - Sudan (2013)
Land Planning	<p>Land matters and the reform of Sudan's land administration systems were key components of the Comprehensive Peace Agreement. Chief among the promised reforms was the establishment of an independent National Land Commission, and State Land Commissions in South Kordofan and Blue Nile, each of which would be responsible for recommending land policy reforms and resolving historical claims over land. These reforms are specifically to include recognition of customary rights and customary land law.</p> <p><b>The Local Government Act (1998)</b> identifies land management and administration responsibilities of local authorities. The Act was adopted in effort to fill the void that was left by the Government's elimination of Native Administration in the 1970s. The Act confers on local authorities responsibility over (1) establishment and function of local land management committees; (2) development of local laws regulating land management; (3) involvement of customary authorities in land management; and (4) accountability mechanisms for land management</p>	<p>Support urban planning and formalization of urban land rights. Rapid urbanization across Sudan has outpaced the capacity of government institutions to create and implement master plans and develop policies for upgrading and regularizing informal settlements</p> <p>'Land Commissions have yet to be established at the National level and in South Kordofan and Blue Nile States, and as a result, land administration practices and institutions in much of Sudan remain substantially as they were prior to the CPA. The Darfur Land Commission was established in 2007 as part of the Darfur Regional Authority. Since its founding, the DLC has engaged in projects related to collection of customary laws and practices and land use and natural resource mapping.</p> <p>Land matters and the reform of Sudan's land administration systems were key components of the Comprehensive Peace Agreement. Chief among the promised reforms was the establishment of an independent National Land Commission, and State Land Commissions in South Kordofan and Blue Nile, each of which would be responsible for recommending land policy reforms and resolving historical claims over land. These reforms are specifically to include recognition of customary rights and customary land law.</p> <p>Most government land administration functions in Sudan have been devolved from the federal government to the state level. To the extent that the federal government remains involved, it is largely responsible for setting standards and providing training and guidance to the state authorities. However, in many federal ministries, the precise allocation of responsibilities and authority remains unclear. (USAID 2013)</p>	USAID Land Tenure Rights - Sudan (2013)

SUDAN		Description	References
	De Jure - Laws and Regulations	of De Facto Respect	
Land Conflicts	<p>In 2005, the Sudan People's Liberation Movement (SPLM) and the Government of Sudan signed a Comprehensive Peace Agreement (CPA) ending the civil war. The CPA called for a 6-year interim period for peace building, during which the Khartoum-based government and the southern-based SPLM would share power and wealth, including oil revenues. The authority of the customary institutions historically responsible for resolving land disputes has weakened, and land commissions called for in the CPA have yet to be formed. It is at the locality (mahalia) level where customary authorities intersect with formal government institutions. Each mahalia supports a Land Conflict Resolution Committee that is responsible for resolving land disputes. Customary authorities typically play a prominent role on these committees. Disputes that cannot be resolved by the committee may be taken to Civil Court.</p> <p>Customary institutions have historically been used to resolve local land disputes. Local chiefs or sultans commonly resolve minor disputes. Matters can be taken to the Native Administration or to customary courts, in which traditional leaders such as sultans, omdas and sheikhs serve as judges. The customary courts enforce customary law to the extent that it is not inconsistent with statutory and Shari'a law. Customary courts can refer cases to the formal court system.</p> <p>In urban areas in the border regions, military personnel have taken advantage of their positions to occupy residences or construct buildings on land that owners left vacant when they fled the violence. The military personnel have been unwilling to vacate the land upon the return of the owner, or have claimed ownership rights and sold the plots to others.</p>	<p>"Land commissions at the national level and in the States of South Kordofan and Blue Nile, that were to arbitrate land disputes, recommend land policy reforms and identify a mechanism for recognizing customary land rights, have not been established. In Darfur, the land commission required by the Darfur Peace Agreement (DPA) has been operational since 2007 and has made progress in providing information and policy recommendations to improve land governance. A variety of customary institutions continue to function to some degree in much of Sudan's rural areas. In some areas, traditional leaders continue to allocate land, and many such leaders maintain some record of land occupancy and transfers.</p> <p>Conflicts among competing groups over access to and control over land and water are common in Sudan, and the decades of war, prevalence of weapons and numbers of people with combat experience have increased the likelihood of disputes turning violent. Establishment of an effective, integrated, socially legitimate system for resolving disputes over land and other natural resources is critical to Sudan's future." (USAID 2013)</p>	USAID Land Tenure Rights - Sudan (2013)
Diversity of Land Tenure Regimes	<p>Customary land tenure systems exist throughout Sudan and govern the practices of pastoralists in the north, the semi-feudal systems that developed on land close to the Nile, and the practices of southern and western tribes. Customary law varies throughout the country, but tends to share the following general characteristics: land is considered to belong to the people; land is not formally registered; land remains with the tribe or clan and cannot usually be sold to outsiders; most land rights are use rights, and land is considered retained by a household until abandoned (and in some circumstances even if abandoned); and rights to land and its natural resources may overlap.</p> <p>In Sudan, land use and access rights derive from both customary institutions and formal statutory law. Formal law, including Islamic law, governs land access and tenure security. Land can be obtained through inheritance or by land sales and leasing. Land sales and leases can be registered, and registered land is considered the most secure. Islamic law recognizes the principle of shufa'a, which allows a neighbor or co-inheritor of land a right of first refusal when the right-holder transfers the land.</p> <p><b>Customary systems in Sudan are diverse and vary significantly across the country. Although prevalent throughout the country, customary rights are not formally recognized by the state.</b></p>	<p>"The customary regimes that governs and informs rights to land and water – especially in the border states, the Darfur region and for pastoralists – need to be identified, documented and integrated into formal law. In many rural areas throughout the country, customary institutions manage land use and allocation. Community members have a right to access land for use as their residence and for farming. Traditional leaders have the authority to allocate land to members of the community." (USAID 2013)</p>	USAID Land Tenure Rights - Sudan (2013)
Registering Property - Enforcing Contracts Reforms	No relevant reforms (either SS or NS or Sudan)		IFC- Doing Business _Reforms 2009-2015

TANZANIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Complex land tenure system resulting from community land system put in place in 1970s. Different laws and regulations to recognize different land tenure systems and land rights have been put in place in recent years. Information is quite mixed regarding the positive and negative of Tanzania in this area. Difficult case to assess.		
Key Legislation	<p>The land legislation enacted since the mid-1990s recognizes long-term occupancy rights to land and allows for land inheritance and transfer. However, all of Tanzania's land is still held by the President as trustee for the people of Tanzania, and any property rights granted are land use rights.</p> <p><b>The Constitution of Tanzania (1977, as amended, 1998)</b> provides that every person has the right to own property and the right to have his or her property protected in accordance with the law (GOT Constitution 1977). <b>Tanzania's current legal framework governing land was adopted between 1994 and 2004</b> and is best understood in relation to the country's post-independence history. In 1995, the government adopted a Land Policy that set out the fundamental principles guiding land rights and management. The Land Policy was followed by the adoption of the Land Act and Village Land Act in 1999. Tanzania's Land Act classifies land as: (1) reserved land; (2) village land; and (3) general land.</p> <p>In Zanzibar, all land was vested in the government in 1965. The Land Tenure Act of 1992 provides that the government can grant rights of occupation, which are perpetual and transferable.</p>	<p>Landholding in Tanzania was profoundly disrupted by the communal farming reforms in the 1960s. These programs were carried out without legal authority and have left a heritage of normative confusion and tenure insecurity.</p> <p>The new legal framework governing land put in place since 1985 has been more difficult to put into practice than anticipated, and the process that was followed in developing many elements of the law has encouraged those who feel their views are not yet adequately reflected to maintain an activist stance. Customary law and individualized rights to farmland were again recognized, and efforts were made to enact laws that would lead to greater investment and increases in productivity. In 2006, the government issued its Strategic Plan for the Implementation of the Land Acts (SPILL) to guide the implementation efforts.</p> <p>The new legal framework governing land put in place since 1985 has been more difficult to put into practice than anticipated, and the process that was followed in developing many elements of the law has encouraged those who feel their views are not yet adequately reflected to maintain an activist stance. Customary law and individualized rights to farmland were again recognized, and efforts were made to enact laws that would lead to greater investment and increases in productivity. In 2006, the government issued its Strategic Plan for the Implementation of the Land Acts (SPILL) to guide the implementation efforts.</p>	<p>John Bruce (1998)</p> <p>USAID -Land Tenure Rights Tanzania (2011)</p>
Minorities & Vulnerable Groups		<p>Moreover, although the formal laws mandate gender equality in property rights and require female representation on land governance bodies, in practice, customary law, traditional practice and religious norms combine to maintain paternalistic systems and limit women's ownership and control of land. Women are typically given few or no rights to land during their marriages – never being permitted, for example, to add their names to documents indicating ownership of property – and even fewer upon the death of a husband, (USAID 2011)</p> <p>For decades, Tanzania hosted the largest refugee population in Africa. As recently as 2000, Tanzania provided a relatively peaceful and stable sanctuary for as many as 700,000 refugees escaping conflict in the Great Lakes region. Most refugees have either returned home or obtained Tanzanian citizenship. In 2010, Tanzania granted citizenship to about 162,000 Burundian refugees who fled their country nearly 40 years ago. Approximately 270,000 people fleeing from neighboring countries, including the newly naturalized refugees, asylum seekers and remaining refugees, continue to live in Tanzania, primarily in the northwest (UNHCR 2010; BBC 2010).</p> <p>Most urban residents live in informal settlements. Government practice has been to focus on upgrading informal settlements rather than destroying them to make room for new construction, and most residents therefore feel relatively secure in their property rights. Few residents have elected to obtain formal certificates evidencing their occupancy rights, but they do invest time and money in upgrading their residences, and the informal land market is active.(USAID 2011)</p>	<p>USAID -Land Tenure Rights Tanzania (2011)</p>

	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets	<p>In principle, rights of occupancy can be bought, sold, leased and mortgaged in Tanzania; in practice, however, the land market is constrained by many layers of government control. The formal market for transfers requires government approval, and land received through grants must be held for three years before the landholder can sell the rights. The transfer of a granted right of occupancy must be approved by the municipality and registered. A holder of a customary right of occupancy can sell the right, subject to the approval of (and subject to any restrictions imposed by) the village council. Mortgages are regulated by formal law, and land rights must be registered before they can be mortgaged. <b>There is a very limited formal land sale market in Tanzania, and little information is available concerning its operation. Only a small percentage of land is registered, and most of what is registered is in urban areas.</b></p> <p>The 1997 Tanzania Investment Act allows non-citizens to own land for the purpose of investment. The 2004 Land (Amendment) Act permits the sale of bare land and allows mortgage financing as a means of encouraging domestic and foreign investment.</p>	<p>The most common means of obtaining both formal and informal access to land are through inheritance, gifts, borrowing from family members, land allocations from village councils, informal land transactions in urban areas, allocation from a municipality in an urban or peri-urban area, land purchase and squatting. (USAID 2011)</p> <p>With the new legal framework for property rights in place, the government has launched efforts to issue and register certificates evidencing land rights in order to provide a mechanism for landholders to obtain financing for investment and encourage the development of a formal land market. The initiatives have not yet moved beyond pilot projects, however, and banks and other lenders rarely, if ever, extend credit to smallholders (USAID 2011).</p>	<p>USAID -Land Tenure Rights Tanzania (2011)</p>
Urban planning & Land administration	<p><b>The Local Government (Urban Authorities) Act of 1982</b> established the composition, function, and legislative powers of the urban-based local government authorities (urban councils) in Tanzania. Urban based local government authorities, also known as urban councils, are comprised of the governing bodies for townships, municipalities, and the City Council of Dar es Salaam.</p> <p>While the President of Tanzania serves as the trustee of all land and is responsible for allocations of general land, these responsibilities are generally executed by the Ministry of Lands and Human Settlement Development. The Ministry has three divisions: the Survey and Mapping Division, Land Development Services Division, and Human Settlements Development Division. The village council is responsible for making decisions about village land use and land allocations.</p>		<p>UN Habitat Tanzania Urban Profile (2013)</p> <p>USAID -Land Tenure Rights Tanzania (2011)</p>
Land Conflicts	<p>Both formal and informal tribunals have jurisdiction to hear land disputes under Tanzania's formal law. The Courts (Land Disputes Settlements) Act of 2002, the Land Act and the Village Land Act recognize the jurisdiction of informal elders' councils, village councils and ward-level tribunals. In addition to the informal and formal tribunals, the Commissioner of Lands can operate as an independent adjudicator.</p>	<p>The number of lingering land disputes stemming from the villagization program of the 1970s was one of the drivers of the reform of the legal framework governing land rights in the 1990s. Under the villagization program, an estimated 75% of the population moved; when they returned to their land in the 1980s, they often discovered it had been settled by other people or found that the process of dislocation had revealed latent disputes regarding boundaries and rights (USAID 2011).</p>	<p>USAID -Land Tenure Rights Tanzania (2011)</p>
Diversity of Land Tenure Regimes	<p>The land legislation enacted since the mid-1990s recognizes long-term occupancy rights to land and allows for land inheritance and transfer. However, all of Tanzania's land is still held by the President as trustee for the people of Tanzania, and any property rights granted are land use rights.</p>		<p>USAID -Land Tenure Rights Tanzania (2011)</p>

## TANZANIA

## Description

## References

	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Registering Property - Enforcing ContractsReforms	NO DB Reform		IFC- Doing Business _Reforms 2009-2015

TOGO		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Togo has been governed under a centralized political administration system with no power devolved to any sub-national entity since independence. Togo's urbanized population is currently 36% of the total population. Lomé (the capital city), is home to about 1.4 million people (58% of Togo's urbanized population) and this city dominates the socio-economic production of the country contributing about 60 percent of the country's GDP (purchasing power parity was US \$8,684 billion-2004 est.). Urban Togo is Lomé. Urban growth is exacerbated by an increasing rural-urban migration mostly towards Lomé, which dominates Togo's other urban centers. Togo is experiencing rapid urbanization that is not backed by any appreciable levels of political and fiscal decentralization . (World Bank)		
Key Legislation	<p>The <b>1974 Law</b> divides the land into 3 categories, lands privately held by individuals or collectives, public and private lands of the state domain, and national domain lands. Individuals are ensure rights to land if the y can establish ownership. Ordiancennumbr 2 of the law declared all unused or abandoned land as property of the state. <b>A 1976 law</b> attempted to further clarify the government's definition of unused and productive land as -- not situated adjacent to productive land, and not under production for more than 10 years. <b>In 1978</b> the state passed another ordinance which established production zones - ZAAP (agricultural). These zones included private and collective lands as well as national adns, an indemnity was provided if the land fell within this areas.</p> <p>There was an extensive Land tenure policy enacted in 1974, but unfortunately, despite this, the govenrmetn has neglected to implement this legislation. As a result land tenure issues in Togo remain unresolved.</p>	<p>WB Recommendations: Land transactions must be placed in the hands of landowners who should have the options to dispose of their lands in ways they deem fit. Land market must be in the hands of private operators who would buy chunks at a go from land owners and with the appropriate incentives, sub-divide these lands and provide rudimentary services (e.g. roads, bulk water and electricity to the land and some level of security via the use of services of surveyors to properly provide demarcations that would reduce land disputes). GoT's role must remain the processing of such purchased lands and issuing land titles. Citizens with titles must have the option to trade the land or develop it. Building permits and their regulations must be brought to a minimum to enable poor people to build their shelters on incremental basis.</p>	<p>John Bruce (1998)</p> <p>Urban and Peri Urban Lands -WB (2006)</p>
Minorities & Vulnerable Groups	<p>There is no reference to women's tenure rights in any of the government's land tenure laws or ordinances.</p>	<p>In many of the traditional systems, women are given a plot of land when they marry.</p>	<p>Urban and Peri Urban Lands -WB (2006)</p>
Land Markets	<p>Renting land is widespread in Togo. Renting allocated inaliebale use rights to alnd for a fized period of time, and is determined by the trasnfer of cash payments. Share tenancy is much like rental, but with transactions made in kind. Tough unkown in the traditional sytem, land sales and pruchaes have become mroe common. For the most part, sales are reulgated by an oral contract. Formalities include in prurchase and sale trasnationc necessites the concent of the council of the family who owns the land. Most land sales combine legal trasnfer through the government -- which includes a signed writtend oducmetna dna landurvey m adn customary transfer practices.</p>	<p>Outdated and incomplete regulatory framework, most of the laws and regulations date back to 1907.Poorly-developed and inefficient land registration system as only a small percentage of plots have registered titles in Lome, a city of over 1.4 million inhabitants.</p> <p>Formal and informal land development, since most of the development in Lome is taking place in haphazard manner in peri urban areas lacking the basic infrastructure services. Land markets deficiencies and impact on land availability is a challenge that must be fixed quickly, perhaps, through decentralization of land administration. Weak urban land use planning and management, since cities have neither short term nor medium term planning models to charter their spatial development over time.</p> <p>Poor organization and weak capacity to manage land at the central and at the SGAs level.</p>	<p>John Bruce (1998)</p> <p>Urban and Peri Urban Lands -WB (2006)</p>
Urban planning & Land administration	<p>In response to the rapid urbanization that Togo experienced between the 70s and early 90s, the government developed a proposed framework for decentralization that was supposed to have been enacted into <b>Law in 1988</b>. The provisions of the then proposed decentralization Law would have allowed the country to move local governance (responsibilities for management of human, physical, technical and financial resources for services provision to SGAs) closer to the governed. This first attempt at decentralization failed and so did the second one that was initiated a decade later in 1988. A third wave, started in <b>May 2005</b>, is currently underway.</p> <p>The lead GoT agency in this effort is the Direction Générale de l'Urbanisme et de l'Habitat. Other agencies highlighted as key institutional stakeholders in the <b>Décret No 2006-011/PR du 8 Février 2006</b> portant attributions du ministère de la ville, Article 45 are the Guichet Unique du Foncier Urbain et de l'Habitat for land management and titling; the Direction Générale de la Cartographie et du Cadastre for mapping; the Direction Générale des Equipements et des Infrastructures Urbains specializing in urban infrastructure development and management ; Citafric— Agence de Développement Urbain et Municipal—a specialized municipal consultant and the Agence d'Exécution des Travaux Urbains(AGETUR-TOGO)—for contracts management and supervision of public infrastructure works (construction and development).</p>	<p>At the present, the GoT's central ministries and agencies are in-charge of (i) setting urban policy to guide interventions and develop responsibility and accountability at local level; (ii) putting in place rules, regulations and standards for effective development and management; (iii) making decisions on programming and implementation of public investment of national interest; and (iv) fostering decentralization, supporting local governments and overseeing their action.</p>	<p>Urban and Peri Urban Lands -WB (2006)</p>

TOGO		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Conflicts		Land shortages resulting from population pressures in Togo have brought many conflicts in recent years. The Togolese government has attempted to alleviate the problem of overpopulation through resettlement projects, these have been unsuccessful.	John Bruce (1998)
Diversity of Land Tenure Regimes		Togo, is ethnically diverse, but there are few dominant groups which have tenure systems indicative of most of the region. Generally land is held patrilineally.	John Bruce (1998)
Registering Property - Enforcing Contracts Reforms	<p><b>DB2015:</b> Togo made <b>transferring property easier</b> by lowering the property registration tax rate.</p> <p><b>DB2014:</b> Togo made dealing with construction permits easier by improving international operations at the City Hall of Lome.</p> <p><b>Togo made enforcing contracts easier</b> by creating specialized commercial divisions within the court of first instance.</p>		IFC- Doing Business _Reforms 2009-2015

UGANDA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Notes	Uganda has undertaken a series of ambitious legal and policy reforms with regard to property rights and resource governance since 1995, with the intention of bringing about fundamental reforms in rights, tenure management and control of land. Good institutions and legal framework, however in practice it would seem as if customary practices are more prevalent (yet these are formally recognized). Increased urban land prices have favored increased pressure and evictions.		
Context	Period until 1995 had significant confusion over land tenure. At independence there were extensive areas of land under freehold and mailo (a local variant of freehold) tenure. But in 1975 with Idi Amin these were nationalized and converted to long term conditional leases by the 1975 Land Reform Decree. In 1995 a Constituent Assembly produced a new Constitution which reestablished private property rights in land and mandates replacement of the 1975 law with a new land law.		John Bruce (1998)
Key Legislation	<p><b>The Constitution (1995) and the Land Act (1998)</b> redefined land rights, attempted to resolve old conflicts, and provided an institutionalized framework for land management with decentralization a key feature of that framework. More recently, a <b>National Land Use Policy approved in 2008</b> provides guidelines for effective use of land for development, a draft (4th) <b>National Land Policy was released in September 2009</b>, and a controversial <b>Land (Amendment) Bill was passed in November 2009</b>. The Amendment, designed to curb eviction of tenants and squatters, is objected to by many groups on the grounds that it weakens the property rights of landowners.</p> <p><b>The Constitution (1995, amended in 2005)</b> vests land in the citizens of Uganda: "Every person has a right to own property either individually or in association with others" (Section 26[1]). The Land Act (1998) recognizes the four historic forms of land tenure in Uganda (customary, leasehold, freehold, and mailo); grants all lawful and bona fide occupiers (legally defined) property rights; decentralizes land administration; and establishes land tribunals.</p> <p>The authority of eminent domain can be exercised when "the taking of possession or acquisition is necessary for public use or in the interest of defense, public safety, public order, public morality or public health" (Constitution 1995, Section 26(2)[a]).</p> <p><b>In 2011 = a new land policy was on the verge of being adopted</b> - ' to ensure efficient, equitable and sustainable utilization and management of the country's land and land-based resources for poverty reduction, wealth creation and overall socio-economic development. Protection of land rights is a specific objective of the policy. For instance among the measures is the objective to regulate the cost of land services delivery to a minimum with regard to demarcation and registration to make it affordable; to ensure centralization to a local authority level; and ensure that community management structures relating to land under customary tenure are strengthened.</p>	<p>A person or institution can obtain a lease from an owner of freehold, customary or mailo land or from the Uganda Land Commission (or the Crown of England before independence) for a period of 49 or 99 years. The grantee of a lease is entitled to a certificate of title. Leasehold tenure generally applies to grants of state land to urban holdings and to non-citizens ("Any lease which was granted to a Uganda citizen out of public land may be converted into freehold" [Constitution 1995, Section 237(5)])</p> <p>In Uganda, the lack of clear property rights has removed a large proportion of land from the market. In fact, only 18% of private land is registered and titled. It is widely believed, in part because of inequitable access to land and insecure tenure rights, that land is not used optimally or sustainably (USAID 2010).</p> <p>Most rural people have security in their land through customary tenure. All citizens owning land under customary tenure may acquire certificates of ownership, and all customary land may be converted to freehold land by registration. More than 90% of land owners would like to receive a certificate of customary ownership, but few have been issued (ODI 2005). Only 15%–20% of the land in Uganda is registered (Lall 2010).</p> <p>There has also been a decline in land rental markets following the 1998 Land Act and the Land Amendment (2010) Act which has increased powers of tenants over landlords associated with the introduction of the concept of —bona fide occupants, making it very difficult for landlords to evict tenants (USAID 2010).</p> <p>Land tenure is under transition in Uganda - while the perception of tenure security is currently widespread among land holders, this may change (DIIS Policy Brief 2013)</p>	<p>USAID, Land Tenure Uganda (2010)</p> <p>Lall (2010)</p> <p>DIIS Policy Brief (2013)</p>
Minorities & Vulnerable Groups	<b>The Land Act (1998)</b> provides a legislative framework for equitable ownership of land. Under the Act: 1) all customs that prevent women and children from inheriting land are null and void; 2) Land Committees are required to protect the interests of women, children and persons with disabilities; 3) women are represented on the Land Committees and Land Tribunals; and 4) written consent of a spouse is required before transfer of land on which the family resides or derives sustenance.	Customary land tenure systems are biased against women.	USAID Land Tenure Uganda (2010)



UGANDA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Markets	<p>Much urban land for housing and business is acquired by lease. Limited access to serviced industrial land (e.g., land with access to water, electricity and other services) and access to reliable/efficient infrastructure are constraints to investment (UNCTAD and JBIC 2005). Land for urban agriculture is accessed by squatting (46%), borrowing (34%), inheritance (11%), renting (5%), and co-ownership with spouses (4%). Local investors planning to develop on customary land first purchase the land from the holder, on terms recognized by the traditional authorities, and then apply for registration of new rights with the government. Foreign private entities can access land through leasehold but are restricted from owning land (Tukahirwa 2002).</p>	<p>Productive land is scarce and land values are increasing. With the recent discovery of oil, land values are going up in western Uganda. The price of land free of tenants or squatters is higher than that of occupied land. Policymakers have proposed a land tax to curtail land speculation. The land markets are not guided by formal rules and regulations; there are few developers and real estates agents. Land markets are characterized by unstable (often inflated) prices, distress land sales, and considerable fraud. Customary practices are usually followed when land is transferred. (USAID 2010)</p> <p>Means for securing property rights, are changing rapidly, especially in urban and peri-urban areas where rental became increasingly common in the 1990s. In the rural areas, landowners possessing “customary” tenure rights dominate, representing 70% to 80% of all land. Registration allows these landholders to convert these rights into freehold land rights, and there is a high demand for registration, although few have completed the process. (USAID 2010)</p>	USAID Land Tenure Uganda (2010)
Urban planning & Land administration	<p>The Uganda Land Registry (Ministry of Water, Lands and Environment) is responsible for registering land, issuing title deeds, and maintaining records of land transactions. In 2004, the government privatized land surveying. The government Surveyors’ Registration Board is charged with the professional registration of surveyors.</p> <p>The Uganda Land Commission holds and manages all land vested in or acquired by the government. It maintains records of leases on state land, and is engaged in the acquisition and allocation of public land to the private sector for investment purposes. District Land Boards hold and allocate land that is not owned in the district, and facilitate the registration and transfer of interests in land. In urban areas, land committees play an advisory role to the District Land Boards. Several line ministries and government agencies are responsible for certain lands, such as the Uganda Wildlife Authority and the National Forestry Authority which have jurisdiction over protected areas.</p>	<p>In 2008, Uganda had only 27 registered land surveyors (Bakama 2009). The limited number of registered surveyors and high costs of surveying have contributed to few rural land holders registering their land (USAID 2010).</p> <p>Registry offices are outdated and ill-equipped; most registration actions and measures must go to Kampala or Entebbe for approval. The Registry is inefficient and operates with little transparency; there is rampant land title forgery. Records are in a fragile/illegible condition, ambiguous, accessible only at a high cost, and insufficiently protected. This generates insecurity of property rights and makes it difficult to use land as collateral (UNCTAD and JBIC 2005).</p> <p>The government is constructing a land office in each district (Ultimate Media 2009). As noted, all land tribunals were suspended in December 2007 due to problems of implementation and a long backlog of cases. There have been calls to reinstate tribunals.(USAID 2010)</p>	USAID Land Tenure Uganda (2010)
Land Conflicts	<p><b>In 2009 - the government passed a Land (Amendment) Bill</b> designed to curb rampant, often forced, land evictions of occupiers lacking full ownership rights (especially problematic in urban/peri-urban areas). The Land (Amendment) Bill enhances the security of bona fide and lawful occupants. Under the proposed bill, a person claiming an interest in land held under customary tenure can only be evicted by a court order; and tenants on registered land can only be evicted for non-payment of rent.</p> <p>The government is leading a number of policy and legislative reform efforts, including the new National Land Policy and a Land (Amendment) Bill. District land boards have been established and appointed but lack the experience and resources to function effectively. Parish land commissions and recorders are not in place.</p>	<p>Land inequality is highest in the central region, and is higher in urban areas than in rural areas. Mailo land (a customary form of freehold land) given by the British colonialists to the Buganda kingdom resulted in inequity that remains today. Land conflicts are common throughout the country. Land cases are the most common disputes brought to local courts or legal assistance projects in many parts of the country (USAID 2010).</p> <p>Most unregistered land is undocumented customary land. The majority of poor people do not hold granted rights of occupancy, often because they lack the knowledge, capacity, and resources needed to navigate the application process and meet the title conditions. Unregistered land is vulnerable to expropriation by the government and grabbing by political and economic elites—an increasingly common occurrence.</p> <p>There is growing conflict between tenants and landlords. The 2007 Land (Amendment) Bill is designed to protect tenants from illegal evictions. There is conflict over the use of public lands, especially lands in the protected estate. The government is increasingly eyeing such land for economic development purposes. Land-grabbing and land speculation are on the rise in some parts of the country, including in the oil regions in western Uganda (USAID 2010)</p>	<p>USAID Land Tenure Uganda (2010)</p> <p>John Bruce (1998)</p>

UGANDA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Land Planning	The (10-year) Land Sector Strategic Plan (2001) was developed to implement the Land Act. The National Land Use Policy (2008) provides guidelines on effective land use for socio-economic development and on minimizing land degradation.		USAID Land Tenure Uganda (2010)
Diversity of Land Tenure Regimes	Customary tenure represents the bulk of landholdings—between 70% and 80% of the land. There is a considerable range of customary tenure systems among Uganda's more than 60 ethnic groups—from strongly individualistic tenure patterns to highly communal systems. Customary systems also vary in how members access, use, manage, and transfer land. The Land Act recognizes that occupancy of customary land conveys legal rights without documentary evidence and provides for a "certificate of customary ownership." Under Ugandan law, customary tenure is described as "a system of land tenure regulated by customary rules which are limited in their operation to a particular description or class of persons."	The land tenure situation in contemporary Uganda, as can be concluded from the previous section, is a mixture of customary (called kibanja), freehold, leasehold, and mailo tenure systems. While most of the country operates under customary tenure (some scholars estimate 75%3), studies have demonstrated that two features of the land market are operative in most of Uganda: individualization of land rights and land transactions. (Land Tenure Centre Winsconsin Madison 2003)	Land Tenure Centre Winsconsin Madison (2003)  USAID Land Tenure Uganda (2010)
Registering Property - Enforcing Contracts Reforms	DB_2014: Uganda made transferring property easier by eliminating the need to have instruments of land transfers physically embossed to certify payment of the stamp duty DB-2013 - Uganda made transferring property more difficult by introducing a requirement for property purchasers to obtain an income tax certificate before registration, resulting in delays at the Uganda Revenue Authority and the Ministry of Finance. at the same time, Uganda made it easier by digitizing records at the title registry, increasing efficiency at the assessor's office and making it possible for more banks to accept the stamp duty payment. DB2012- Uganda increased the efficiency of the property transfers by establishing performance standards and recruiting more officials at the land office. DB 2011- Uganda continues to improve the efficiency of its court system, greatly reducing the time to file and serve a claim		IFC- Doing Business _Reforms 2009-2015

ZAMBIA		Description	References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
NOTE	Zambia is a heavily rural low-income country with widespread poverty. Eighty percent of the rural population makes a living through subsistence farming on customary land. Thirty-four percent of land in Zambia is agricultural and 57% is forest. Deforestation is occurring at a rate of 1% annually as a result of encroachment from agriculture, tree harvesting for fuelwood and sale, and uncontrolled burning. Most of the country's urban population lives in unplanned settlements with substandard housing and limited services.		
Context	<p>Zambia has a land tenure system characterized by the coexistence of statutory leasehold tenure in state land and customary tenure in reserves and trust land. This dualims means that land owners and tenants often must related to 2 separate sets of rights, one dictated by government through national law and one dictated by custom.</p> <p>Zambia's land management style has tended to emphasize administrative rather than market control. Despite the application of English common law in Zambia, most Zambians still conduct their activities ina ccordance with a system of community based tenure. There is no single uniform set of customs prevailing across the country. However the term customary encompasses a host of customs which are somewhat different for each ethnic group. At the present time there are 2 sources of tenure insecurity in Zambia - First, there is thefact that the leasehold system allows for large land allocations to outsiders. This can result in ternure insecurity for those lacking title or the means to acquire it. Second, there is the possibility of maladministration in the customary sector by some chiefs on reserve and turst lands, charactetized by the allocation or selling of large trast of land to outsiders or by preventing transfer or inheritance. The administration of land rights in state land are highly inefficient and often corrupt. The main cause for this inefficiency is the requirement for cadastral survey of the rroperty before title deeds are issued. Unless the farmer is willing to pary very high survey fees to private surveyors, he has to wait a long time.</p>		John Bruce (1998)
	<p>In Zambia, land has since time immemorial been held under customary tenure, until the 1960s when freehold and leasehold tenure systems were introduced. Of the total land mass of the country amounting to 752,614, customary land is estimated to be 94 percent and state land is estimated at 6 percent.</p>		UN Document Zambia (2005)
Key Legislation	<p><b>Since enactment of the 1995 Land Act</b> allowing for conversion of customary land to state land with private leasehold interests, at least 10% of land held under customary tenure has been privatized through conversion to leaseholds. No regulations were enacted under the 1995 Land Act. Efforts to pass a land policy since then have been unsuccessful. The 1995 Land Act vests all Zambian land in the President and recognizes two tenure types: customary tenure and leasehold rights to state land. Customary tenure can be converted into private leasehold tenure over state land at the election of the holder of the customary tenure. Once converted, customary rights are extinguished and the land cannot be converted back to customary tenure. The 1995 Land Act recognizes and allows for the continuation of customary tenure. However, under the Land Act, formal law trumps the customary law in the event of conflict.</p> <p>The Land Act restricts the state's ability to repossess undeveloped land and liberalizes the terms for foreigners to acquire land rights. Holders of customary land rights can convert the land into a leasehold interest in state land in favor of third parties, including foreigners.</p> <p><b>Zambia's 1991 Constitution (as amended 1998)</b> recognizes property rights and protects individuals against the deprivation of property unless authorized by law. The state can violate individual property rights if it is acting in the course of implementing a comprehensive land policy. The Constitution voids laws that discriminate on the basis of gender but explicitly excludes personal law.</p> <p>In October 2009, the National Constitutional Conference (NCC) adopted the report of the Land and Environment Committee and reached agreement on the new constitutional provisions addressing land. The draft constitution provides for: (1) equitable access to land and associated resources; (2) equitable access to and ownership of land by women; (3) land tenure security; (4) sustainable and productive management of land resources; (4) transparent and cost-effective management of land; (5) conservation and protection of ecologically sensitive areas; and (6) cost-effective and efficient settlement of land disputes. The draft constitution provides for the continuation of the customary and private (leasehold) tenure systems and calls for legislation to be enacted to revise existing land laws; prohibit land speculation; address imbalances in land alienation; provide for periodic land audits; provide means for securing customary land tenure; provide equitable access to state land; enable settlement of landless people; and establish minimum and maximum holdings of arable land.</p> <p>The draft constitution provides for: (1) equitable access to land and associated resources; (2) equitable access to and ownership of land by women; (3) land tenure security; (4) sustainable and productive management of land resources; (5) transparent and cost-effective management of land; (6) conservation and protection of ecologically sensitive areas; and (7) cost-effective and efficient settlement of land disputes. In addition, the draft constitution provides for the continuation of the customary and private (leasehold) tenure systems and calls for revisions to legislation to be enacted to: revise existing land laws; prohibit land speculation; address imbalances in land alienation; provide for periodic land audits; provide means for securing customary land tenure; provide equitable access to state land; enable settlement of landless people; and establish minimum and maximum holdings of arable land.</p> <p>Leaseholds of state land. All land not held under customary tenure is deemed to be state land. Most urban areas, mining areas, protected areas, land along rail lines, and land that was free of tsetse fly infestation during colonial times tends to be state land, much of which has been privatized through leaseholds. The state grants four types of leases: (1) a 10-year Land Record Card; (2) a 14-year lease for unsurveyed land; (3) a 25- to 30-year Land Occupancy License for residential settlements; and (4) a 99-year leasehold for surveyed land.</p>	<p><b>The 1995 Land Act</b> permitted conversion of customary land into long-term leases of state land. In the decade following the adoption of the Land Act, foreign investors, politicians, and local elites obtained leaseholds. Some large agribusiness, industrial, and tourism investments have provided local communities with benefits including employment, outgrower schemes, small-business opportunities, and infrastructure development. In other cases, the conversion of customary land has rendered whole communities landless, eroded rights to common pool resources, and enclosed communal land. The Land Tribunal, which was intended to protect and enforce land rights, has been underfunded and inaccessible to most of the population, leaving limited options for addressing land grievances.</p> <p><b>The Lands Acquisition Act (1970) grants the President th</b>e power to compulsorily acquire property of any description when "he is of the opinion that it is desirable or expedient in the interests of the Republic to do so." Notice is required before the government can enter into any building or enclosed space or require occupants of land to give up possession. Upon acquisition of land, the state may offer the landholder a grant of other land or just compensation. Compensation may be denied for undeveloped land and land held by absentee owners (USAID 2010)</p> <p>Land is obtained through the following methods in Zambia:</p> <p>Inheritance. Zambia's customary land has historically been kept in the lineage or clan; in patrilineal communities (prevalent throughout most of Zambia), land is passed to male lineage or clan members. Land allocation. Customary land is allocated by the chief or headman.</p> <p>Purchase. Under customary law, land can be sold within the community; historically, sales to people and entities outside the community were prohibited. The restriction on sales outside the community is eroding, especially in areas with fertile and otherwise valuable land.</p> <p>Lease. Individuals and entities can acquire transferable leasehold rights to land by converting their customary landholdings or approaching local authorities to identify state land available for lease, or customary land that a landholder is interested in converting to leasehold land. (USAID 2010)</p> <p>In order to transfer and register leased land in urban and peri-urban areas, the parties must engage a lawyer to obtain a non-encumbrance certificate and draft the purchase and sale agreement. The seller of the property must apply for the state's consent to the sale, obtain a tax form from the Zambian Revenue Authority, and pay the property transfer tax. Once payment is verified, the purchaser can lodge the assignment for registration at the Land and Deeds Registry (USAID 2010)</p>	USAID Land Tenure Rights - Zambia (2010)

Minorities & Vulnerable Groups	<p>Squatting. Most of the population in urban areas lives in informal settlements. In areas where settlements are built on primarily public land and the structures meet building standards, residents can regularize their rights with 30-year renewable Land Occupancy licenses. In other informal settlements the residents do not have rights to their residential land under formal law. Customary law often recognizes occupancy rights of residents, which may protect their interests against other potential occupants but offers no protection from eviction by government officials.</p> <p><b>A National Gender Policy adopted in March 2000 provides that 30% of all land available</b> for distribution by the state should be given to women. The policy has not been implemented. The draft constitution (being considered in 2010 for potential adoption in 2011) states that the land policy of Zambia should ensure equitable access to and ownership of land by women.</p> <p>In Zambia, married women in patrilineal communities access land through their husbands. In matrilineal societies, women access land through their natal families, and men receive land through their wives. In both systems, the male head of household usually exercises primary control over the land.</p>	<p>Zambia's urban areas are overcrowded. Large numbers of rural people migrate to urban areas in search of employment and to escape rural poverty. Between 60% and 70% of the urban population lives in illegal settlements with inadequate housing and no water and sewage service. Illegal quarrying is common in the cities, leaving pits that flood and serve as breeding grounds for mosquitoes and bacteria (USAID 2010)</p> <p>'As a matter of formal law, land can be titled individually in a woman's name or jointly in the name of both spouses. In urban areas, educated single women and some married women often buy plots in their own names. (USAID 2010)</p>	USAID Land Tenure Rights - Zambia (2010)
Land Markets	<p>In urban areas, applicants for land can apply to the Planning Authority, the Council of Lands, or directly to entities that construct houses. Prices are high, and there is no assurance of services. At least 60% of new housing is in informal settlements without formal tenure systems, planning, construction standards, or services. Landholdings in informal urban settlements are insecure. The land is subject to acquisition for planned urban development. In order to obtain a leasehold interest in an informal settlement on state land, the settlement must be "declared" by the Ministry of Local Government and Housing. The Ministry will only "declare" a settlement under certain circumstances, requiring evidence that 60% or more of the land is publicly owned and 50% or more of the dwelling structures are built of standard materials. Few settlements qualify, but if one does the city council can issue renewable 30-year occupancy rights to residents .</p> <p>'Most of Zambia's population has historically considered the land held under customary tenure to be relatively secure. Land was plentiful and available through the chiefs and headmen, and any challenges to land allocations were handled locally by the chiefs. More recently, outsiders and newcomers who have received land allocations from chiefs seek to formalize their rights through land conversion to leaseholds.</p> <p>'In customary areas, land allocations and transfers are administered by the traditional leaders in accordance with community practices and needs. Transactions are rarely in writing, and most land transactions are between members of the same community</p>	<p>In urban areas of Zambia, formal plots are scarce and prices are high. Rural land is plentiful in areas that are far from main roads, rivers, and rail lines, and are lacking in mineral resources, or in natural resources that could support tourism development (USAID 2010)</p>	USAID Land Tenure Rights - Zambia (2010)
Urban planning & Land administration	<p>The Ministry of Lands is the principle ministry responsible for land administration and management and includes the Lands Department, Lands and Deeds Department, Lands Tribunal, Survey Department, and Survey Control Board. Zambia's 72 district councils have authority to administer land within their districts and have responsibility for land-use planning, in coordination with the Town and Country Planning Department. The district councils process applications for leases of state land and evaluate requests for the conversion of customary land to state land.</p>	<p>Customary land is administered by local traditional leaders. Zambia has 73 tribes, 240 chiefs, 8 senior chiefs, and 4 paramount chiefs. The chiefs and village-level headmen have authority under formal and customary law to oversee customary land and protect their community's culture and welfare. The traditional leaders grant occupancy and use-rights, oversee transfers of land, regulate common-pool resources (opening and closing grazing areas, cutting of thatch), and adjudicate land disputes.</p>	USAID Land Tenure Rights - Zambia (2010)
Land Conflicts	<p>Limited information on the nature of land disputes in Zambia is available, but isolated studies suggest that land disputes in rural areas most commonly relate to boundaries and encroachments. In peri-urban and urban areas, government efforts to evict residents from informal settlements and destroy slum housing have caused conflict and social unrest.</p> <p>The 1995 Land Act established mobile Land Tribunals, which were intended to be a low-cost, accessible alternative to the formal court system. In practice very few rural Zambians know of the tribunals' existence.</p>	<p>The most common method for resolving land disputes is through the local traditional leaders (headmen or chiefs). The customary leadership structure is hierarchical, and disputes that cannot be resolved at lower levels can proceed to consideration by senior and paramount chiefs (USAID 2010)</p>	USAID Land Tenure Rights - Zambia (2010)
Diversity of Land Tenure Regimes	<p>There are 3 methods to acquire land through customary methods in Zambia: original acquisition, derivative acquisition, and acquisition by inheritance. Land government by community based tenure is never sold. Once a family owns land it stay with that family forever.</p> <p>Customary tenure. The majority of land in Zambia (estimated at 84% in 2005) is held under customary tenure. Under customary law, the land is held by individuals, families, clans, or communities from generation to generation, without temporal limitation. Customary tenure applies to individual plots, forest land, common land within a village, and communal grazing land.</p>	<p>Studies indicate that the majority of farmers do not have documents or title to their land. In southern provinces 75% of respondents to a study had no form of documentation, in Eastern province the number reached 94% (USAID 2010)</p>	<p>John Bruce (1998)</p> <p>USAID Land Tenure Rights - Zambia (2010)</p>

<p>Registering Property - Enforcing Contracts Reforms</p>	<p>DB2015: Zambia made transferring property more difficult by increasing the property transfer tax rate.  DB2012: Zambia made registering property more costly by increasing the rproperty transfer taax rate.  Zambia improved contract enforcement by introducing an electronic case management system in the courts that provides electronic referncing of cases, a database of laws, real time court reporting and public access to courts records.  DB2012: Zambia reduced the time required to register property by computerizing its land registry and by setting up a customer servicer center to eliminate the backlog of registration requests.  DB2008: Zambia made dealing with construction permits easier by reducing the time required to obtain utility connections</p>		<p>IFC- Doing Business _Reforms 2009-2015</p>
---	--	--	---

ZIM		Description	References
		De Jure - Laws and Regulations	Evidence of De Facto Respect
Notes	Although the formal legal system continues to function in Zimbabwe, its legitimacy has been seriously undermined through political interference. The government operates under a series of laws, orders, and emergency presidential decrees of often dubious legal authority. In marked contrast to the 1990's, by 2004, 80% of Zimbabweans were living below the national poverty line. By January 2009, only 6% of the population held jobs in the formal sector. Over half the population received food aid in 2009. Land tenure insecurity is extremely high in Zimbabwe, and agricultural production has suffered. Commercial farmers, as well as farmers who have been resettled on taken land, remain uncertain about the strength of their property rights.		
Context	<p><b>Historical Background:</b></p> <p>An inequitable system of land holding was established during Zimbabwe's (formerly Rhodesia) colonial era. Colonial powers relocated black Zimbabweans from their traditional lands into reserve areas, later known as "communal areas." Under the 1930 Land Apportionment Act, half of the country's land was granted to the black African population and half to Europeans, which constituted less than 5% of the country's population. When Zimbabwe claimed its independence in 1980, white farmers in the large-scale commercial farming sector controlled 75% of prime agricultural land, with farm sizes ranging from 500 to 2,000 hectares. Since Independence, the government has undertaken a series of land reform projects.</p> <p>The Lancaster House Agreement, which formed the basis for Zimbabwe's initial Constitution, established the goal of allocating land to the poor and to war veterans, with the objectives of providing for welfare of the neediest people and increasing agricultural productivity. The program also fell short in land distribution and resettlement. When the Lancaster House Agreement expired in 1990, only 52,000 households (less than one-third of the target) had received land. In 1992 the Land Acquisition Bill was passed, which enables the government to acquire 7 million hectares of land from the large scale commercial sector for purposes of resettlement.</p> <p>In 1996 - 57% of Zimbabweans lived in communal areas, and were often referred to as peasantry.</p>		<p>John Bruce (1998)</p> <p>USAID _ Land tenure Rights Zimbabwe (2010)</p>
Key Legislations	<p>Zimbabwe's legislation regarding land rights includes: <b>the Constitution of Zimbabwe, 1979</b> (as amended); <b>Communal Land Act 20 of 1982, which vests ownership of communal lands in the state; Land Acquisition Act of 1992</b>, which allows land to be expropriated by the state for redistribution; <b>Agricultural Land Settlement Act; Agricultural Corporations Commercialization) Act 13 of 1997</b>; Regional Town and Country Planning Act; Land Survey Act; Deeds Registry Act; Commercial Premises (lease control) Act 27 of 1983; Protected Places and Areas Act 27 of 1959; and Immovable Property (prevention of discrimination) Act 19 of 1982.</p> <p><b>Although the formal legal system continues to function in Zimbabwe, its legitimacy has been challenged internally and externally. The government operates under a series of laws, orders, and emergency presidential decrees of often dubious legal authority, A 2007 assessment by an international team of legal professionals found that the rule of law was eroding in the country and Zimbabwe's judiciary and its rulings were often ignored by the police and government official.</b></p> <p><b>In September 2008, Zimbabwe's political parties, ZANU–PF</b> and the two formations of MDC, signed a power-sharing agreement. The Agreement identifies land as a critical issue and commits to: (1) conduct a land audit to ensure accountability and to eliminate multiple farms; (2) ensure that land is allocated to eligible people on a non-discriminatory basis; (3) ensure land tenure security; (4) call for the U.K. government to accept primary responsibility to pay compensation to landowners for land acquired for settlement; (5) work to secure international support for the land reform program (including compensation for landowners and support for new farmers); and (6) work for the productivity of agricultural land.</p> <p>Tenure types include: (1) freehold ownerships; (2) occupancy rights to land in communal areas; and (3) leases of land granted by the government through various redistribution schemes. Leases are generally granted for periods of 99 years. Land occupied through redistribution schemes is typically leased to beneficiaries for 99-year terms with or without the option to purchase the land.</p> <p>In Zimbabwe existing legislation allows for a wide range of potential tenure types, ranging from freehold title to regulated leases to permits to communal tenure under 'traditional' system</p>	<p>Zimbabwe entered a period of political turmoil in the late 1990s. The government's effort to adopt a new constitution allowing for compulsory acquisition of land without compensation and curtailing rights was defeated. The then-nascent opposition party, the Movement for Democratic Change (MDC), received significant support in the 2000 elections. In response to the political threat, the ZANU–PF government revitalized land reform by adopting a Fast Track Program for land acquisition and distribution.</p> <p>The amount of land invaded and seized quickly exceeded the goal of the Fast Track Program. In 2000, over 1600 mostly white-owned commercial farms were occupied, and by 2003 the government had acquired over 10 million hectares of land. By 2009, 6571 farms had been identified by the government for seizure. As of 2009, only 400 white-owned commercial farms remained in Zimbabwe.</p> <p>The parties agreed that land takings conducted under the country's Fast Track Program would not be reversed, that compensation for land taken should primarily come from the United Kingdom (Zimbabwe's prior colonial ruler), and that further redistributive land reforms are necessary.</p> <p><b>IMF Art IV - 2011</b>, states that the launch of the land audit was delayed. Implementing a land audit as a first step toward resolving the issues of land rights and the security of land tenure. Also 'Efforts to start a land audit are hampered by lack of funds and equipment, and the authorities are seeking assistance of cooperating partners.'</p> <p>The nationalization of all agricultural land created confusion as to the transferability of land. In some cases, those holding ownership rights to land at the time of nationalization continued to operate as landowners, including selling land. In other cases, the state has exercised its status as the landowner, precluding sales. There is an active informal market in land in some rural areas.</p>	<p>USAID _ Land tenure Rights Zimbabwe (2010)</p> <p>IMF Art IV (2011)</p>

ZIM	Description		References
	De Jure - Laws and Regulations	Evidence of De Facto Respect	
Evictions-Titling	<p>Formalization of Informal Land Rights in Urban and Peri-Urban Areas. Thirty-seven percent of Zimbabwe's population lives in urban areas, and the vast majority reside in informal settlements without adequate services and no tenure security. Zimbabwe has no legislation providing for the regularization of informal land rights, leaving millions of people vulnerable.</p> <p>Zimbabwe has no legislative framework providing for the regularization of informal settlements in urban and peri-urban areas. In 2005, the government initiated a series of housing demolitions in urban and peri-urban areas ("Operation Murambatsvina" ). The demolitions have adversely affected 2.4 million people, displacing 700,000 people and increasing the sense of insecurity in the country's urban areas.</p> <p>The legal framework governing the operation of urban land markets includes Acts of Parliament, statutory instruments, government policy documents and Ministerial directives. The principal legislation relevant to the operation of urban land markets includes the Regional Town and Country Planning Act (RTCP Act) and the Urban Councils Act (for land delivery), the Land Survey Act (for title survey), and the Deeds Registry Act and the Derelict Lands Act (for the registration of property rights).</p> <p>Ownership of land in the urban area is evidenced by a Title Deed. This is the deed whereby title to land is held. It is a generic term for Deed of Transfer, Deed of Partition Transfer, Deed of Grant, Certificate of Registered Title, Certificate of Consolidated Title etc. The process of registering property requires the services of a conveyancer. Conveyancing costs are normally passed on to the purchaser and this in itself is expensive to the poor.</p>	<p>Land rights in Zimbabwe are highly insecure. Remaining commercial large-scale farmers fear sudden occupation and eviction. Because the resettlement is being conducted so quickly and often outside the bounds of the legal process, those who have acquired land under the Fast Track Program also lack security; many resettled persons worry about the legitimacy of their land rights, and conflicts among resettled groups occur in some areas. (USAID 2010)</p> <p>Most urban land in Zimbabwe continues to be privately owned and, in comparison to rural land, is considered relatively secure. Unchecked inflation and the rapid devaluation of the country's currency caused those with the resources to do so to invest in urban real estate, causing a real estate boom [USAID-2011]</p>	<p>USAID _ Land tenure Rights Zimbabwe (2010)</p> <p>Urban Land Market_Zimbabwe (2011)</p>
Minorities & Vulnerable Groups	<p>Zimbabwe's Constitution provides a right to property and prohibits discrimination on the basis of sex. The powersharing agreement specifically notes the need for women's land rights to be strengthened. However, the Constitution also permits customary law and traditional practice to trump principles of equality between the sexes in matters of personal law. In the face of discriminatory customary laws, Zimbabwean women have no legal basis to assert equal rights to inherit and hold land.</p> <p>According to the United Nations Special Envoy's report "Operation Restore Order", issued in late July 2005, the government's recent drive to remove unauthorized dwellings and structures, has left some 700,000 people across the country either homeless, or without any source of livelihood, or both, and a further 2.4 million people indirectly affected in varying degrees.</p>	<p>Women are legally able to purchase and hold land in Zimbabwe. Women can apply for land in resettlement areas; however, customary practices tend to discourage women from applying for land in their own name. Despite its pronouncements against gender discrimination, Zimbabwe's Constitution permits discrimination against women in land matters by deferring to customary law in matters related to adoption, marriage, divorce, and inheritance.</p>	<p>USAID _ Land tenure Rights Zimbabwe (2010)</p> <p>IMF Art IV (2005)</p>
Land Markets	<p>Starting from the colonial period and continuing into the post-independence period, transactions in land and other forms of property in Zimbabwe's urban areas were, in general, undertaken through formal land markets. A common feature of the country's main urban areas is that they were established during the colonial period. Guided by the same town planning and development standards, the post-independence government did not permit the development of slums or informal settlements in various parts of towns and cities.</p> <p>In general, Zimbabwe has well-developed urban land markets, with transactions covering all forms of property, especially residential, industrial and commercial property. Given the dominance of formal land markets, the key actors involved include planning institutions, land and property registration institutions, property professionals (conveyancers and estate agents), financial institutions and the general public (as buyers and lessees of property).</p> <p>Zimbabwe does not have a formal land-sale market for agricultural land. Zimbabwe's commercial farmland is leased for 99-year periods, and transfer of leases requires government approval. Land in communal areas (66% of agricultural land) cannot be legally sold. However, because of the high demand for land, holdings in communal areas and A1 resettlement land (small farms and village land) are often transferred extra-legally.</p>	<p>Evidence of such failure was seen in a growing informal sector and the development of illegal extensions in the country's low-income residential areas (commonly referred to as high-density areas), a condition that the central government condoned until 2005 when, overnight, government launched the Cleanup Campaign (un-Habitat 2005). Notwithstanding the above, the state and form of urban land markets are largely determined by the operation of formal systems. As has been the case with all other sectors of the economy, the functioning of urban land markets has been affected by the economic decline that started from the late 1990s and intensified in the post-2000 period.</p> <p>The post-2000 period has witnessed a surge in fraudulent land and property transactions. The most common practice has been that of the owner simultaneously selling the property to more than one buyer. In other situations, non-owners have forged property documents to sell land that either does not exist or that they do not own.</p> <p>Epworth and Hopley settlements have elements of both formal and informal land markets. For the two settlements, the land involved is essentially state land. In the case of Epworth, areas categorised as formal have approved layouts and the stands are numbered. Hopley has a combination of areas that were properly planned before occupation and a section where people have haphazardly settled as part of post-2000 land occupations. In the properly planned areas, residents have leases administered by the Ministry of Local Government and Urban Development while those in unplanned sections have no formally recognisable land rights.</p>	<p>USAID _ Land tenure Rights Zimbabwe (2010)</p> <p>Urban Land Market_Zimbabwe (2011)</p>