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# Tracking the progress in land policy formulation in francophone Africa countries Case of Algeria, Senegal, Cote d'Ivoire and Chad

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# FIG Working Week 2016

CHRISTCHURCH, NEW ZEALAND 2-6 MAY 2016

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**Land Policy Initiative**, undertaken by the African Union Commission (AUC), United Nations Economic Commission for Africa (ECA) and the African Development Bank (AfDB),

- Regional studies on land issues across Africa accompanied by rigorous consultations and discussions at regional and continental levels.
- Need to develop and implement a tracking system to monitor land policy formulation and implementation.



## Côte d'Ivoire (Ivory Coast)

- 1998: Rural Land Law. Unanimously voted
- The goal is to lead the country to individual property within 20 years.
- EU projects: sensibilization and dissemination of information
- Interest in a paper is not solid despite the free or almost free certificates.
- Land certificate is inaccessible and Land title is an unattainable dream.
- Extremely complex and expansive procedure.



## Senegal

- 2014: beginning of a comprehensive land reform program
- Private property is not authorized on Domaine National.
- Decentralization process very advanced
- The allocation allows a person or a group of people to have only personal rights of land use. These land rights are not transmissible, cannot be sold or rented. In case of deallocation, heirs have priority to demand allocation on the same plot.
- This law has not been fully or properly implemented.





## Senegal

- 2014: Reactivation of the National Commission for Land Reform
- Assumption of implementing a long leases system (emphytéose 18 to maxi 99 years lease).
- It is only 150.000 Land Titles in Senegal
- The process is going on and a comprehensive et pedagogic communication campaign should be done.
- A Land Observatory is launched to monitor the reform.



## Mali

- 2008: Wide consultation on Land Administration, leading to Etats généraux du Foncier,
- Permanent Committee for rural land reform and rural land policy document.
- 2015: Roadmap for the implementation of the national land policy,
- Framework and Guidelines on Land Policy in Africa (F&G)
- Participatory, independent secretariat with conciliation posture, taking into account the reference policy frameworks and continental and international standards.
- As in Burkina Faso, Benin and others francophone countries, customary land rights are recognized and have to be formalized to reach the completeness of Land Information, following a fit for purpose approach.



## Algeria

- Algeria has an orientation land law since the 1990 but legal texts have not been revised.
- The dark decade of terrorism has delayed the implementation of the General Cadastre and did not promote the modernization of the land register.
- Today the statistics seem encouraging (98% of the territory with cadastre but 150,000 hectares of urban area and 2 million hectares of rural land have to be surveyed and registered).
- The support of the European Union within the framework of the EU Association Agreement with Algeria should permit the Algerian administration to fulfill the criteria of modernization in 2020 with land management focused on the legality and formality.



## Chad

- Chad has Land Laws dating back to the 70s.
- Hydro-agricultural development project with land and resources management component provides a new approach.
- Implementation of (i) a consultation process leading a land management strategy in the area and (ii) the management of water resource in the project area.
- Decree classifying the area in the Domaine public (State and public Land) but saving acquired rights (land title and recognized customary tenure).





## Chad

- Ultimate aim to reconcile legitimacy and legality in a participatory and inclusive process.
- Land management committee and a water resource management group for the benefit of people occupying the territory after a social analysis of the land tenure.
- Recommendations could be negotiated with grassroots people and stakeholders and proposed to the Chadian Government to implement a new rural land policy.



## FUNCTIONS

- Make timely adjustment in the process
- Take appropriate measures to ensure the effectiveness and efficiency of land policy
- Learn from past successes and failures
- Collect and disseminate local good practices for use at national level
- Build capacity and capacities for implementation, monitoring and evaluation
- Consolidate the commitment and participation of all stakeholders
- Enable governments to manage emerging issues in an organic and systematic way



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## PRINCIPLES

- fully participatory, based on clear issues, questions, benchmarks, targets and indicators developed through a systematic and consultative process.
- based on transparency and good governance.
- be adaptable in time, space and geographic specificities.
- consultative process.
- Relevant frequencies should be defined for different components of the tracking system.



## LAND OBSERVATORY

- In francophone Africa some land observatory initiatives have emerged.
- UEMOA and ECOWAS
- Land Policy Observatory in Senegal
- Land observatory in Madagascar





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## CONCLUSION

- Changing the mind
- Changing politician time



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**Thank you for your attention**



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