

UNIVERSITY OF TWENTE.

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THE ROLE OF LAND RECORDS IN SUPPORT OF POST-CONFLICT LAND ADMINISTRATION WITHIN OVERALL STATE BUILDING – THE CASE OF RWANDA

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06-11 MAY 2018

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FACULTY OF GEO-INFORMATION SCIENCE AND EARTH OBSERVATION



INTRODUCTION

- The biggest concern from conflicts and post-conflict context:
 - Death and injury,
 - Destruction of houses and infrastructures, and
 - Displacement of population
- State building: a purposeful action to build capacities, institutions and legitimacy of the state - mutual demand of state and societal groups

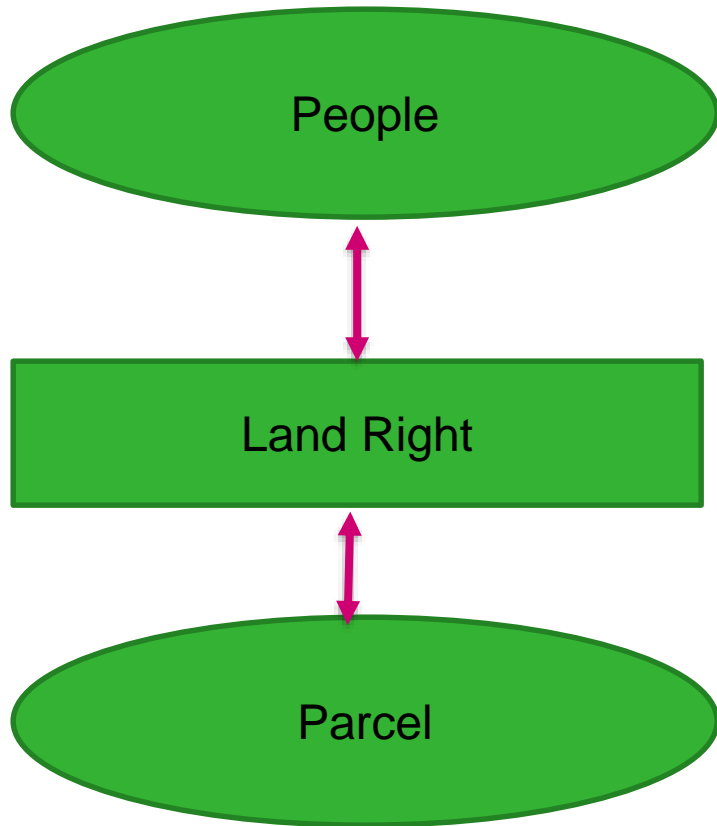
STATE BUILDING IN POST-CONFLICT CONTEXTS – 13 CHARACTERISTICS

Institutional Weaknesses	Economic and Social Problems	Security Problems
<ul style="list-style-type: none"> - Legitimacy of the state / political leaders - Political system - Government structure - Legal framework (Policies, Law and Administration) - Building Capacities 	<ul style="list-style-type: none"> - Displacement - Destroyed properties and infrastructure - Participation/Cooperation International community and local authorities - Citizen participation - Low economic activities - Lost/destroyed state records 	<ul style="list-style-type: none"> - Peace and reconciliation - Conflicts over land and property

Table : A framework for rebuilding a post-conflict state, Todorovski (2016)

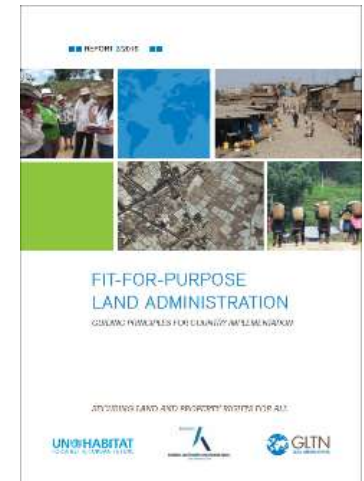
LAND ADMINISTRATION

Mapping and documenting: the People to Land Relationship



Land administration:

A critical success factor in economic growth, food security, nature conservation and poverty reduction





POST-CONFLICT LAND ADMINISTRATION

- Land conflicts and disputes – threaten the security
- Land and its administration always negatively effected
- **Land Professionals:** Can be killed, (forced to) leave the area, not able or Not willing to return to their job within the systems of LA
- **Land Records** in post-conflict areas could be: damaged, stolen, lost, fraud or manipulated by powering parties, partly or fully destroyed, moved to a third country, or be a target of violent attack
- **Both literature and practice show that, if neglected, or not properly addressed in post-conflict period it can be a cause of renewed conflicts and obstacle for state building**

METHODOLOGY - BUILT ON TWO PREVIOUS RESEARCH

- *The role of land records in support of post-conflict land administration;*
Manirakiza (2014) MSc
- *Post-conflict land administration, facilitator of post-conflict state building;*
Todorovski (2016), PhD

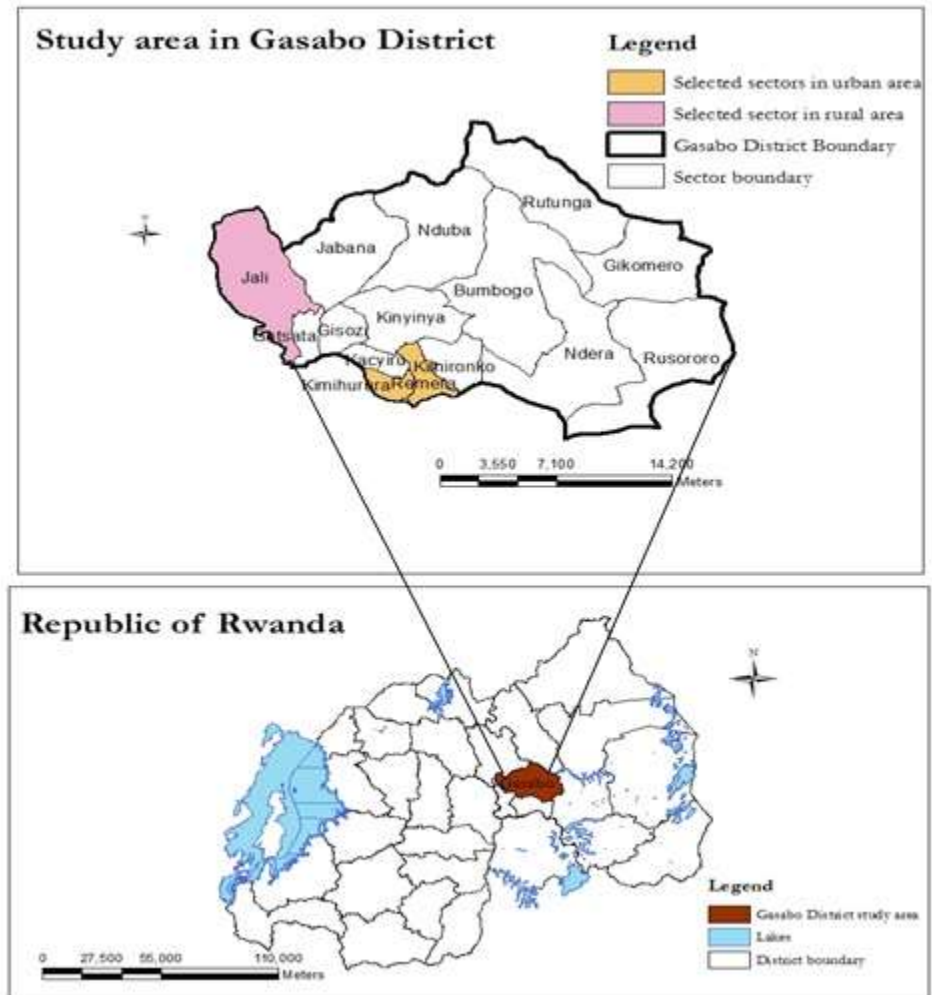


Figure.1: Location of the study areas (Manirakiza, 2014)

THE ROLE OF LAND RECORDS IN SUPPORT OF POST-CONFLICT LAND ADMINISTRATION

- Types of land records perceived differently with respect to:
 - 1) the location of the land,
 - 2) the development on it,
 - 3) the way land has been acquired and
 - 4) the legal framework.
- The format of land records (Rwanda case)

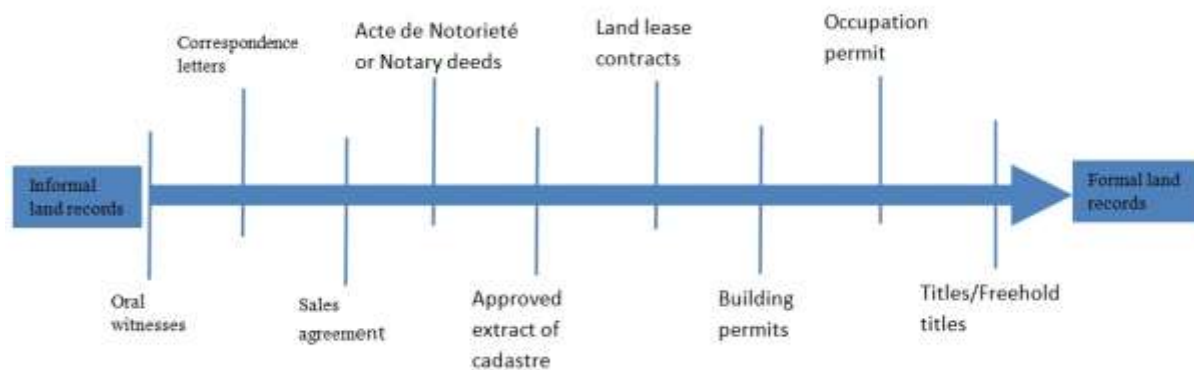


Figure 2: Hierarchy of types of land records found in the study area Gasabo District (Manirakiza, 2014).

THE ROLE OF LAND RECORDS IN SUPPORT OF POST-CONFLICT LAND ADMINISTRATION (CONT.)

- The status of the land records after the conflict:
 - Mainly land records remained intact, but
 - Some records had been manipulated – this led to disputes over land;
 - Double allocation and/or grabbing the land

- Benefits during land dispute resolution and post-conflict land administration:
 - ✓ Restitution of land and property of displaced people and refugees,
 - ✓ Resolution of disputes about inheritance/succession,
 - ✓ Mitigation of dispute about boundary encroachment,
 - ✓ Recognition of the use of land in urban planning,
 - ✓ Tracing back the transaction made on the land through oral witnesses, minutes and files in cabinets,
 - ✓ Recognition of changes in toponyms

Matrix : Interventions in land administration that facilitate post-conflict state building

Interventions in land administration for post-conflict state building												Kosovo (K) Rwanda (R)			Characteristics for rebuilding post-conflict states			
1	2	3	4	5	6	7	8	9	10	11	12							
National Land Policy	Land / Cadastre Law	Land administration organisations	Land claims commission	Implementation programmes	Ad hoc land policies PAD	Land management / administration in	Land Registration improved / created	Land records: creation / recovery		Train / educate land professionals	Cadastral products and services	Land dispute mechanisms	Legitimacy of the state / political leaders Political System Government structure Legal framework Building Capacities Displaced Population Destroyed houses and infrastructure Participation of IC and local authorities Citizens participation Low economic activities Loss/destroyed state records Peace / reconciliation Conflicts over land	1 2 3 4 5 6 7 8 9 10 11 12 13	Institutional weaknesses	Economic and social problems	Security	
K R	K R	K R	K R	K R	R	K R	K R	K R				K R						
K R	K R	K R	K R	K R	R	K R	K R					K R						
K R		K R	K R	K R		K R	K R			K R		K R						
K R	K R	K R	K R	K R	R	K R	K R	K R	K R	K		K R						
K R	K R	K R	K R	K R	R	K R	K R	K R	K R	K		K R						
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THE ROLE OF LAND RECORDS IN SUPPORT OF POST-CONFLICT STATE BUILDING – THE CASE OF RWANDA

- **beneficial to 1) ‘legitimacy of the state/political leaders’**
- not directly supported but relation exists with : 2) ‘political system’, 3) ‘governmental structure’ and 4) ‘legal framework’
- **land records directly supported 5) ‘building capacities’ the 6) ‘displaced population’ and 7) ‘destroyed houses and infrastructure’**
- supported in a way: 8) ‘participation of the international community, 9) ‘national and local authorities’ and 10) ‘participation of citizens’
- land records improved the element 11) ‘low economic activity’
- **land records directly contributed to the 12) ‘peace building and reconciliation’ and in regard of ‘conflicts over land’**



CONCLUSIONS

- The aim: [identify the role of land records in support of post-conflict land administration and state building in Rwanda](#)
- relation was explored in depth to determine and describe the role of land records in support of post-conflict state building
- land records **play a positive role**
- they are crucial elements within the land dispute resolution processes
- [Land records are recognized as essential elements for post-conflict state building in Rwanda](#)



THANK YOU FOR YOUR ATTENTION

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