

Innovative Customary Land Governance in Zambia: Experiences, Lessons Learned and Emerging Impacts (UN-HABITAT GLTN)

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SUMMARY

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Land is one of the most critical resources that have a crucial bearing on the cultural, social, political and economical progression of societies. The management of this important resource is crucial to achieving food security, peace and sustainable development. Different land tenure systems are practiced world over, (statutory, customary, private, open access/common property etc.) and this has a bearing on how people enjoy their rights to land. For many indigenous communities, women and other disadvantaged groups in society, rights to land are characterized by informality, insecurity and uncertainty. Women own less land and have less secure rights over land than men. Also, women make up on average less than 20 percent of the world's landholders yet an estimated 43 percent of the agricultural labor force (UN Women, 2018).

The above is against the backdrop of local and international instruments that exclusively and explicitly underscore the importance of ensuring equity and equality in the administration of land, land related resources and territories. For instance, the collective rights of indigenous peoples to lands, territories and resources are firmly embedded in the United Nations Declaration on the Rights of Indigenous Peoples Articles 3 and 26, (UNPFII, 2016) and in the International Labour Organization's Indigenous and Tribal Peoples Convention No. 169 and its predecessor Convention No. 107, (ILO 1989). The adoption of the Sustainable Development Goals (SDGs) has also emphasized the need for tenure security to eradicate poverty, hunger and promote gender equality and sustainable urban development. Although there have been numerous debates on the need for pro-poor land governance approaches and policies, little effort has been channeled towards the development of pro-poor land administration tools and methods, (CAPRI 2008; UNDP

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2008).

The Context

In Zambia, security of tenure for indigenous communities residing under customary land tenure settings has in recent years increasingly come under threat owing to the pressures of high rate of urbanization with projected figures of approximately 62.4 % of the world population by 2050 (World Urbanisation Prospects, 2018). Inadequate or total lack of reliable and up to date land records in customary settings has further exacerbated the uncoordinated and indiscriminate conversion of customary land to statutory tenure. The most affected by this are women largely due to gender disparities and complexities surrounding the administration of land in customary areas.

In this context, the traditional leader in Chamuka Chiefdom, working with government authorities and other partners has been undertaking interventions towards issuance of customary land certificates using fit for purpose land administration tools and inclusive approaches with emphasis on empowering women and vulnerable groups. The initiative aims to improve capacity of rural women and to strengthen the land rights of villagers living under customary land settings by making their land rights visible through the collection of both spatial data and social economic data.

Chamuka chiefdom has so far issued a total of 530 certificates of customary land occupancies benefiting 3,584 people across eleven villages in the Chiefdom. Apart from enhancing tenure security, the initiative has had other positive impacts on the lives of the people from the eleven villages and beyond. Notably, two international investment firms have negotiated and agreed on investment plans with the local people in Bulemu village to set up a Manganese Processing Plant and a Solar Firm. More importantly, the information has empowered the community to engage relevant stakeholders in development planning within Chamuka Chiefdom.

Conclusion

This paper will demonstrate the experiences, lessons learned and emerging impacts of securing land rights of poor, women and vulnerable groups in the context of customary land governance in Zambia. It will reiterate that tenure security empowers poor households particularly women and describe the participatory approaches adopted and the use of fit for purpose land administration approaches. The paper will also inform other stakeholders in similar contexts in Zambia and beyond on how best they can govern land in customary settings with a focus on inclusive and participatory approaches, use of appropriate land tools, the importance of leadership and commitment and women empowerment.

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