



FIG Working Week 2024

19-24 May

Accra, Ghana

Your World, Our World:
Resilient Environment
and Sustainable
Resource Management
for All

TS02C: The Quest for Good Land Governance in Africa:

Monday, 20 May 11:45–13:15

Royal Dragon - African Corner

Chair:

Mohammed Mamman Kabir

Rapporteur: Sulemana Mahama

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**WHO OWNS ALL LANDS IN
NIGERIA?**

The Key Concepts and Issues of Traditional Land Governance in Nigeria.

Presented by

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OUTLINE



In this presentation, we will cover the following key points:

- 1. Introduction to Land Governance**
- 2. Historical Context**
- 3. Traditional Land Governance**
- 4. Key Concepts**
- 5. Current Issues**
- 6. Land Policy in Nigeria**
- 7. Way Forward**
- 8. Conclusion**

INTRODUCTION TO LAND GOVERNANCE



Definition of Land Governance:

The set of rules, processes, and organizations through which decisions about land use and management are made, implemented, and enforced.

Importance of land governance in societal development:

Essential for economic development, environmental stewardship, and the recognition of human rights.

HISTORICAL CONTEXT



Pre-colonial Era:

Land was managed through communal systems with decisions made by elders and traditional rulers.

Colonial Impact:

Introduced individual land ownership, disrupting traditional practices.

TRADITIONAL LAND GOVERNANCE



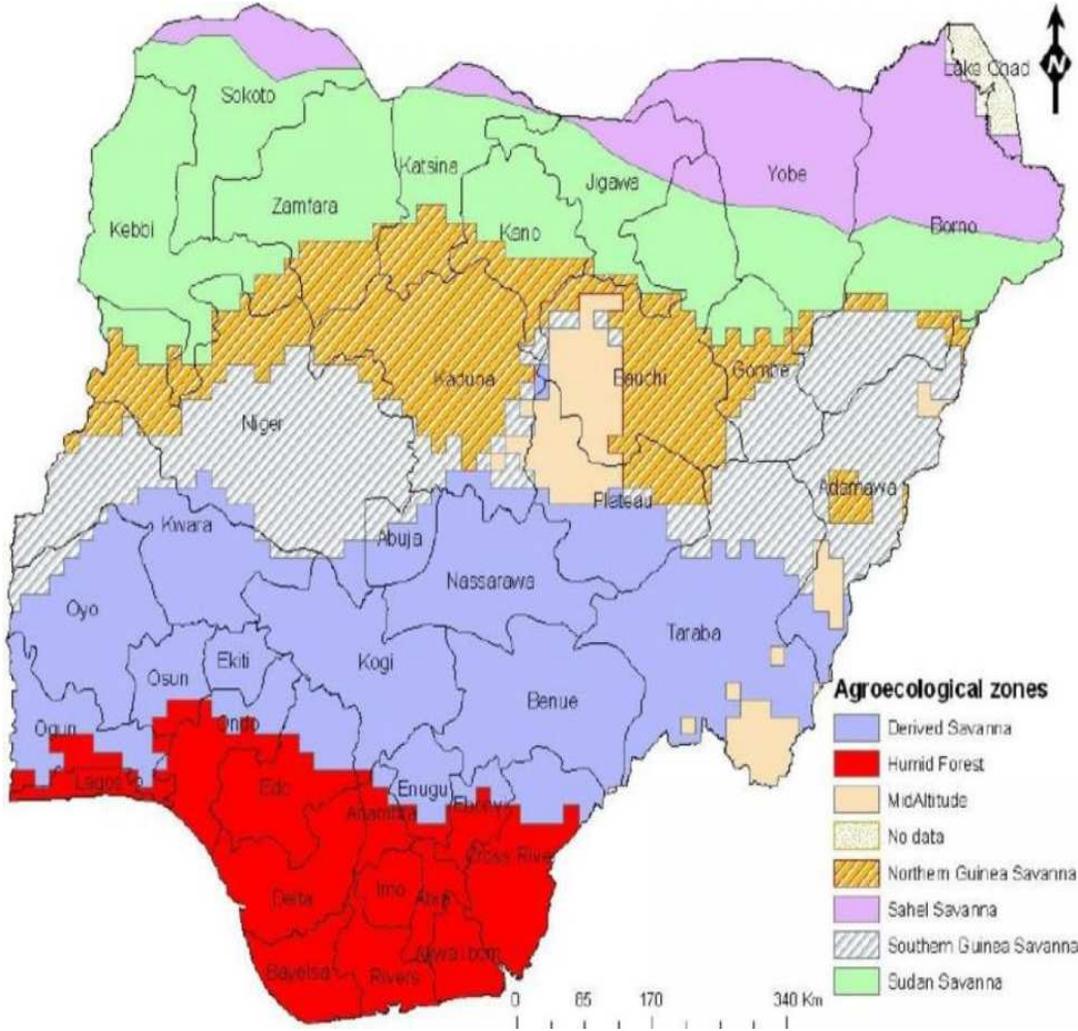
Traditional Authorities:

Chiefs and elders play a pivotal role in land allocation and dispute resolution.

Customary Laws:

Govern land inheritance, use, and management, reflecting the community's values and needs.

KEY CONCEPTS



Community Land Ownership:

Land is owned collectively, with individual usage rights granted by the community.

Inheritance Practices:

Land is passed down through generations, often with gender-specific rules.

Land Use:

Governed by traditional practices, ensuring sustainable management and use.

CURRENT ISSUES



Conflicts:

Arising between traditional practices and statutory laws.

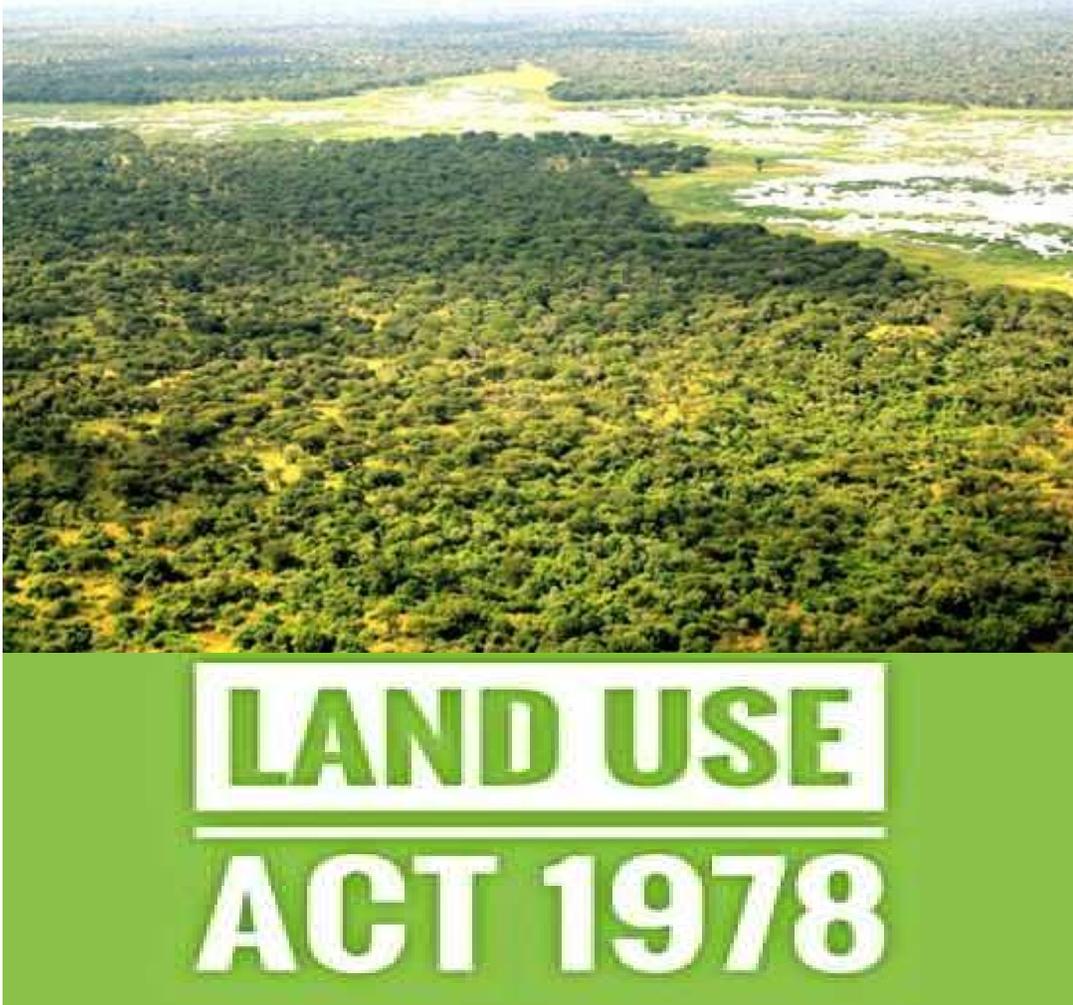
Documentation:

Challenges in formalizing land ownership under modern legal frameworks.

Urbanization:

Traditional land governance systems are under pressure from expanding cities and changing land use patterns.

LAND POLICY IN NIGERIA



Land Use Act (LUA):

The Nigeria Land Use Act is a federal law enacted in 1978 that governs land ownership and use across Nigeria.

Here are some key points about the Act:

LAND POLICY IN NIGERIA cont.



Vesting of Land:

The Act vests all land within the territory of each state in the governor of that state.

Purpose:

It was designed to standardize land administration and address issues such as uncoordinated alienation, speculative land hoarding, and lack of development on land holdings.

Urban and Rural Lands:

The Act distinguishes between urban and rural lands, with urban lands under the control of the state governor and rural lands under the local government chairman.

LAND POLICY IN NIGERIA cont.



Certificates of Occupancy:

It introduced the concept of a 'Certificate of Occupancy' as proof of land rights, replacing previous customary and colonial land tenure systems.

Governor's Powers:

The governor has the authority to allocate land for various uses and to revoke rights of occupancy with compensation for improvements made on the land.

Local Government Role:

Local governments are responsible for managing lands not classified as urban, with the aim of making land more accessible to Nigerians and preventing speculative purchases

LAND POLICY IN NIGERIA cont.

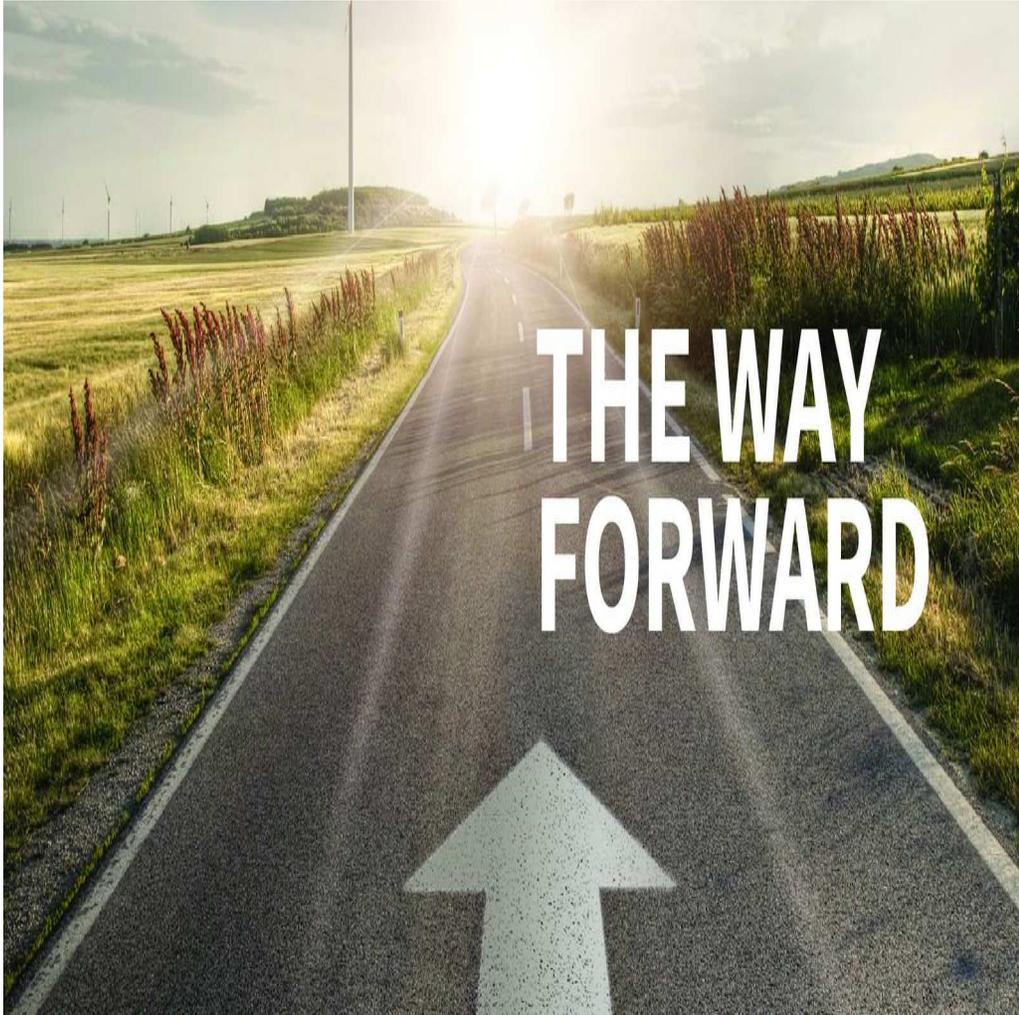


The Land Use Act has had a significant impact on land tenure, land transactions, and the overall management of land resources in Nigeria. It aimed to simplify and improve land administration, though it has also faced criticism and calls for reform.

Critiques:

Issues such as bureaucracy, insecurity of land ownership, and the impact on the free market.

WAY FORWARD



Policy Reforms:

Two alternative reforms are suggested. The first is an amendment of the Land Use Act to make clearer provisions for the indigenous land tenure system so as not to leave everything to mere implication, as is presently the case under the transitional provisions of Sections 34 and 36. This should include setting a deadline for the conversion of pre-existing indigenous titles into rights of occupancy with the holders obtaining certificate of occupancy.

The alternative suggestion is an amendment of the Act to exclude the indigenous land tenure system from the operation of the Act. This would enable the latter to co-exist with the right of occupancy system without the present problems of interpretation

CONCLUSION

Land governance is a critical issue that impacts economic development, environmental sustainability, and human rights in Nigeria. The traditional land governance system, rooted in communal ownership and customary laws, has been disrupted by colonial influences and modern legal frameworks like the Land Use Act of 1978.



CONCLUSION

While the Land Use Act aimed to standardize land administration and increase access to land, it has faced criticism for issues such as bureaucracy, insecurity of land ownership, and impact on the free market. Conflicts between traditional practices and statutory laws, challenges in documenting land ownership, and pressures from urbanization further complicate land governance in Nigeria.

CONCLUSION



conclusion

Moving forward, policy reforms are necessary to address these issues and reconcile traditional land governance with modern legal systems. Two potential approaches are: 1) amending the Land Use Act to clearly incorporate provisions for the indigenous land tenure system and a process for converting pre-existing titles, or 2) amending the Act to exclude the indigenous system, allowing it to co-exist alongside the rights of occupancy system.

Ultimately, effective land governance requires a harmonious balance between respecting traditional practices, ensuring sustainable land use, and adapting to modern realities. By addressing the key concepts and issues highlighted in this presentation, Nigeria can work towards a more equitable, efficient, and sustainable system of land governance that supports societal development while preserving cultural heritage.



Thank you

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