Land as a Key for Better Governance and Economic Growth for Tanzania: Perspectives and Recent Initiatives

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Introduction

What is good governance?

...the manner in which power is exercised in the management of a country’s economic and social resources for development - World Bank

...is to make it easy for people to do good and difficult to make evil - Sir Gladstone
Introduction ...

Rule of Law

Accountability

Pillars of Good Governance

Transparency

Participation
Land tenure and access to land in Tanzania

Land Ownership

All land in Tanzania is public and vested in the President as a trustee on behalf of all citizens.

Access to Land

- Any person legally occupying or using land in Tanzania, does so by way of Right of Occupancy or its derivatives.
- Foreign investors can access land through Tanzania Investment Centre.
- Foreigners who are not investors can access land by way of leasing from R/O holders.
Land tenure and access to land in Tanzania...

- **Right of Occupancy**
  - Granted Right of Occupancy (general land)
  - Deemed Right of Occupancy (general & village lands)
  - Deemed Right of Occupancy (general land)
  - Customary Right of Occupancy (CCRO)
  - Certificate of Customary Right of Occupancy
  - Accessible only to Tanzania citizens

- **Sub-leases**
  - Derivative rights

- **Common**
  - for both local and foreign land holders
Tanzania is one of the countries in Africa that have a good legal framework for land governance.

The National Land Policy, 1995
(Under Review)

- The Land Act, 1999
- The Village Land Act, 1999
- The Courts (Land Disputes Settlement) Act, 2002
- The Unit Titles Act, 2008
- The Valuation and Valuers Registration Act, 2016
- Land Use Planning Act, 2007
- Urban Planning Act, 2007
- The National Land Policy, 1995
(Under Review)
Land disputes which are not of criminal nature have a dedicated court system starting from the village to the high court (The Courts (land disputes settlement) Act 2002)
The institutional framework for land administration

(Parcipatory, responsive, decentralised)

**Village Land**
- Accounts for more than 70% of all land in Tanzania
- Governed by the Village Land Act of 1999
- Village land administration is by the Village Council
- Dispute settlement is by the Village Land Council – of which at least 3/7 of its members must be women
- Men and women have equal right to access land resources
- Transfer/conversion of village land to other land categories must have the consent of the Village Assembly

**General Land**
- Accounts for most of urban land and surveyed farmland in rural areas
- Governed by the Land Act of 1999
- Administered by local government councils
- Titling and registration under the Ministry of Lands
- Revocation of title is lengthy and is done by the President
- Land holders are required to pay land rent

**Reserved Land**
- Administered by the respective authorities (TANAPA, TFS etc)
Day to day land administration is under LGAs

Land is allocated by land allocation committees of the respective LGAs

The Ministry of Lands, operates 8 zonal land offices which are meant to:
- Enhance access to land delivery services (issuance and registration of title deeds)
- Minimize time required to offer services
- Oversee policy and law implementation
- Issue guidelines
- Handle complaints
In a bid to enhance good governance (accountability) Tanzania has taken several steps including enactment of pertinent laws and establishment of institutions such as:

- Prevention and Combating of Corruption Bureau (PCCB)
- Ethics Secretariat
- Financial Intelligence Unit
- Corruption and Economic Crimes Division - High Court
Challenges and Interventions

The state of land planning, surveying and registration in Tanzania

Physical Planning

Master Planning (Urban Development)

More than 70% of the urban settlements are unplanned

About 1.5 million land parcels are surveyed, about 900,000 parcels are allocated and about 650,000 parcels are registered

Land Use Planning (Rural Land Uses)

Only about 10% of the villages have land use plans
On-going and planned initiatives

(Transparency & participatory)

- Integrated Land Management Information System (ILMIS) - replace manual system with an electronic system
- Land Investment Unit - identify & monitor land for investment
- Planning, surveying and registration of land parcels in rural areas (Kilombero, Ulanga, Malinyi and Iringa districts) – to promote land based investment
- Large farm inventory (planned for this year) - to be able to monitor land based investment
- Review of the National Land Policy – to take care of contemporary needs
THANK YOU!