



# Land Governance in an Interconnected World

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## Scaling-up Effective Land Administration in Urban DRC: A Case Study of a Pilot Project in Beni, North Kivu.

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## **Abstract**

While DR Congo's ongoing volatility has many layers and factors, insecure land tenure persists as important source of antagonisms, violence and insecurity, as well as an impediment for development and economic growth. This paper argues that land interventions aimed at scaling an improved Land Information System in DRC requires fostering commitment, cooperation and coordination between the land administration, various levels of governmental authorities as well as a broader of community actors. In making this argument, this paper analyzes the lessons learned by a multi-actor collaboration in Beni, DR Congo, where state and non-state actors are partnering to implement a contextualized version of GLTN's Social Tenure Domain Model (STDM), which is complemented by the creation of a Land Stewardship Committee designed to serve as an avenue for communication and action between all land agents.

**Key Words:** coordination, land information system, scaling-up

INTRODUCTION



# Land Governance in an Interconnected World

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DRC's contemporary land conflict and challenges are rooted in DRC's past. In 1885, King Leopold of Belgium declared all "vacant land" in DR Congo as the property of the Independent State of Congo (Reybrouck, 2014). Under this ruling, any land that appeared to be unoccupied or was not permanently cultivated was designated as "vacant" and therefore claimed as state-owned land even though it was common for communities to reserve "un-used" land for future needs (Vlassenroot & Huggins, "Land, migration and conflict in eastern DRC", 2005). The Belgians who acquired Congo in 1908 from Leopold, continued this policy while introducing a land registration system that privatized landownership and allowed the state to sell concessions to Europeans for the creation of plantations (Vlassenroot & Huggins, 2005). In so doing, Leopold and the later Belgian colonial authorities reconfigured land management in Congo resulting in two irreconciled land arrangements: one system administered based on statutory law and a second established through the practices of traditional authorities, usually customary chiefs.

After independence, land management and governance became even more cumbersome, because of the Mobutu-era General Property Law of 1973, which went further than the colonial era laws in naming all land as state property. This 1973 law, Vlassenroot and Huggins argue, had two primary consequences. First, in this system, customary chiefs became administrators of the state with all customary land holdings becoming state-owned and available for sale through state mechanisms of "survey, registration and cadastration" (Vlassenroot & Huggins, 2005). That said, in practice, the law was difficult to enforce and customary authorities were able to manipulate the system to their advantage or to simply maintain authority in areas where the state's presence was weak—primarily in rural areas. As such, confusion and competition between DRC's statutory law and customary authorities persist today.

Second, the 1973 legislation enabled land to become a powerful tool for DRC's government and elites to reallocate large land concessions as gifts to people who proved their loyalty to Mobutu and his cronies, reinforcing a system of patron-client relationships vis-à-vis the central government (Vlassenroot & Huggins, 2005). These colonial and post-colonial decisions have set the foundation for DRC's current land governance challenges and ongoing land conflict.

Today, insecure land tenure in DRC endures as important source of antagonisms, violence and insecurity, as well as an impediment for development and human flourishing (Vlassenroot, 2013; Autesserre, 2010; Huggins, 2010). Land conflicts in DRC are grounded in complex and overlapping causes: the persistence of different and competing legal systems; feeble land laws; competition between indigenous and migrant communities; the dynamic of displacement and return among vulnerable populations due to violence; competition for land between agriculturalists and pastoralists in densely



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populated areas; rapid informal urbanization; ineffective performance of judicial systems; the proliferation of artisanal mining; and intense competition between elites (Vlassenroot, 2013).

In Beni, a small city located in the northeast of DRC's North Kivu province, began to expand rapidly in a context of conflict-urbanization with insufficient land administration resources and inadequate urban planning. Beni was established in 1929 by Belgian colonial authorities as an administrative outpost because its strategic location 80km west of the DRC-Uganda border. Since colonial times, Beni has functioned as an important entry point in DRC for east African trade. Between 1960s and 1980s, coffee exports provided the backbone of Beni's economy, which served as a hub for coffee due to its climate and proximity to the border. During the two Congo wars (1996-97, 1998-2003) Beni attracted different groups of people due to its relative safety for displaced persons, the perceived availability of land and because of Beni's role as a trading crossroads.

Beni's emergence as a city in 2003 is closely connected to the armed political movement, the Rally for Congolese Democracy-Kisangani/Movement of Liberation (RCD-K/ML), who controlled the Grand Nord (Beni and Lubero territories) between 1999-2003 (Raeymaekers, 2015). Led by Mbusa Nyamwisi and other Nande elites, the RCD/K-ML, established itself in Beni during the Second Congo War (1998-2003). RCD/K-ML allied itself with President Joseph Kabila in 2002, placing Nyamwisi in a privileged position during Congo's Transitional Government (2003-2006), which enabled Beni to emerge as an official city in March 28, 2003 through a presidential decree as the Second Congo War drew to a close with the signing of the Sun City Agreement in April 2003 (Congo Research Group, September 2017).<sup>1</sup> Through the incorporation process, Beni received the authority to establish various governmental offices including land administration and urban planning offices. Despite the establishment of these institutions, Beni, like many burgeoning cities in low-income countries, began to expand rapidly without significant formal planning and technical capacity. This quick, informal urbanization coupled with an ill-equipped land administration facilitated a context of land conflict.

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<sup>1</sup> Since 2003, Beni's economy has continued to diversify and grow. Today, Beni has an estimated population of 355,000 inhabitants (est. 2015) and is home to large businesses and small entrepreneurs alike. Notable enterprises include banks, telecommunications companies, hotels (e.g., Albertine Hotel), large beverage companies like Brasimba and Okapi group, furniture making (e.g., ENRA), soap manufacturers (e.g., SICOVIR), energy companies (e.g., Kivu Green Energy) as well as exporters of coffee, cacao, papain and cinchona. More than 800 people were killed and 180,000 people displaced between October 2014 and December 2016 during three waves of massacres.



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In 2014, Beni's Civil Society led multiple marches to express popular frustration with certain weaknesses in Beni's land administration and the rise of land conflicts in Beni. At this time the mayor's office claimed that 80% of Beni's court cases are related to land conflict, while Beni's Civil Society office has claimed that they identified 120 cases of land conflict in Beni town in early 2015. Qualitative research conducted by the Université Chrétienne Bilingue du Congo (UCBC) reveals that Beni's community members believe that the main drivers of land conflict in 2014 and 2015 were: the lack of public access to information and documentation about the laws and procedures for securing land tenure; instances of corruption and an absence of transparency in the land administration; insufficient expertise and capacity in land administration—especially among the technical team.

As the above research and description demonstrates, the challenges facing DRC's land administration are both technical and governmental. Efforts to address these land conflicts and land administration challenges will fall short if both the technical and wider land governance frameworks are neglected (Mathys & Vlassenroot, 2016).

As such, the Christian Bilingual University of Congo (UCBC) and Global Land Tool Network (GLTN) are addressing these technical land administration and governance challenges through mobilizing a multi-actor<sup>2</sup> collaboration in Beni, North Kivu, where this group of state and non-state actors are partnering to develop and pilot a Land Information System (LIS) using a contextualized version of GLTN's Social Tenure Domain Model (STDM).<sup>3</sup> This pilot project is supplemented by regular public policy engagement with various levels of DRC's government: the Minister of Land Affairs for North Kivu, Secretary General for Land Affairs based in Kinshasa and the Coordinator for National Committee on Land Reform (CONAREF).

Together, the pilot project and policy engagement enable UCBC and GLTN to foster commitment, coordination and cooperation among the pilot project partners and the higher-level political elites whom they need to engage to both garner their support for the pilot project and to ensure that the project's lessons enhance the policies and practices of DRC's land administration and governance frameworks.

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<sup>2</sup> The group of state and non-state actors includes: UCBC, Global Land Tool Network, North Kivu's Minister of Land Affairs, Beni's governmental authorities (e.g., Beni's Mayor, neighborhood authorities, etc.) and land administration (i.e., cadaster, Registrar of Property Titles and Urban Planning office), in addition to Beni's civil society, customary chiefs as well as everyday landowners.

<sup>3</sup> STDM is a pro-poor land information tool and management system that supports the implementation of transparent land administration in urban and rural contexts. For more details see: <https://stdm.gltn.net/>.



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Innovative solutions—like the LIS being piloted in Beni—can only make an enduring impact if they are implemented and scaled effectively (Seelos & Mair, 2016). Moving from pilot projects to effectively scaled solutions requires that contextual knowledge is gathered for project development, the problem is framed correctly, and solutions are effectively resourced to promote deep learning throughout the implementation process. What’s more, effective scaling of land interventions aimed at improving land administration and governance requires fostering commitment, cooperation and coordination (World Bank, 2017) between both state and non-state actors to produce enduring impact.

In making the above arguments this paper analyzes the lessons learned by UCBC and GLTN in developing and implementing a Land Information System in Beni, North Kivu and how these lessons are connected to the process of effectively scaling-up better land service delivery.

## UNDERSTANDING MASIANI’S CONTEXT

Effectively scaling innovations requires developing and in-depth understanding of the implementation context and correctly framing the problem (Seelos & Mair, 2016). This simple and well-known insight about the importance of developing a strategic understanding of your project’s context and the problem needed to be solved has been essential in the pilot projects success but is also the first step in scaling innovative interventions like the LIS in Beni’s Masiani project.

From the inception of the pilot project, UCBC and GLTN prioritized understanding Beni’s, and more specifically Masiani neighborhood’s, context. Through a series of staff meetings and workshops with a diverse group of community stakeholders—including the mayor’s office, Civil Society, lawyer associations, the heads of all thirty neighborhoods in Beni, customary chiefs—it became clear that Masiani—a peri-urban neighborhood located in north Beni, west of the RN4 road—was an ideal location for the pilot project as it was known for ongoing land conflicts and land administration challenges. Masiani neighborhood, one of thirty neighborhoods in Beni, is divided into 7 cells covering an area of 15 km<sup>2</sup> with an estimated population of 16,264 and 2,711 households.

UCBC staff conducted further one-to-one and group meetings with the local authorities, including the cadaster, head of the neighborhood and customary authorities in order to cultivate relationships, promote trust, and to obtain a greater understanding as to how various stakeholders understand and frame the challenges and opportunities concerning land issues in Beni.

Simultaneously, UCBC staff read and discussed academic books and articles related to land in



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eastern DRC. This desk research helped the UCBC team contextualize Beni's land conflict within DRC's wider historical, political and economic context. Additionally, this desk research provided the UCBC team with new frameworks and questions as it sought to clearly define Beni's land problems with the future goal of developing a relevant and contextually-sensitive solution.

In January 2017 UCBC designed and implemented a survey of 196 randomly select adults to learn more about land tenure security, perception of Beni's land administration as well as land conflict and access to justice and mediation services.

Through this survey, the UCBC team found that 30% of Masiani believes that land conflict is somewhat of a problem and 25% believe that land conflict is a serious problem in their neighborhood, meaning 55% of the Masiani population find land conflict to be a problem. Additionally, STL learned that approximately 40% of Masiani neighborhood has experienced land conflict, most notably: 56 conflicts related to boundary disputes with neighbors; 43 cases involving the sale of the same parcel of land to multiple buyers; 21 conflicts related to issues between customary authority and statutory law; 19 instances of land seizure; 15 conflicts related to former residents returning to re-claim their land; and 8 disputes concerned land inheritance issues. What's more, STL's research revealed that these conflicts resulted in 9 deaths, 8 physically violent encounters, 7 acts of vandalism, 4 instances of kidnapping or abductions, and 4 cases of property theft.

And STL research anticipates future land conflict. While 70% of respondents have a bill of sale for their plot, 60% of households surveyed did *not* possess a copy of a Land Registration Certificate and 85% did *not* have a copy of their Property Title, which are required to fully secure land tenure with Conservateur des Titres Immobiliers (CTI) or Land Registration office.

Moreover, STL's survey demonstrates that many respondents do not think that they understand all of the steps needed to legally secure their land as only 37% of Masiani believe they understand the process for securing their land somewhat well to very well.<sup>4</sup>

Additionally, STL's research in Masiani highlighted that the population tends to view DRC's land registration process with skepticism. What's more, 51% of the sample population rated DRC's government agencies responsible for land as a 4 or lower on a scale where 1 is the worst and 10 being the best possible rating.

## LAND ADMINISTRATION ASSESSMENT

In May 2017, UCBC conducted a base line study of Beni's Land Administration (LA).

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<sup>4</sup> 41% said don't know, 18% don't know well, 4% very poor understanding.



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measuring technological challenges and identifying key actors in information management in order to prepare short-term key interventions in the customization of STDM and development of the land information system.

Beni's Land Administration is comprised of three primary agencies: Cadaster, Conservation des titres Immobiliers (CTI) or the Registration of Land Titles Office, and the Urban Planning office. Beni's land administration comprises about 120 agents including 40 in the cadastral division. Our sample consisted of 25 agents from the Cadastral Technical Office mainly composed of surveyors, topographers and 22 agents from other land administration services such as taxation, litigation and documentation and registration, in addition to 4 technicians from the Urban Planning office.

The Cadaster is responsible for surveying and documenting the boundaries of land tenure through designing maps, diagrams, charts, etc. for land parcels. In the past these documents were drafted by hand and maintained in paper form. CTI is responsible for registering or transferring all land title information for ownership, possession and other rights through issuing legal documentation. In the past, CTI's documentation has been maintained using paper documents. The Urban Planning office is responsible for designing and implementing rules, regulations and plans for land use. Despite these roles and responsibilities, the land administration and the urban planning office were not effectively collaborating. The urban planning has the mandate of conducting feasibility preliminary studies and producing land use planning map that should be implemented by the land administration. There are land occupancies facilitated by land administration that do not correspond to urban planning policies.

UCBC's study examined the LA's technical capacity, data collection and management processes, as well as transparency and accountability measures. The Beni land administration (LA) is aware of technological problems and gaps in of its basic mission fulfillment. Without ICT infrastructure, data management remains insufficient and rudimentary. Technical land information is kept largely in paper books and personal computers. The cadaster and urban planning offices have outdated and poorly executed hand-drawn maps some of which are unclear or difficult to use for practical purposes.

The lack of technical capacity and ethics training is evident and has led to multiple cases of conflict and/or inconsistency in certain data produced by the technical service comparing to the on the ground reality. According to this study, 50% of agents judge the use of technology in the performance of their daily task unsatisfactory or very unsatisfactory (28%). The graph below shows the level of use of the technology in this structure. In Beni, an estimated loss of property information



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between 1-10 cases is recorded each year and the main cause is the bad faith of certain agents for various reasons (to silence a case of conflict, evidence suppression...). This was mentioned at 50% as the main cause.

In a previous study carried out in January 2017 on the perception of the population on land administration services, the results show that the population has a very low level of trust in land administration compared to other actors/institutions such as Neighborhood and cells chiefs, customary authorities, civil society leaders, etc. As the institutions and land actors listed above are not legally recognized as land managers, land administration is subject to competition in land management, which is gradually increasing with grassroots leaders. Beni population and particularly in Masiani are victims of this reality due to this dual land management.

The experience of working with the land administration department on land registration or the current security system is considered to be [very] poor at 51% and without confidence at more than 72%. This statement was not surprising to land administration officials who agreed with at more than 50% and 23% disagreed.

In order to improve the image of land administration, our respondents (LA agents and officials) suggested the Capacity Building for land administration surveyors and managers in LIS and GIS, land governance and transparency in land administration, land mediation; Providing the LA with the necessary equipment; Committee work with grassroots leaders in a land stewardship committee and media awareness would restore the image of land administration as well as public confidence.

In this study, we were also interested in gender issues. In the registration division of Beni, rare are women who come to request for land. Nevertheless, in case of conflict they are the most beneficial in court and, but the mediation remains a high need. As for, the performance of women in the land administration at the position of responsibility, our respondents consider that their performance is satisfactory.

From the beginning UCBC invested dedicated time toward learning about project context; however, this environment of contextual knowledge accumulation was not simply a one-time effort, but a continuous activity that enabled the project team to adjust throughout the project's cycle. By prioritizing learning and problem framing, the pilot project team learned several lessons:

- UCBC and GLTN staff were able to more accurately frame the problems facing Beni's land administration, helping the team develop better ideas when designing and iterating throughout the project intervention.



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- UCBC and GLTN staff developed a strategic understanding of Masiani's land challenges in order to ask good questions when engaging the community as well as to develop clear implementation strategies.
- UCBC-GLTN's one-to-one and group meetings with various key stakeholders enabled them to cultivate relationships, promote trust, and to obtain a greater understanding as to how various stakeholders understand and frame the challenges and opportunities concerning the land challenges in question.
- UCBC-GLTN's research provided various stakeholders with an opportunity to articulate their opinions and concerns about important issues. What's more this exercise enabled UCBC staff to identify stakeholder's interests and motivations, which shaped stakeholder engagement strategies.

## LAND INFORMATION SYSTEM

Based on the qualitative and quantitative information collected by UCBC staff, a clear need for a new Land Information System was needed. As such, UCBC and GLTN partnered with a wide range of both state and non-state to design and implement a Land Information System (LIS) using a customized version of GLTN's Social Tenure Domain model, which serves as an archiving tool connecting archived documents (e.g., land titles, bill of sale, etc.) with digitalized geospatial data and land ownership and tenure information. To date, LIS has been piloted in 3 of the 7 cells in Masiani neighborhood (Boikene Centre, Kitobi and Munyabelu). The three cells cover an estimated area of 395 hectares with 1485 households.

The LA agents affected to STDM operations have registered over 2368 plots among what only 400 have been enumerated and given a unique number (cadastral number freely given from the LA). At this number only 97 plots (or 2%) was registered in the land administration and has formal titles while 98% plot are informal not legally secured. At present, the pilot project team has registered over 2368 plots of which 400 parcels are being enumerated and data are being coded in STDM, linking mapped plots with ID numbers (SU) to its ownership and the enumeration information. Moving forward, UCBC and the LA plan to:

- Train technicians on the use and parameterization of geo-spatial data collection tools and data cleaning and field data processing;
- Train Cadaster and Urban Planning technicians on the use of QGis basic for geospatial data processing;
- Collect geospatial data on the limited landholdings in the Masiani area;



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- Collect socio-economic data on digitized land properties;
- Manage all socio-economic, geospatial and other data using STDM;
- Design and implement STDM User's Guide, Training manual on GPS configuration and use, Training manual on digital data collection;
- Use new data to deliver land services to population in keeping with their respective roles and responsibilities.

## LEARNING AND ITERATION THROUGH EVALUATION

Seelos and Mair argue that an investment in learning enables an organization to better understanding of the problems needed to be solved, which prevents an intervention from chasing less productive problems and less important issues (Seelos & Mair, 2016). The pilot project team has sought to invest in deep learning throughout the duration of the project by investing in continuous evaluation efforts.

In September 2017, the provincial minister of land affairs with the support of UN-HABITAT/GLTN team visited UCBC, the land administration and local committee members to evaluate LIS implementation progress, as well as examine the ongoing data collection process through which the UCBC-GLTN team were collecting socio-economic and geospatial data in Masiani. The provincial minister of land affairs and UN-Habitat were pleased by the result of LIS implementation and all the mapping done by LA surveyors and Urban planning technicians with the support of UCBC and UN-HABITAT/GLTN.

The Minister promised to support the validation of maps and LIS at the provincial parliament of North-Kivu and sustain the result by a provincial order. The mapping process, the sensitization plan and strategies as well as land conflict documentation, analysis and mediation results were presented. The minister and UN-Habitat team had a field mission in Masiani to also evaluate the participatory approach with the population and to visit illegally sold public land (Market, hospital, football ground, Avenues ...) that has been. The minister addressed the need of expanding the project by including capacity building tools and approaches on urban planning, National Urban policy and land readjustment in order to have a full experience of implementing LIS that can then be duplicated in other area.

Between October 22 and November 10, 2017, Séverin Mugangu Matabaro, Professor of Law at ISDR-Bukavu conducted an evaluation of the Masiani project. This evaluation process required to the team to dedicate more time and effort to documenting lessons and turning data into actionable tasks to improve project implementation. Additionally, Mugangu highlighted the importance of creating a detailed technical framework and manual of procedures for the land administration.



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By receiving feedback throughout the project cycle, the UCBC-GLTN team were able to successfully iterate through the duration of the project by integrating new ideas, improving implementation or strategy weaknesses, but also to identify ineffective or unhelpful activities that needed to be eliminated. Continuous project evaluation enables deeper learning, empowering the team to make live modifications to the project and improved decision making using knowledge acquired throughout the project cycle (USAID, 2016). Given the importance of context in implementing an innovation, learning and iteration through evaluation is essential while attempting to scale a land intervention like the LIS in Beni.

Additionally, continuous learning through evaluation promotes trust as stakeholders have an opportunity to provide feedback and review project outcomes as they unfold promoting ongoing engagement and transparency, which is essential when scaling innovative land interventions (Seelos & Mair, 2016).

## COMMITMENT, COORDINATION AND COOPERATION

In addition to understanding context, framing the problem correctly, and investing in continuous learning through evaluation, this paper argues the effective scaling of land interventions aimed at improving DRC's land administration and governance requires fostering commitment, cooperation and coordination (World Bank, 2017) between state and non-state actors (i.e., the land administration, various levels of governmental authorities as well as a broader coalition of community actors, including UCBC, civil society, customary chiefs as well as everyday landowners, in addition to international partners like GLTN). These partnerships between state and non-state actors ensured that the necessary resources, social capital and incentives are aligned to implement a successful and scalable pilot project.

The primary way UCBC and GLTN cultivated commitment, coordination and cooperation during the Masiani project was through the Land Stewardship Committee (LSC)—established through the pilot project—to bring together state and non-state actors with the goal of supporting Beni's land administration. More specifically, with the support of the provincial minister of land affairs, the LSC brings together representatives from UCBC, Beni Mayor's office, Beni land administration (cadaster, land registration office, urban planning office), customary chiefs, neighborhood leaders and civil society for the implementation of the LIS. Ultimately, the LSC establishes relationships that promote trust and credibility through working toward the common goal of a strong land administration and secure land tenure.



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UCBC encouraged all land actors to work in a stewardship committee consisting of various Masiani stakeholders to promote dialogue on land rights, use, readjustment and management in Masiani Quarter in Beni. In June 2017, in an exchange meeting for the creation of local committee to support Beni land administration for LIS (land Information system) implementation in Masiani, land key actors have unanimously adopted 23 articles of the act of incorporation. The committee will be composed of ten members divided into different commissions and will be playing a huge support role to land administration in land mediation, lobbying and the population sensitization on project scopes for them to take its ownership.

Based on clauses of the creation act, the general assembly composed of all the members of the committee is the supreme body of the committee but also responsible for voting all the resolutions inherent in the activities and the functioning of the committee. In addition, the Beni land administration manager CTI (Land Registration Office) will act as chairman/chairwoman of the committee in accordance with Article 6 of the memorandum of engagement, which also sets out modalities for the delegation of its powers. He / she will be assisted by a secretary and an assistant secretary who have been acclaimed by the signatory members. Roles and responsibilities of all parties have been clarified by the Act. For example, responsibility for land property digitization (formal and informal), the digitization of titles and other land information for the recognition of property rights has been assigned to the land administration. They will be responsible for making corrections in case of technical errors found on the ground without administrative costs on the part of the taxable person. If a new document is required to be delivered, it shall be delivered to the owner without administrative costs within a period agreed by the two parties. Furthermore, they will ensure the sustainability of the project throughout the entire city of Beni under the vigilance and participation of all stakeholders. Finally, the LSC have weekly meetings in for evaluating the weekly accomplished, lessons learned and how to readjust Technical and sensitization as well as planning strategies. Every commission produces weekly and monthly narrative and finance reports, the secretary of the committee centralizes all reports, submit to the president of the committee who will also approve the report and submit to the provincial minister of land affairs.

On the other hand, apart from strengthening the capacities of land administration in Geographic Information System, participatory mapping and LIS customization, the burden of equipping the land administration with computers, Scanner, data collection tools (GPS) returns to UCBC according to agreement terms.

Throughout its existence, this committee has undertaken to ensure the land tenure security landowners in Beni town by setting up the Land Information System for a transparent, credible and effective land administration for the next five years according to forecasts. Until the land administration establishes



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a secure digitization office that meets the standards recommended by the provincial minister of land affairs, UCBC has agreed to host the digitization resource center.

The LSC facilitates channels of communication between state and non-state actors, establishing a platform to collect solicited and continuous feedback to identify and address service delivery gaps and problems, but also to sensitize the population about approved technical plans and upcoming land administration activities. Moreover, the LSC collects land tenure dispute information and assists in mediating neighborhood land conflicts. Through this process, UCBC and LSC have identified 79 instances of conflict with 28 conflicts involved in an ongoing conflict mediation and resolution process, and 5 conflicts resolved.

Additionally, UCBC and the land administration is collaborating with its partners to collect geospatial data of all landownership claims with corresponding demographic, conflict and socioeconomic data. This data will be validated by a Land Stewardship Committee comprised of stakeholders representing various sectors of society. After the validation process, the data will be integrated into a new land management system using a customized version of GLTN's Social Tenure Domain Model (STDM).

In the process of recording land right in Masiani, STDM will play a major role in data management and storage. This requires minimum preparation work based on the data requirement model from the land administration in order to fully respond to the demand. We have developed a conceptual model and have completed first step in the process of customizing STDM.

As the committee comes in support of the Land Administration, this report contains the coordination, sensitization, technical, planning and land mediation results bellow.

- In June 2017. UCBC supported the local committee to elaborate a Manuel of procedure to well define everyone's roles and responsibilities and work procedures. The draft of the Manuel of procedure was presented by UCBC, Secretary of committee and was approved during the 1<sup>st</sup> June 2017 General assembly, where a detailed work plan of sensitization, data collection and reconciliation, land conflict mediation and participatory enumeration activities and implementation strategies, and the budget where defined and approved.
- From June to October, the sensitization commission broadcasted news in 5 local medias on field participatory mapping of parcels mapping and enumeration so that land administration can be well received and accepted by local community members, as well for enumeration.
- Based on preliminary well-defined criteria, 15 land administration surveyors including two urban planning technicians were trained in GPS usage and manipulation, geo-spatial data



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processing using Garmin's Mapsource and QGIS, and land readjustment. 8 of the 15 LA surveyors were selected by UCBC's GIS and LIS expert to launch the geo-spatial data collection process as convened officially by Beni's Mayor on 11 July 2017.

- From August 22 to August 25, 2017, 19 UCBC students were trained to support 4 land administration agents in charge of documentation on land properties and household by applying a socio-economic survey questionnaire adopted in the local committee GA of the 02 August 2017.
- From August 22 to August 25, 2017, 19 UCBC students were trained to support 4 land administration agents in charge of documentation on land properties and household by applying a socio-economic survey questionnaire adopted in the local committee GA of the 02 August 2017. At present, 340 parcels are being enumerated and data are being coded in STDM, linking mapped plots with ID numbers (SU) to its ownership and the enumeration information.

During the implementation of LIS in Masiani, UCBC created the culture of collaboration and the commitment between the land administration and the urban planning office by working together under the technical commission. Their mandate was mainly to generate geo-special data, process them, produce digital land ownership map, but also identify mistakes that were done related to urban planning, identify parties that will be affected when it will come to land readjustment, associate the land office mitigation the participatory approach for the documentation of those cases and start the negotiation for participatory land readjustment.

By working together, there have seen the benefit in term of planning and avoid creating land conflict and promote better urban planning. So now the level of collaboration is strong. The land administration surveyors always go together with urban planning expert and the impact is huge on ground. Some avenues that were closed are now open, new creation spaces have been established.

The LSC represents a coordinated collaboration that generates an iterative, participatory process with representatives of all community stakeholders is essential to moving from pilot projects to scalable solutions. What's more, through its accountability mechanisms, communication channels and feedback loops the LSC empowers everyday citizens and civil society to partner with DRC's land administration to improve the practices, procedures and policies that ensure improved land service delivery (World Bank, 2017).

PUBLIC POLICY ENGAGEMENT



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It's essential to develop and coordinate land interventions that invite the participation of existing land administration and bureaucracies to change their practices and to enhance their capacity and legitimacy by collaborating with representatives of all community stakeholders in order to promote a more just, transparent and trustworthy system of land governance. As such, from the outset of the pilot project, the technical project was complemented by simultaneous public policy engagement at the local, provincial and national level.

Since 2016, UCBC has been supporting the North-Kivu province Minister of land affairs initiative on land digitalization of cadaster land security in Volcans, Katindo and Himbi neighborhoods. UCBC has trained Goma land administration surveyors on how to use GIS and GPS technology, data collection and processing, as well quality control process. With the support of the Minister, a committee (Neighborhood chiefs and has been created to support LA in population sensitization. As a result, they have been able to produce the first digital cadaster plan and has started the process of designing and implementing a LIS in Goma using geospatial and land ownership documents.

On February 4th, 2017, UCBC hosted a workshop to launch the Masiani project that supports the land administration in the implementation of land information system in Beni to support the North Kivu provincial government. The partnership's goal was to support land dispute resolution mechanisms, promote advocacy on the land reform initiatives as well as develop the capacity of key land stakeholders including the provincial land administration office.

The inaugural ceremony was well attended by key players involved in land reform including the Permanent Secretary of the Ministry of Land Affairs, coordinator of the DRC National commission of land reform (CONAREF), the Provincial Minister of Land Affairs in North Kivu among other representatives from Kinshasa and North Kivu. By inviting these government officials project actors were able to garner significant political support, as well to explore options to share experience with CONAREF for supporting land reform process. Additionally, these government officials also added greater local legitimacy to the pilot project and pressure on the local land administration to take the project seriously with high level government actors promising to be engaged and evaluate future results.

From the 20<sup>th</sup> to the 20 of September, the provincial minister of land affairs with the support of UN-HABITAT/GLTN team visited UCBC, the land administration and local committee members to evaluate LIS implementation progress and progress, as well as to validate the customized STDM, the maps ongoing process of geo-special and enumeration data collection, processing. The provincial minister



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of land affairs and UN-Habitat were pleased by the result of LIS implementation and all the mapping done by LA surveyors and Urban planning technicians with the support of UCBC and UN-HABITAT/GLTN.

The Minister promised to support the validation of maps and LIS at the provincial parliament of North-Kivu and sustain the result by a provincial order. The mapping process, the sensitization plan and strategies as well as land conflict documentation, analysis and mediation results were presented. The minister and UN-Habitat team had a field mission in Masiani to also evaluate the participatory approach with the population and to visit illegally sold public land (Market, hospital, football ground, Avenues ...) that has been. The minister addressed the need of expanding the project by including capacity building tools and approaches on urban planning, National Urban policy and land readjustment in order to have a full experience of implementing LIS that can then be duplicated in other area.

On October 30<sup>th</sup> and November 1<sup>st</sup> at the governor's office, UCBC supported the North-Kivu provincial government in answering technical questions on cadaster mapping in Goma and LIS implementation in Masiani. The meeting was attended by the representative of the provincial governor, provincial deputies and ministers, Goma mayor, Commune chiefs and head of the land administration of Masisi, Goma and Karisimbi but also partners of the government (e.g., UN-HABITAT/GLTN, Caritas, etc.) who welcomed the results of the project judged beyond the understanding.

On the other hand, the Minister in charge of Interior affairs recognized the stabilization, tax impact and especially for revenue mobilization from this project at provincial level in the new future and suggested that this work be also presented in the provincial parliament in order to adopt a budget for sustaining the work, speed up the process in collaboration with other state services such as the DGRNK, etc.

Program to Support CONAREF and National Minister of Land Affairs (4-8 December 2017) at UCBC. UN-Habitat/GLTN, UCBC, DRC National Minister of Land Affairs and the National Commission of Land Reform (CONAREF) and others participated. The program results were:

- UCBC-GLTN presented the results of the Masiani project, highlighting the establishment of the Land Information System (LIS) in the Masiani and connection to the wider land governance and administration modernization and reform process, in addition to land tenure security.
- UCBC-GLTN communicated the lessons learned and the frameworks being developed through designing and implementing the LIS in Masiani.
- UCBC-GLTN shared how the pilot project objectives connected with principles of land reform and the process of drafting land policy documents.



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- The project evaluation produced by Séverin Mugangu Matabaro, Professor of Law at ISDR-Bukavu, was presented to the Chief of Staff of the National Minister of Land Affairs in the DRC and the National coordinator for Land Reform.
- A process for signing partnership agreement between UCBC and CONAREF for a very land reform advanced.
- The Land information system for better land management by is validated by the national bodies of land management and land reform in DRC.

Through this public policy engagement, the UCBC-GTLN teams learned several lessons:

- UCBC-GLTN were able to influence the policies and practices of DRC's wider land administration and governance through actively sharing project lessons with various government officials. By demonstrating the value of these lessons, UCBC-GLTN were able to not only garner elite political support, but also to obtain opportunities to future land administration and governance frameworks, policies, procedures and practices.
- By mobilizing a wide group of local actors and their discontent with Beni's land administration, UCBC and GLTN were able to change elite incentives to be more actively engaged on the problems facing local land administration and DRC's wider land governance.
- By engaging political or governmental elites at the provincial and national levels, UCBC and GLTN were able to challenge the practices of local government actors who benefited from the status quo. In other words, corruption and inadequate land service delivery became untenable and old land administration systems and practices became contestable, which created a space for driving change with support from political or governmental elites (World Bank, 2017). This resulted in land administration processes that were more accountable, transparent and legitimate.
- By obtaining support and buy-in from political and governmental elites, UCBC-GLTN were able to create incentives for local actors to participate in the pilot project in good faith, leading to greater impact.
- In order to effectively scale a Land Information System, it's important to work with various government offices and officials to identify weaknesses in DRC's existing legal, procedural and technical structures in order to establish a positive climate for scaling interventions (Deininger, Selod, & Burns, 2012).

## RESOURCING AND CAPACITY-BUILDING

In her book, *Peaceland*, Severine Autesserre argues that both local, contextualized knowledge and thematic expertise are essential in developing effective interventions in conflict



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zones like eastern DRC (Autesserre, 2014). This pilot project has been successful, in part, because local capacity-building was well resourced. More specifically, this project integrated local knowledge and expertise from UCBC, land administration, and other community actors with outside thematic and technical competence from GLTN based in Nairobi.

GLTN provided support to enhance UCBC and government capacity to effectively design and implement the Land Information System (LIS) in Beni's Masiani neighborhood. Through the UCBC-GLTN partnership, GLTN provided capacity building opportunities to UCBC, DRC's land administration and other local actors.

- GLTN outfitted UCBC with books, computers and other resources to establish the Sharing the Land Training and Resource Center.
- UN-HABITAT/GLTN hosted jointly four days training of trainers (ToT) workshop on STDM. This workshop targeted thirteen UCBC participants who will support the Beni land administration for the implementation of LIS using STDM, but also would subsequently be deployed to three provinces, North-Kivu, South-Kivu and Ituri in eastern Congo DRC to support the setting up of land information based on STDM in these provinces.
- From May 16 to May 20, 2017, UCBC and UN-HABITAT/GLTN jointly trained 30 agents of change in land mediation and Gender Evaluation Criteria. The Training of trainers (ToT) was constituted of land administration, municipalities, local chiefs mainly from Masiani, customary chief, urban planning bureau, civil society, Media and Journalists as well UCBC staff.
- Land administration technicians were united in an intensive capacity building training facilitated by The Integrated Research Institute's (IRI) Sharing The experts on the use and configuration of GPS for geospatial data collection, cleaning and processing of field data, participatory enumeration in Masiani neighborhood from June 19th to 24th 2017 in IRI resource and training center. This training involved the active participation of 15 Beni land administration staff among which land administration surveyors, IT officers and urban planning technicians. During the implementation of this phase, technicians are spread out on the ground with modern geographical information devices such as GPS, to record exact limits of each plot. The owner is required to present necessary documents attesting their right on the land, such as Neighborhood paper (Acte de reconnaissance parcellaire) and Commune level (Fiche occupation parcellaire), lease contract or a registration Certificate issued by the land registration office which will be photographed for an effective digitization.

## PROJECT LIMITATIONS



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While the LIS project in Beni's Masiani neighborhood has many important scalable insights, there are still many issues that need to be worked out in order to offer a comprehensive model for scalable land service delivery.

DRC's government has a national budget of about \$5 billion, which means DRC's land administration is chronically underfunded and under-resourced, making it very difficult for DRC's land administration to develop robust, forward-thinking land service delivery and improved land governance. DRC's current budget constraints are connected to wide-ranging and deep political and land governance challenges, which would require major changes and institutional reforms to overcome such deficits (Mathys & Vlassenroot, September 2016). Given DRC's current financial constraints, projects like the LIS intervention in Beni can be regularly scrutinized for spending large amount of external donor resources on expensive, technology-dependent solutions in contexts that are unable to sustain these types of investment (Sanjak & Gruszczynski, December 2015).

The LIS pilot project in Beni has been heavily dependent upon outside funding from various organizations, which is acceptable as the project focuses on prototyping, experimenting and testing solutions, frameworks and models that can be scaled. External funding through grants plays a very important role in providing social entrepreneurs and innovators with the time and resources necessary to design and prototype solutions in challenging conflict environments like DRC. However, dependence on outside funding is not sustainable and will not result in a scalable land service delivery and an enduring, system-wide impact. While it's defensible for donors to provide external funding and resources that continue the work of improving DRC's land administration services and wider governance in the short-term, dependence on donor funding is not sustainable in the long-term.

As such, to achieve financial sustainability and to effectively scale, it's important to develop a framework for costing and financing DRC's city-level and neighborhood land administration (Burns, 2015), so that it's not dependent on outside donor funding to sustain its functionality in the long-term.

A story from UCBC's work with the Minister of Land Affairs in Goma illustrates this point. UCBC started partnering with North Kivu's Minister of Land Affairs to design and implement a LIS in 3 neighborhoods in Goma using government funding. While the Minister of Land Affairs for North Kivu legitimately raised money through taxes and fees acquired through providing land services, the Minister ran out of funding to continue the work in Goma for a few months. STL's



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work with the Minister requires that the government develop the capacity to maintain its operations in a legitimate, accountable and sustainable way, so that the government is not dependent on outside support to function and to carry out its required services.

While the LIS pilot project has achieved some excellent results, moving forward UCBC and GLTN need to allocate the necessary time and resources toward developing a sustainability framework to ensure the LIS, models and frameworks being developed through the pilot project are scalable in DRC's portfolio of diverse cities ranging from Kinshasa with 12 million inhabitants to Goma with 1 million inhabitants and Beni with more than 300,000 (World Bank, 2018). Achieving financially sustainable and scalable land service delivery requires:

- The government prioritizes the development of budgets and processes for consistently and adequately funding DRC's land administration to gradually modernize its LIS and frameworks.
- The government identifies reliable sources of revenue to deliver effective, efficient and scalable land service delivery. This requires developing a financial model for costing out projected services, taxes and fees as well as potential budgetary support from the national and provincial governments (Sanjak & Gruszczynski, December 2015).
- Evidence-based, contextual financial frameworks for identifying specific, cost-effective improvements to enhancing existing LIS infrastructure (Sanjak & Gruszczynski, December 2015).
- Evaluating and weighing initial investment costs with long-term operational, maintenance and depreciation expenses (Sanjak & Gruszczynski, December 2015).
- Design a fit-for-purpose LIS with a financial sustainability plan and relevant investment strategies (Sanjak & Gruszczynski, December 2015).

## CONCLUSION

DRC's myriad land conflicts, urban planning challenges and land administration hurdles require a coordinated, participatory, multi-actor intervention that is community-driven, and they also require top-down commitment and support. Such an approach requires bringing together community members from different sectors of society with local knowledge as well as international actors with thematic expertise to enhance the land administration's capacity, effectiveness, accountability and legitimacy. Additionally, taking a pilot project to scale requires fostering commitment, cooperation and coordination with existing government structures and key land authorities at the provincial and national level (World Bank, 2017).

After enacting meaningful change at the local level, interventions and partnerships can be scaled-up to implement interventions like the LIS throughout eastern DRC, in addition to informing wider land



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governance conversations and reform processes in developing legal, policy and technical frameworks, resulting in scalable land administration service delivery that is effective, accountable and cost-effective throughout DRC's cities. Scaling these frameworks will only be effective and sustainable if non-state and state actors demonstrate shared commitment, cooperation and coordination from the local to the provincial and to the national level (World Bank, 2017).

Ultimately, DRC needs land governance and service delivery creates legitimacy by creating conduits for non-state actor participation and accountability. Institutions that are considered legitimate will win the support and the participation of everyday citizens and other non-state actors if government institutions facilitate government, civil society and everyday citizens to have a two-way conversation and channels for communicating information that enhance decision-making processes, fairness (i.e., equal treatment regardless of ethnicity or social status), and trustworthiness (i.e., consistency and reliability).

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