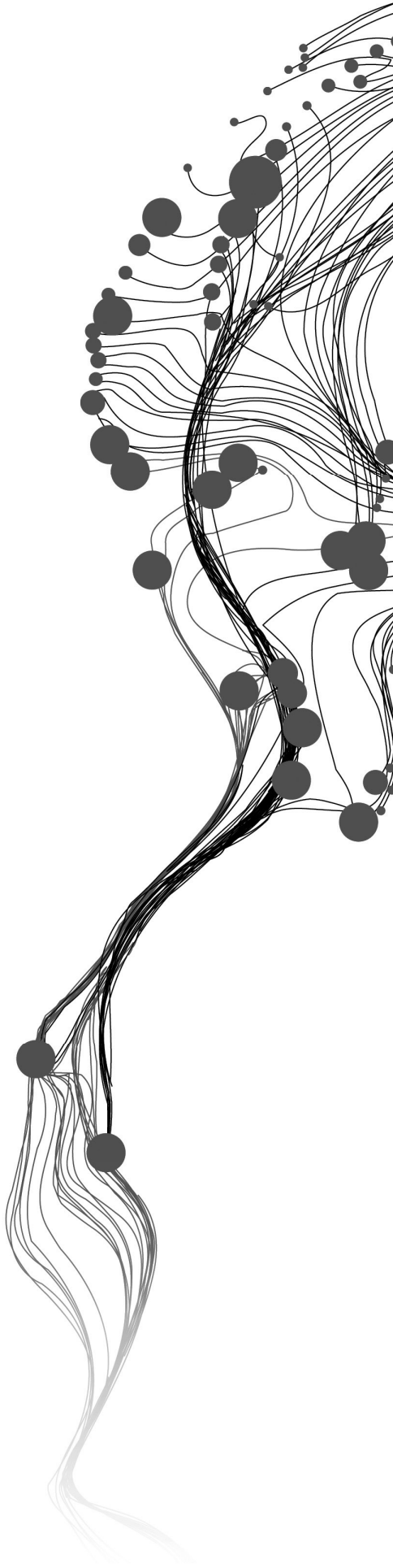


**COMMUNITY PERCEPTION ON
LAND REGISTRATION AND THEIR
IMPACT ON THE ADJUDICATION
PROCESS
A CASE STUDY IN RWANDA**

ALBAN UWACU SINGIRANKABO
March, 2011

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DISCLAIMER

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ABSTRACT

Many authors have reflected on the procedures to be adopted in the implementation of a land registration programme but only few emphasize the crucial role that the community has to play. The systematic land registration programme now being implemented in Rwanda faces the problem of incomplete participation of the community in the adjudication process. The research made use of a case study consisting of three Cells of Nyamabuye Sector in Muhanga District. The aim is to investigate the impact of community perception towards land registration on the adjudication process. A combination of quantitative and qualitative methods including structured interviews, group discussions and observation were used to collect and analyse data on the community perception towards land registration.

Findings show that not only the community participation in the adjudication is affected by the lack of information but also and importantly by their knowledge and appreciation of the land registration programme. The customary laws that characterised the past land management regimes in Rwanda conferred a state of ownership where land belonged to the family and the security of tenure assured by the chief of the family and neighbours. The community know that through registration they can get land titles and increase their tenure security but still fear to lose some of their rights. They perceive the now being implemented systematic land registration programme as a way opted by the Government to take power on their lands and to control the use and transfer of rights. The fear to lose full ownership and get lease from the Government makes some people refuse to participate in the adjudication while others participate only because they think they don't have choice. The study revealed that some articles of the 2005 Organic Land Law governing the implementation of the land registration contribute to the above mentioned perception. Furthermore, the cost and procedures used, and the centralisation of all activities in Kigali NLC Head Office make community claims difficult to process.

KEYWORDS: Land registration, community perception, adjudication, community participation, tenure security, rights

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ABBREVIATIONS

GIS	: Geographic Information Systems
LTR	: Land Tenure Regularisation
MINIRENA	: Ministry of natural resources
NLC	: National Land Centre
OLL	: Organic Land Law
SLR	: Systematic Land Registration
PGIS	: Participatory GIS

1. INTRODUCTION

1.1. Background of the problem

Traditionally in Rwanda, land was mostly governed by community arrangements where oral agreement and private conveyance played a crucial role. Therefore, important land reforms have been undertaken following a set of decrees and Ministerial Orders enacted primarily from 1885 by colonial power and secondly by the governments after the 1962 independence (MINIRENA, 2004b). Most of those regulations were applied especially in urban areas and Christian missions (Musahara & Huggins, 2005). However, land disputes, land grabbing, excessive land plotting and informal settlement are some of the characterising problems of the consequently established land management regimes (MINIRENA, 2008b).

To solve the above mentioned problems and enable strong land institutions, the now ruling government of Rwanda has created new land-related regulations. The three main regulations include the 2004 land policy, the 2005 Organic Land Law and the National Land Tenure Regularisation Programme of 2006. The functional relationships of the established land institutions are the Cabinet of Ministers, Ministry of Natural Resources (MINIRENA), National Land Commission, National Land Centre, District land bureaus, Sector and Cell land committees (GoR, 2005; Sagashya & English, 2009). In 2007, under the LTR, the National Land Centre launched the systematic land registration programme. The aim is to confirm rights to, in or over land through field/office based administrative and legal procedures (NLC, 2007). This will provide Rwandans with land tenure security and build reliable and sustainable land management institutions (MINIRENA, 2008a). Land registration is a process of recording legally recognised interests (ownership and/or use) in land (Nichols & McLaughlin, 1990). The appellation “systematic” means that the registration covers a whole area at once contrarily to the sporadic land registration.

The NLC (2007) states three important stages during land registration process: Firstly, before the registration itself, the local community assisted by para-surveyors proceed by land demarcation: they identify and draw parcels’ boundaries on printed out orthophotos of the concerned locality. Secondly, the local community together with NLC staff, the “*Abunzi*” local level mediators and local land committees register the rights held on the land through adjudication; the locally NLC working staff provides the rights holder with a provisional claim receipt. And finally, the information gathered from the field goes to NLC head office where it is processed to produce index maps and entered in the registration database.

For the purpose of this research, community perception towards land registration should be understood as knowledge and appreciation that the target community have on the ongoing systematic land registration programme. Therefore, it is not easy to tackle people’s knowledge and appreciation; however, reactions of the community, and their expected benefits from the programme can give an image of what are their perceptions (Dogaru et al., 2009; Liefooghe, Baliddawa, Kipruto, Vermeire, & De Munynck, 1997; Musselwhite & Herath, 2004; Ulukanligil, 2006). Land adjudication is the process where existing rights in a particular parcel of land are finally and authoritatively ascertained (Dale & McLaughlin, 1988). Since there are no other official documents to prove the legally existing rights on most of the lands in Rwanda, land adjudication seems to be the most crucial process necessary during the first land registration.

1.2. Research problem

The present research emphasizes the knowledge and appreciation manifested by the community towards the Systematic Land Registration Programme in three Cells of Nyamabuye Sector in Rwanda. Although the 2005 organic land law is expected to boost land tenure reform in Rwanda, more than 80% of the respondents to the study on “Improving tenure security for the rural poor in Rwanda” confirmed that they had had little, if not any, actual participation in its evolution (Musahara, 2006). Musselwhite & Herath (2004) affirm that when law and policy makers lack a community feedback mechanism it becomes difficult if not impossible to achieve their expected output.

From 2006, trial field consultations have been conducted in the country to gather local community awareness on the LTR and to test the acceptability of the now ongoing systematic land registration. Reports from those consultations concede in the necessity of active community participation in the land registration and land adjudication processes (MINIRENA, 2007, 2008b; Sagashya & English, 2009). In addition, the above mentioned consultations revealed that problems like land disputes, gender-related ownership claims, land market issues, disagreements on inheritance and orphans disputes constitute main challenges for the LTR. Specifically, one of the conclusions of the MINIRENA (2008b) report is that land disputes are still problematic as they present a heavy administrative burden; thus they take a long time to resolve driving consequently to spending too much time during the adjudication.

Land disputes may not be the only problem during adjudication because as mentioned in the report on Land Disputes Management in Rwanda by the ARD (2008), there are in Rwandan community people who fear to lose some of their rights on land. This may come from the Article 3 of the 2005 organic land law which stipulates that all land is part of the public domain and the state constitutes the supreme manager (GoR, 2005).

Another problem concerns taxation issues; some people think that the Government is looking through land registration to establish a mechanism where they will be asked to pay taxes on their lands. Hence, some people don't show up during adjudication or simply provide wrong information about existing rights they hold on land. The research is based on the assumption that the knowledge and appreciation by members of the community towards the land registration programme affect in a way or another, the process of land adjudication. However, this assumption has not yet been verified. This research will address this assumption.

1.3. Research Objectives

1.3.1. Main objective

The main objective of the research is to identify the impact of community's knowledge and appreciation towards the land registration programme on the adjudication process.

1.3.2. Specific objectives

1. To describe the process of systematic land registration programme in Rwanda;
2. To identify the community's knowledge and appreciation of land registration in the study area;
3. To investigate the impact of community's knowledge and appreciation of land registration on their participation in the adjudication process.

1.4. Research questions

The following questions linked to corresponding specific objectives served to operationalize the research:

Specific objectives	Research questions
To describe the process of systematic land registration programme in Rwanda;	<ul style="list-style-type: none"> ▪ What are the objectives, guiding principles and anticipated benefits of the SLR programme in Rwanda?
To identify the community’s knowledge and appreciation of land registration in the study area;	<ul style="list-style-type: none"> ▪ What is the extent to the community’s knowledge and appreciation of the Systematic Land Registration in the study area?
To investigate the impact of community’s knowledge and appreciation of land registration on their participation in the adjudication process	<ul style="list-style-type: none"> ▪ How is the discrepancy between the planned community involvement and their actual participation in the SLR?
	<ul style="list-style-type: none"> ▪ How is community’s participation in the adjudication affected by their knowledge and appreciation of the SLR programme?

Table 1. Specific objectives and research questions

1.5. Thesis Structure

Chapter 1: Introduction

This chapter provides an overview of the research; the background of the study, research problem, objectives, hypotheses, research questions and the thesis structure.

Chapter 2: Systematic land registration in Rwanda

The chapter describes the systematic land registration in Rwanda, the nature, objectives and anticipated benefits of the programme. It explains the situation before during and after the implementation of land registration programme.

Chapter 3: Methodology and study area

This chapter explains the methodology that is used in data collection and analysis and the criteria of study area selection.

Chapter 4: Community perception on land registration

The chapter presents the findings from fieldwork. The results include community perceptions on the land registration programme in the study area, the information from the National Land Centre staff and local leaders

Chapter 5: Discussions

The chapter discusses the results presented in chapter 4 and the reviewed literature to find out how community perception on land registration affects their participation in the adjudication process.

Chapter 6: Conclusions and Recommendations

The chapter presents conclusions on research findings and discussions, a summary of answers to the research questions and recommendations for further research.

2. THE SYSTEMATIC LAND REGISTRATION IN RWANDA

2.1. Introduction

The systematic land registration is the most important part of a Land Tenure Regularisation Programme now being implemented in Rwanda. The National Land Centre of Rwanda defines the LTR as an administrative procedure undertaken for the purpose of recognising and securing existing rights that people and organisations other than the State have to, in or over land, including individual land, state private land and private district and City of Kigali Land. It is designed to clarify the rights of the existing owners and occupants of land and, where necessary, to convert those rights into a legally recognised (NLC, 2007). The Centre believes that the LTR will allow people to buy and sell their rights and use their titles for mortgaging and credit purposes. This definition reflects the irreplaceable concern of land-rights holders. Indeed, they are the one to provide necessary information on land tenancy and to benefit from a successful land tenure regularisation.

The Government proceeds by land tenure regularisation because the past land management system have conferred to land different forms of tenure which need to be well settled. Four different forms of tenure have characterised the land administration in Rwanda. They include the pre-colonial customary, the coexistence of customary and statutory tenure period institutionalised by the colonial power; the time after independence from 1962 until the current effort in regularising land tenancy started after 1994. The above mentioned tenure systems have repercussions on the community perception on the now ongoing SLR in Rwanda. Therefore, a step back in land tenure historic background is needed to understand the reasons of the SLR and the origin of different perceptions manifested by the community vis-à-vis the SLR in some extend.

The chapter goes from the past management of land to explain in an extended way the current LTR and the SLR in particular. The documentation is primarily composed of the 2005 OLL and other research outputs. However, some of the documents used to support the argumentation are non-peer-reviewed reports and publications by the Government of Rwanda and attached institutes.

2.2. Definition of community perceptions of land registration

The concept of “community perception” is new and not discussed much in the existing literature. Indeed, it is complex and can get more than one definition depending on the context (Peluso & Blay, 2004). Many authors have tried to define it as linked to the behaviour, attitude and ideology the community adopts vis-à-vis any government policy and/or programme. One of them, Braam (2004), when looking for community perception of change in a school’s language policy, defines perception as reflected by teachers, parents and learners ideologies, attitude and behaviour to the policy. In addition to the Braam definition, a study on community perception of mental disorder consider perception as knowledge, views, beliefs (Peluso & Blay, 2004).

Green (1999), looking at the psychological and physical qualities of the community, defines their perception as meanings that people associate with any environment of theirs (town character, as Green’s work is concerned).

Furthermore, when digging deep in this new definition, perception can be function of a broad range of explanatory factors, from individual-based attitudes to physical location, economic and socio-cultural contexts that have significant influences on peoples' views, awareness, attitudes (Dogaru, et al., 2009; Liefoghe, et al., 1997).

Another important definition is given in the study on school based delivery of anthelmintics. Community perception is defined as stakeholders' views and knowledge that affect in a way or another acceptability and sustainability of a given programme (Brooker et al., 2001). It may be unfair to talk about community perception without taking into account the fact that perception is all about knowledge on causes and consequences of a given programme (Uluhanligil, 2006). Certainly, the way community perceive any implemented or proposed programme coincides with the degree on which they understand why it is necessary to have such a programme and what shall be the benefits when implemented.

Though the previous definitions come from different fields of study, they provide a clear explanation of what should be called "community perception". Understanding, consciousness, conception, awareness, knowledge and appreciation are main words that can be used carefully to replace the word "perception". Therefore, depending on the general context, one can be preferred to the other or in addition it can require much accompanying explanation to make it enough clear to the reader.

Finally, the present research is concerned with the community perception on land registration. Community perceptions should be understood as knowledge and appreciation that the target people have on the land registration programme. However, since people's knowledge and appreciation are not easy to search, reactions of the community, and their expected benefits from the programme can reflect their perceptions (Liefoghe, et al., 1997).

Research matrix

The following table shows the research matrix which indicates the data required, data source, methods for data acquisition and analysis to be deployed to answer each research question.

Objective	Research question	Required data	Data source	Methodology
- 1 - To describe the process of systematic land registration programme in Rwanda	What are the objectives, guiding principles and anticipated benefits of the SLR programme in Rwanda?	Relevant literature on the land registration in Rwanda including land laws, policy and programmes; ministerial and NLC reports; Views from local communities members in the three Cells	Online sources, Secondary data from MINITERE, NLC and any other reliable sources; Community members. NLC staff	Literature review Critical reading and analysis; Qualitative analysis; direct observation; Interviews and group discussions

<p>- 2 -</p> <p>To identify the community's knowledge and appreciation of land registration in the study area</p>	<p>What is the extent to the community's knowledge and appreciation of the Systematic Land Registration in the study area?</p>	<p>Relevant literature on the land registration in Rwanda including land laws, policy and programmes; ministerial and NLC reports;</p> <p>Views from local communities members in the three Cells</p>	<p>Online sources, Secondary data from MINITERE, NLC and any other reliable sources;</p> <p>Community members. NLC staff</p>	<p>Literature review Critical reading and analysis;</p> <p>Qualitative analysis; direct observation; Interviews and group discussions</p>
<p>- 3 -</p> <p>To investigate the impact of community's knowledge and appreciation of land registration on their participation in the adjudication process</p>	<p>How is the discrepancy between the planned community involvement and their actual participation in the SLR?</p>	<p>Data from literature and fieldwork on community perceptions and land adjudication</p>	<p>Literature review and fieldwork survey</p>	<p>Qualitative analysis</p>
	<p>How is community's participation in the adjudication affected by their knowledge and appreciation of the SLR programme?</p>	<p>Data from literature and fieldwork on community perceptions and land adjudication</p>	<p>Literature review and fieldwork survey</p>	<p>Qualitative analysis</p>

Table 2. Research Matrix

2.3. Land tenure system in Rwanda, from customary towards statutory regime

2.3.1. Mainly a customary regime

Until the end of the 19th century, the pre-colonial land system was characterised by collective ownership of land. It was based on the complementary links between agriculture and livestock. This system facilitated economic production, stability and harmony in production. Families were grouped together under lineages, and these were in turn grouped under clans. A chief ruled each clan. A clan was normally spread throughout the national territory, in different proportions according to regions. The profits were thus based on the liberty to occupy any territory as well as the complementary links among types of production.

The rights on the land were determined by the “*Ubukonde*” or clan law. This law was enacted by the chief of the clan that was the first to penetrate the forest. Such a chief usually owned vast tracts of land, on which he would resettle several families, known as “*Abagererwa*”. The latter enjoyed certain rights over the land they occupied. Some of those rights included mainly the “*igikingi*” or right to graze was the most common character of the land tenure system, especially in the central and southern parts of the country. These rights were subject to some customary conditions (MINIRENA, 2004a).

Land rights were respected and transmitted from generation to generation according to Rwandan tradition and custom. Those rights were accorded on behalf of the King who was the supreme owner of the land and had the responsibility of caring for the population's well-being. Land was granted collectively but not individually. The colonial rulers of Rwanda found this system in place and it was recognized by the customary law and the administration of that time.

2.3.2. **The first codified legal regime introduced by Belgians**

Colonisation introduced new elements to Rwandan society. These elements led to causing changes and distortions in the late existing customary land tenure. The German colonisation started right after the end of the 19th century and lasted till 1916. It was replaced by the Belgian colonisation until 1961.

The Belgian colonial government introduced the written land law into the "Codes and Laws of Rwanda" (Musahara & Huggins, 2005). They imposed this legal structure to protect the interests of colonialists and any other foreigners who desired a plot of land in Rwanda. The colonial administration established the decree of 1885 concerning land occupation. According to the National Land Policy, two main ideas can be drawn from this decree: Only the Colonial Public Officer could guarantee the right to occupy land taken from indigenous Rwandans. Colonialists or other foreigners intending to settle in the country were to apply for the intervention of the colonial administration, follow its rules for obtaining land, as well as the rules for settlement. Occupation of land should be accompanied by a deed title (MINIRENA, 2004a). Only the colonialists and other foreigners could benefit from the new system that ensured the protection of the colonial administration. The written law was also applied to Catholic and Protestant Missions, urban districts, as well as trading centres (Sagashya & English, 2009).

Between 1952 and 1954, King Mutara III Rudahigwa abolished the *ubukonde* system and decreed that all chiefs owning vast lands "*abakonde*" would henceforth share their land properties with their tenants, known as "*Abagererwa*". However, this didn't stop customary procedures.

2.3.3. **Coexistence of statutory and customary regimes**

Compared to the colonial period, the situation after independence did not change much. As a matter of fact, 90% of the country's arable land was still governed by customary laws. The written land law still applied to a very small number of persons, especially in urban entities and trading centres (MINIRENA, 2004a). Until the independence in 1962, an indigenous or customary tenure system existed alongside codified land tenure rules for land owned by foreigners. The customary law recognized land rights obtained by inheritance through the male line and clearing new land to which no claim had been laid.

The 1962 Rwandan Constitution (Article 108), recognized Belgian land tenure regulations as binding, stating that lands occupied by the original inhabitants were to remain in their possession, all unoccupied lands belonged to the state, all sales or gifts of land were to be approved by the Minister of Agriculture and lands belonging to persons who were not original inhabitants had to be registered (Musahara, 2006).

After independence, the government of that time recognised the very important role played by the Commune in the administration of land. Here "Commune" must be understood as an administrative unit. In 1976, the decree No. 09/76 of 04/03/1976 concerning the purchase and sale of customary rights on land, or the right of soil occupation gives the right to purchase and to sale the customary property land with the condition of having the permission of the Minister in charge of lands and the obligation to remain with an area of 2 ha minimum, his area size became 1.2 ha in 80's.

The buyer must also justify that he does not have a land property of at least 2 ha. Ever since, the state only recognizes the right of ownership based on land registration and, therefore, became the distinguished owner of the land. On this a crucial problem has been the growth of population. The heritage system has led to an excessive plotting of the land.

2.4. Efforts toward a statutory regime: the 2005 organic land law

Since 2005, the land tenure is governed by the new Organic Law determining the use and management of land in Rwanda. Therefore, the legal regime is statutory. We read in the article 3 that “Land is part of the public domain of all Rwandans; ancestors, present and future generations. With exceptions of the rights given to people, the state has supreme powers to manage all the national land, and this is done in public interest aimed at sustainable, economic development and social welfare. In that regard, it is the state that guarantees the right to own and use the land. The state also has rights to expropriation due to public interest, settlement and general land management.”

Some other important articles of the OLL are:

- a. Any person or association with legal personality that owns land either through custom, or who acquired it from competent authorities or who purchased it are allowed to own it on long term lease in conformity with provisions of this organic law (Article 5).
- b. Any person whether a Rwandan or a foreigner who invested in Rwanda, or an association with legal personality shall enjoy full rights of ownership of land reserved for residential, industrial, commercial, social or cultural and scientific services (Article 6).
- c. Notwithstanding the provisions of article 6 of this organic law, the right to land lordship is guaranteed by the state in terms of lease. The period of land lease shall not be less than three (3) years or more than ninety-nine (99) years. Such a period may be extended (Article 24).

The present law stipulated in its 86th article that the «ubukonde» custom that had been governed by law n° 530/1 of May 26, 1961 on land tenure in Rwanda is abolished. Rights based on Land are transferred through different individuals or it is guaranteed through succession. The new tenancy is made through land guaranteed gratuitously, leased or sold. People give their land against mortgages. For the bank to give the mortgage, only written land titles from recognised state authorities are accepted. In the line with the implementation of the 2005 OLL, the NLC and the Office of the Registrar of Land Titles has started in 2007 the Land Tenure Regularisation. All those with rights to land established through the process of LTR, whether in rural or urban areas, can expect to receive legal title documents formalising their existing rights to land where those are currently informal.

2.4.1. Some restrictions and responsibilities on the land rights

Even if the tenure system guarantees a total ownership of the land, the landowner has no right over minerals and any other wealth underground; they belong to the State.

- In case of lease, the article 57 of the 2005 OLL stipulates that all buildings, crops and other works found on land are presumed to have been performed by the owner of the land using his or her money or otherwise, and are presumed to be his or hers in case there is no proof to the contrary.

- Unless it is considered to be necessary, the landowners are not allowed to act against other people's rights. In that regard they cannot refuse passage to their neighbours leading to their homes when there is not any other way. They are not allowed to block water that is naturally flowing through their land from other persons' land above theirs. If a well is found on their lands, it will be allowed to all people to draw water from it unless they can prove that such a well has been dug or built by them.

2.4.2. **Analysis of the current land tenure system**

A deep analysis of the land tenure system in Rwanda reveals that it still operates in a dual system. On one hand, there is a customary system, which governs almost all the rural land and promotes the excessive parcelling out of plots through the successive father-to-child inheritance system. The customary system has characterized the past of land tenancy in Rwanda and people are not ready to leave it because only the government promulgated a new land law. The majority of people in rural areas are still characterized by customary behaviours where the land is subjected to excessive subdivision through heritage. And on the other hand, the 2005 OLL, which mostly governs the land in urban districts and some rural lands managed by churches and other natural and legal persons. This law confers several land tenure rights to individuals such as land ownership, long term lease and titles, particularly in towns. However, each of the two systems has its own threats as far as tenure security is concerned.

For people in rural areas where the land acquisition follows customary arrangements, the land tenancy relying on a private conveyance is subjected to disagreement. Mainly if at the end some of the family members don't agree with what is written. The problem is that these procedures are no longer recognised by local authorities. This leads to all sorts of conflicts, ranging from land-related disputes to conjugal and family tensions (C. Andre, J-P Plateau, 1996).

The 2005 OLL aims to provide people with a reliable land tenure security through the process of land registration. However, this law have to face problems in its implementation. The fact that land remains state property is not well received by the population who consider it as reducing their right to land (ARD, 2008).

The now governing constitution states that woman and man have equal rights on heritage but some Rwandans relying on customary system, still refuse the woman to inherit the land of his family. There is high speculation on land developed by rich people who profit from the poor people especially in sub-urban areas where the towns are growing. The main basis of the current speculation is the fact that the information on land is not well spread and not accessible to everyone.

The government, through the National Land Centre, have undertaken the land registration in 2007 and believes that the process will put an end to all forms of informal land appropriation and tenancy and to customary system where it still exists.

2.5. **Land registration in Rwanda**

2.5.1. **The emerge of land registration in Rwanda**

Before the colonial period, no land was registered. All land belonged to the king and clan had pieces of land which they managed on behalf of the king through customary arrangements among members of the clan. Boundaries were recognised by witnesses and neighbouring people and natural object like trees, rivers, rocks helped as reference to the location of the boundary.

The colonial rulers especially Belgians introduced a new era in the management of land in Rwanda. When implementing the land law promulgated in 1943, the Belgians proceeded by land demarcation and registration. Only land owned by colonial administrators, religious missions and other foreigners were registered. Customary arrangements prevail to the rest big part of the country.

When Rwanda accessed to independence, leaders of the time didn't put enough emphasize on land registration. Land laws and decrees were favourable to registration of the land located in urban areas. These portions of land were very small compared to the country side part. At that time, only 90% of the lands plots were registered and titles distributed.

Problems emerged when the population density increased while agriculture remained the principal source of income for 90% of the population. The customary arrangements that have characterised Rwandans have led to an excessive land parcelling. The boundary location has generated disputed and conflicts between neighbours and families. The government of Rwanda, confronted to these problems, has opted for a new law (the 2005 OLL) where land registration constitutes a key to solve those problems and provide Rwandans with a reliable land tenure security.

2.5.2. **The informal land registration**

In the pre-colonial era, central authorities (chiefs and kings) were responsible for allocating land rights and held ultimate titles. After independence, Rwanda retained Belgian rules for land tenure. Few had title deeds.

Currently, 80% of land is neither formally demarcated nor registered. To carry out land demarcation people use tape measure for parcel measurements in rural areas while private companies mainly use total station in urban areas. The land transfer and transactions between two parties are done in the presence of third party as witness. Neither buyer nor seller brings the established private conveyance to the authority for formal registration procedures. The 2005 OLL recognises rights transmitted in such procedures

2.5.3. **Formal Land registration lead by the National Land Centre**

The current systematic land registration process is governed by the 2005 OLL. To conduct formal land registration, the government of Rwanda created a centre "the National Land Centre" with the main duties of carrying out the land registration and land tenure regularisation in the country. This centre works under the Ministry of natural resources.

To help the NLC, the government has appointed land officers at the district level. The 2005 OLL stipulates in the 31 article that the Land officer shall keep land registers and issues certificates approving ownership of land. Regarding land issues, he or she holds the power of the public notary. Through the establishment of a modern cadastre and registry for land and revenue management, formal land registration has been launched by the NLC. Under the new programme, staffs from Rwanda's National Land Centre are due to travel to every village in the country to set up volunteer committees and catalogue land claims. Following consultations with landowners, a land tenure map of the whole country is to be drawn up using aerial photographs and satellite images where needed.

Registration of land a person owns is obligatory. Helped by the Sweden Company (Swede survey), the NLC have produced high resolution aerial photographs (0.25m) covering the whole country. Those photographs are being used for land recognition and demarcation. The population is involved in a participatory GIS, community mapping and local land rights registration. Land records and photomaps are held at Cells, Sector and District level.

The processes of land demarcation and adjudication

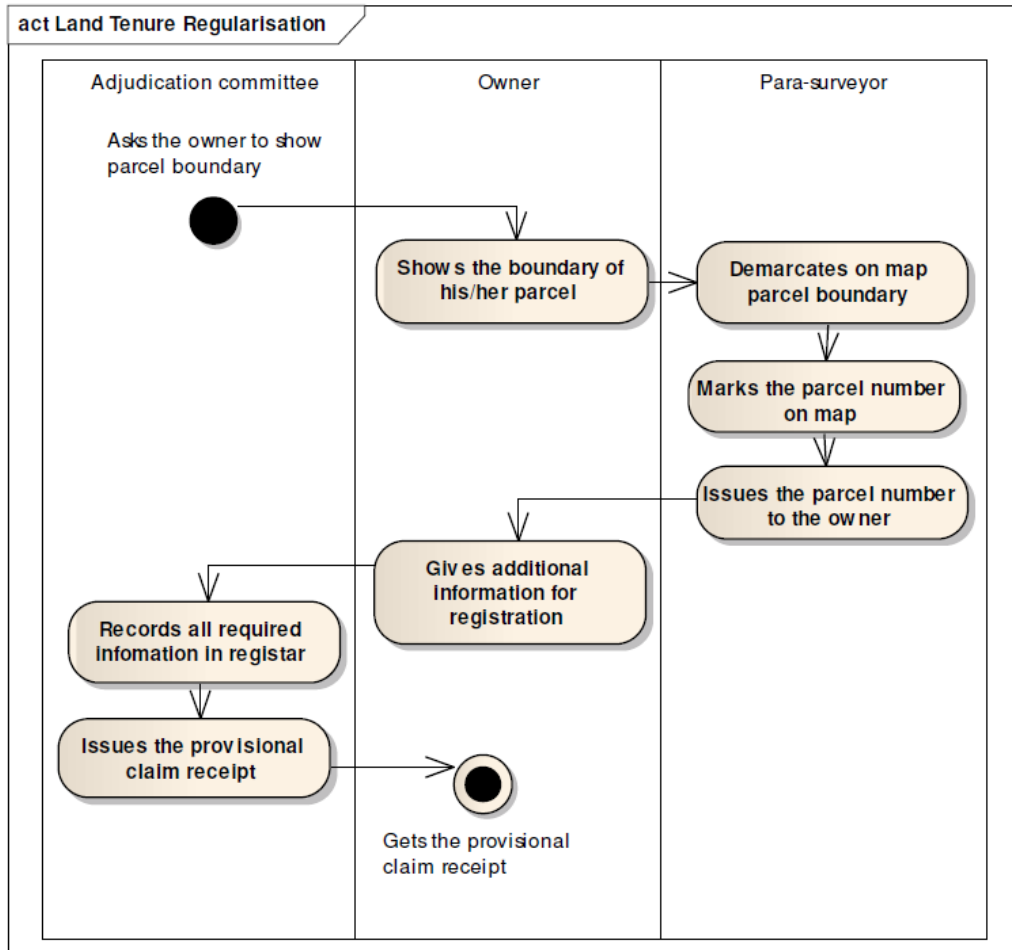


Figure 1. The simplified land demarcation and adjudication processes

According to the 2005 OLL article 32, the following certificates shall accompany the letter of application to certify land lordship:

- A detailed identity of the applicant, and of his or her spouse if married under the regime of community of property;
- Brief description of the land, indicating particularly the area, where the land is located with reference to well-known landmarks like roads, rivers, neighbours sharing boundaries;

- Any document certifying that the applicant is the person for whom the certificate is being sought, such as a certificate from the authorities, a certificate delivered to him or her by competent authorities at the time he or she was given the land or an official copy of a court's final decision.

Systematic land registration process

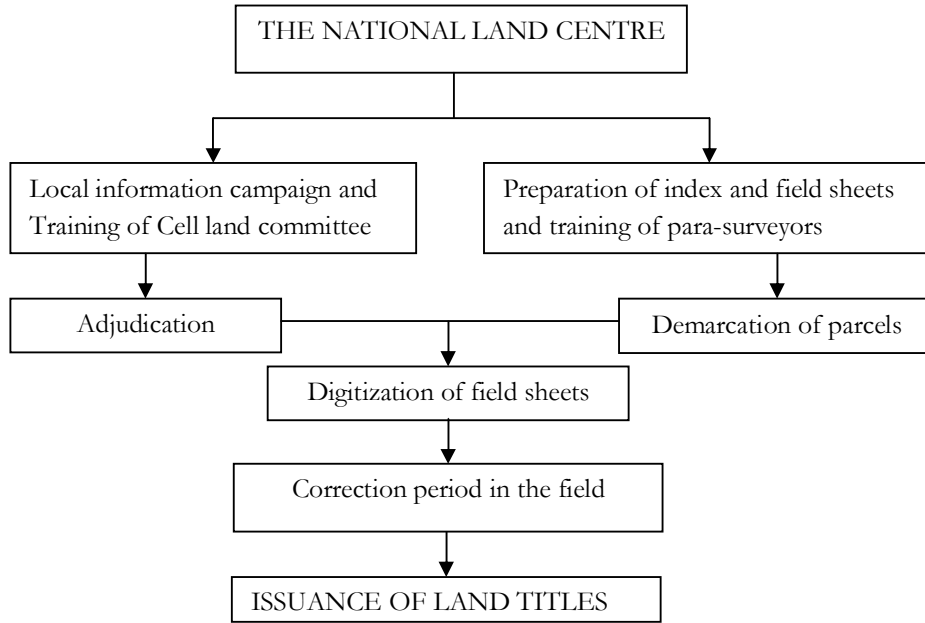


Figure 2. The process of Systematic Land Registration in Rwanda

The ongoing land registration activities are supposed to cover the country in 5 years from 2007. but considering the actual situation and the fact that this is a new element brought to Rwandans it seems to be difficult even impossible to complete the registration within the targeted period. Therefore, some gaps are identified in the current process like in systematic land registration all land is registered, including the parcels which are already formally registered and limited number of qualified human resource in land domain.

2.6. Benefits of land registration system

The main benefit from land registration is the legal recognition of land tenancy. As Rwanda is concerned, this will reduce and solve the everyday land-related disputes (ARD, 2008). It will increase the land rights certainty and allow easy access to mortgage. All people will have equal access to the land-related information; speculations will no longer be possible. The registration of land will facilitate the parcel taxation because the tax collectors will rely on cadastral information. Land will be used efficiently and environment will be respected (MINIRENA, 2007, 2008b; Sagashya & English, 2009).

3. STUDY AREA AND RESEARCH METHODOLOGY

3.1. Introduction

The data were collected from household interviews, group discussions and direct observation carried out during September 2010. The household survey was designed to elicit peoples' perception on the land registration programme. The survey consisted of a checklist containing guiding questions and interviews were conducted in one-to-one situations with heads of households, local administrative authorities and the concerned NLC staff.

3.2. Study area and data collection

The National Land Centre of Rwanda initiates and coordinates all activities either in office or on the field regarding the Systematic Land Registration in Rwanda. It is for that reason that the first day of the fieldwork I visited the Kigali Head office of the NLC and consulted the archives in order to select the study area. The ongoing land registration programme encompasses two main activities: land demarcation and land adjudication. Those activities are undertaken at the lowest administrative level the "Akagari", also known locally as Cell (Sagashya & English, 2009). The incomplete information provided during the adjudication influenced the choice of Gitarama and Remera Cells while Gifumba represent a Cell where registration didn't started yet (Figure 3). Therefore, the selection of the three different Cells has been motivated by the following criteria: their stage in the registration; the degree of community participation in the land adjudication process; availability of essential basic information including basic maps and data on households' distribution. While in Gifumba, the community is still waiting to register their lands, the community in Gitarama have already finished the registration and Remera have registration ongoing at the moment of the fieldwork.

CELL	PLOTS	COMPLETE INFO	INCOMPLETE INFO
Gitarama	2,734	1,803	931
Remera	2,529	892	1,637
Gifumba	-	-	-

Table 3. Participation in the adjudication in the three selected Cells

The total number of households in the three Cells is around 3417 with slightly over 17725 inhabitants. The survey was attempted to reach as many households as possible. Due to locals' willingness and availability to respond to the interviews, and the limited time allocated to the fieldwork, 67 households were interviewed. The households' profiles are found to share similarities in the study area communities, particularly in the socioeconomic characteristics. Therefore we could consider that the aim was to identify local knowledge and appreciation that people have on the land registration programme.

Even if it was possible to collect data on registration from the only community of Gitarama Cell, I decided to collect them in three different Cells. Therefore, information from Gitarama alone couldn't help us to understand the community's perceptions before, during and after the registration.

However, experience has shown that when people are asked to provide views from the past stages of a continuing process, they tend to be influenced by the stage in which they are involved at the moment (source). The reason to include Gifumba Cell was to collect information of the community where land registration didn't start yet. Indeed, such information might have an effect on the registration programme. Therefore, despite any means of sensitisation, the preconceived ideas affect the future image of the registration programme that may have the community.

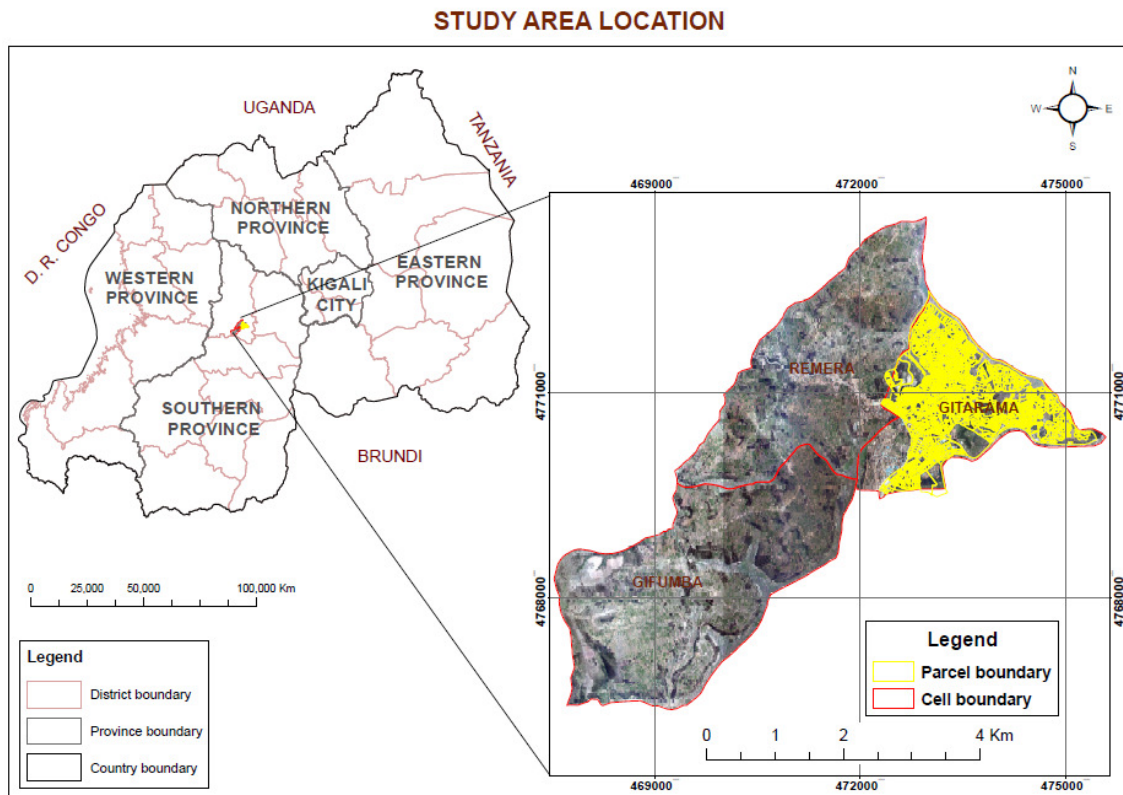


Figure 3. Location of the study area

3.3. Methodology of data collection

3.3.1. Literature review

The existing literature materials on land registration and adjudication served the formulation of this research by contributing, together with the information collected from the fieldwork, to the understanding of community perception on land registration and to the evaluation of the adjudication process. The materials include books, scientific articles and conference papers, and government reports published on the issue.

3.3.2. **Primary data collection**

Primary data about the community perceptions on land registration in the three Cells have been collected through interviews, focus group discussions and direct observation. Fieldwork occupies an important dimension of this research and has been employed to collect information from the community in order to know their perceptions towards the on-going land registration programme. Individuals have been approached through interviews and groups have been formed for group discussions.

a. Interview

Selection of target community

Apart from extracting relevant information about community perceptions on land registration, the first important activity consisted of selecting the target people for interview. For the purpose of this research the target people was composed of households in the study area, the actors involved in the process of land registration and land adjudication: NLC staff (especially those involved directly in the land registration), members of District land bureaus, Sectors and Cells land committees, and “*Abunzi*” local level mediators.

Getting to know the community perception of land registration and understand the process of land adjudication

According to Liefoghe, et al. (1997), by analysing community’s attitude, behaviour and reaction on a proposed or implemented policy or programme one can understand how they perceive it. Therefore, in this research, I followed a question guide and gave the floor to the participants to express their views on the ongoing land registration programme and eventual adjudication-related problems.

Based on their experience in working with the community, the actors in land registration and adjudication have been interviewed on their involvement and the problems they are facing.

b. Focus group discussion

Focus group discussions were sessions in which participants were asked to discuss their knowledge and appreciation on the land registration. This technique allowed the community to express their views, values and understanding they attach on the land registration programme and permitted to target the possible repercussions of their perceptions on the land adjudication process.

I chose this technique because it allows a more in-depth discussion of the topics. This method has been used successfully by many other authors looking for community perceptions (Brooker, et al., 2001; Liefoghe, et al., 1997; Ulukanligil, 2006). Contrary to the interview, during group discussions, participants interact critically on comments and can freely agree or disagree on them.

Interviews and group discussions were guided by a check list which was translated in the local language “Kinyarwanda”. The question guide was drawn from the main questions developed for the purpose of this research.

c. Observations

In addition to the interviews and group discussions, the fieldwork consisted of approaching the community and directly observing their participation during registration and adjudication in Remera Cell. In addition, I observed the community’s land and discussed with them about the land demarcation process. This was done by identifying with them the boundaries of their parcels on the orthophotos of their locality.

4. COMMUNITY PERCEPTION ON LAND REGISTRATION

4.1. Introduction

This chapter presents the results from the fieldwork conducted in three Cells of Nyamabuye Sector, Muhanga district, Southern Province in Rwanda. The three Cells are at different levels of the now being implemented systematic land registration programme. During the time of the fieldwork, Gifumba Cell had the registration under the preparatory phase; in Remera, the community were registering their lands through land demarcation and adjudication; whereas the registration had finished in Gitarama Cell. Therefore, it might be expected that the community have a different perception on the SLR Programme. Their perception presented in this chapter is understood as the knowledge and the appreciation the community attribute to the registration programme. Indeed, three important aspects of the programme are emphasized: the preparations for registration, land demarcation and land adjudication and finally the results and expected outcomes from the programme (Figure 4-1).

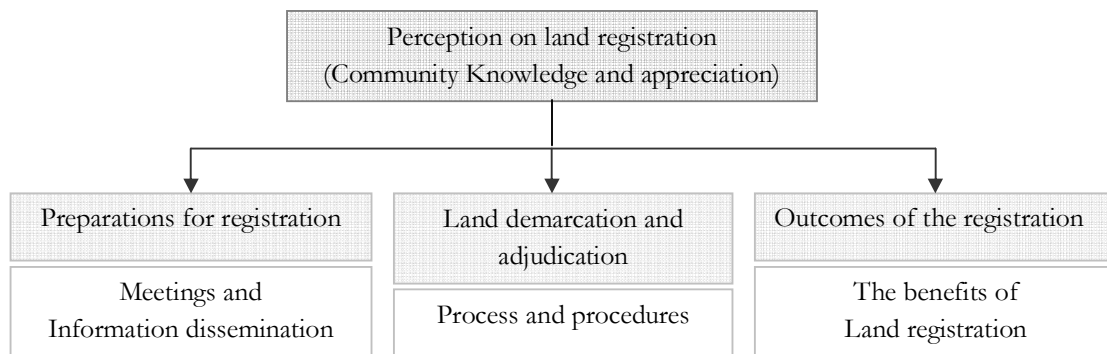


Figure 4. Results presentation schema

4.2. Information on the relation community-land access and use in the study area

4.2.1. Access to land

The inheritance constitutes the ultimate source of rights for 50 of the interviewees. Other sources of rights include the land purchased and land obtained by gift. Among 67 respondents in the study area, 49 have only one parcel where they live and exercise their everyday activities.

4.2.2. The use of land

The type of use is initially residential with most of the time agriculture and/or commerce as additional activities. Apart from the village of Kagitarama in Gitarama Cell where commercial activities are remarkable, the other two Cells are completely rural and agricultural activities are predominant. All in all, the agriculture practiced in the study area remains typical rudimentary and mainly for subsistence.

4.3. The community's knowledge on the registration

While discussing with the community in groups, a great disparity appeared: some members of the community whether participating or waiting for the registration, simply follow others in the implementation of the programme. In this regard, the interviewees gave reasons that motivated them to participate in the registration: Even though some of them say they perceive registration as a way to get the titles, secure the rights they have on land and put an end to the land disputes, there are those who don't really understand what registration is all about and claim for the explanations while others register their lands because they simply trust the Government's programmes.

However, there is a category of people who feel confronted to what they call "an order" from the government and reject the programme saying the only benefit will be for the government to control and tax their lands.

The following figure shows some of the clustered reasons that motivated the community to the registration.

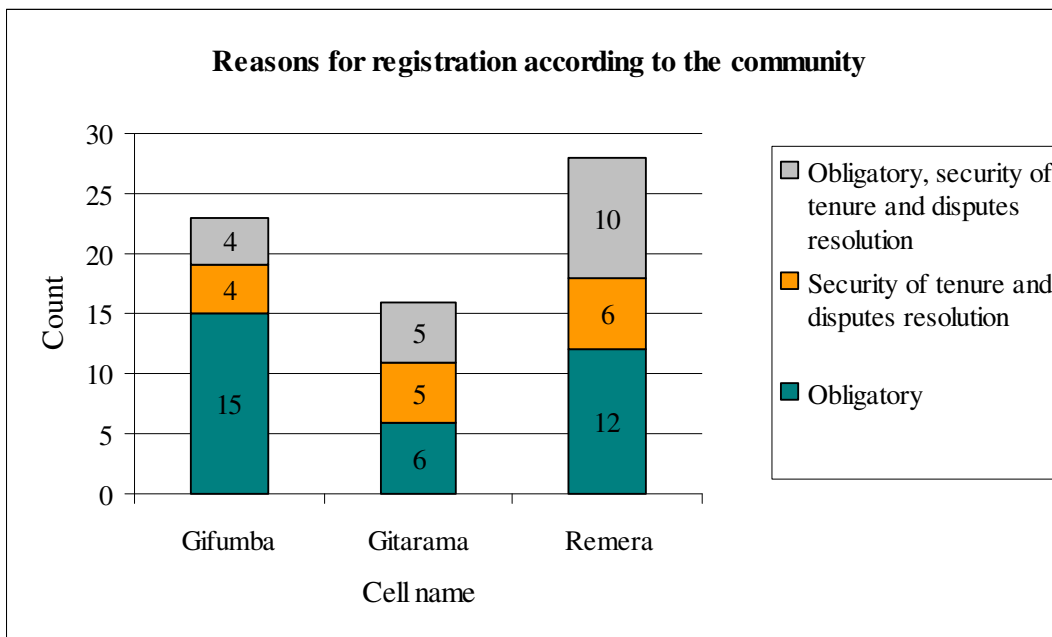


Figure 5. Land registration according to the community

The above figure summarise the perception on the programme, a simple and immediate answer that the community respond when asked what they think the programme is all about. It shows a small number of the respondents, 15, whose answers are in line with the overall significance of the programme. The rest, 42 people perceive the power of the Government pushing them to register even though 19 of them bring up again the security of tenure and disputes resolution as their motivation to register.

4.3.1. Perception on land registration by education level

Basing on the educational level of the interviewees two categories can be distinguished: non-educated people and educated people. The first category, which is the biggest, is composed of 24 land owners who have not been at school and 23 who have a little primary education of six years maximum; the second category of educated people includes 20 interviewees who have got an advanced education attending secondary school and 5 of them have got a university level. The two categories have different points of view concerning the ongoing land registration programme.

Reasons to participate in land registration programme by the education level

Categories	Educational level	Community perception on the SLR			Total
		government order	Security of tenure; disputes resolution	Government order; security of tenure; disputes resolution	
Non-educated	none	13	4	7	24
	primary	13	5	5	23
Educated	secondary	6	3	6	15
	university	1	3	1	5
	Total	33	15	19	67

Table 4. Community perception on land registration programme by the education level

On the question about their consideration of the land registration, members of the first category of non-educated people perceive land registration as a governmental way to oblige them to pay taxes on land and think that through registration the government will control their lands. In the educated people category, the above mentioned attitude is replaced by another way of considering land registration. Indeed, educated people acknowledge land registration as capable to put an end to the day to day land-related disputes and thus improve tenure security. Despite the fact that there are still some cases where government order is felt, educated people convene that well explained or not, coming from the government or from the views of the community, registration is necessary not only for planning and management issues but also and importantly for people's rights to be formally recognised.

4.4. Preparations for land registration

4.4.1. Public and open process

The principle of public and open process supposes that everyone in the community should have equal access to the information and fully understands it in order to act accordingly. The research revealed that this is not the case. At the first answer, one can think that people are aware of the programme however by slowly getting into important details, shortages are discovered. The following table gives the first and quick answer of the respondents when asked whether they know about the land registration programme or not.

Community awareness of the land registration

Cell name	Awareness of the SLR		Total
	no	yes	
Gifumba	16	7	23
Gitarama	2	14	16
Remera	4	24	28
Total	22	45	67

Table 5. Community awareness of the land registration

Although 45 of the respondents affirm they have heard about the SLR, the question remains who informed them and what kind of information did they get. Therefore, neighbours and radio constitute the most important sources of information for land owner with 25 and 22 respondents respectively. They don't participate in the preparatory meetings and rely on information from their neighbours and radio-diffused emissions on land registration (Figure 6). Only 5 participated in at least in one meeting and 15 got to know about the SLR when it was their turn to register. However, being informed or not, the community don't attribute the real value preparatory meetings should have.

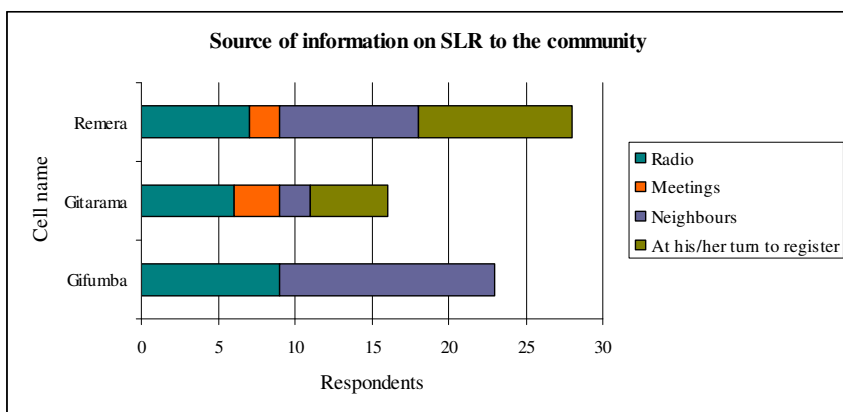


Figure 6. Source of information about the LTR

Recall that in Gifumba Cell, the registration was in the preparatory phase during the time of fieldwork and therefore, only two options were possible for their answers.

Preparatory meetings

Preparatory meetings (also known as public meetings) are community gathering most of the time at Village level which are initiated by the NLC and convoked by local authority. Through those meetings, the NLC staffs inform the community about the process of land registration.

The NLC staff in charge of fieldwork covering all the Cells in Muhanga District revealed that sometimes they can postpone up to three meetings in the same locality because they lack the minimum number of participants (70%). She said this happened in Gitarama Cell where the meeting succeeded at the fourth time and still only a low number of the community were present. When asked the reasons of that behaviour of the community, the local NLC staff answered they don't attribute important value to the registration and choose to continue working in their everyday survival activities instead of spending two hours in a meeting.



Figure 7. Interview with the community

In 44 interviewees who have already started the process of registration, only 9 have participated in at least one meeting. Therefore, their ideas about those meetings are diversified. They accuse them to be more technically oriented than inciting the community to participate in the land registration. There are many other reasons that force the community to miss the meetings. One of them is their perception of land registration as obligatory. They don't perceive the need to understand what registration is all about since they think they have to register anyway. For that, they prefer to continue working in their everyday activities than spending time in meetings. When I raised the issue of people refusing to participate in the meetings during a group discussion in Remera Cell, the participants centred their views on the fact that registration is not a choice but an obligation: “we have to register whether we participate in the meeting or not” argued one of them.

4.5. Land demarcation and adjudication

4.5.1. Community involvement in land demarcation

The information on the land to be registered is given by the rights holders; they therefore play an essential and exceptional role in a land registration programme. This role goes from the conception of the programme where the community give their views and becomes crucial during the implementation.

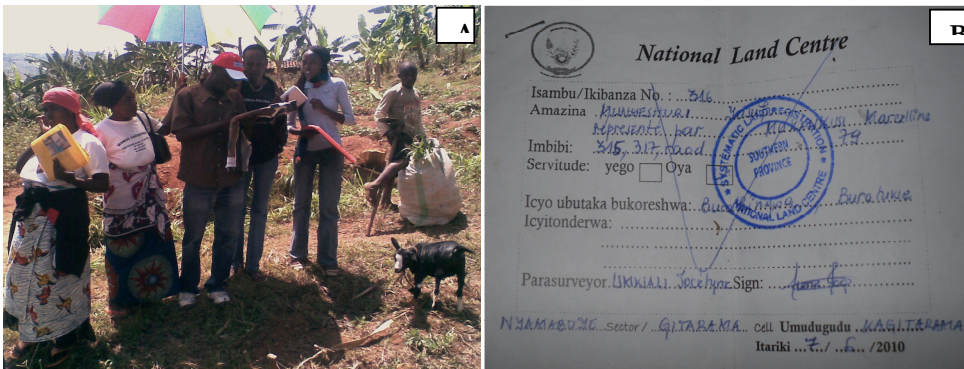


Figure 8. Land demarcation; (A) Para-surveyors drawing boundaries on an orthophotos; (B) a proof of demarcation

Reflections have been made on the involvement of the community in land demarcation:

“I think they should have started to register after giving enough explanations on the process and I really should have preferred to be among the Para-surveyors and help in the delimitation of boundaries”, said a respondent in Remera Cell.

“If we are taking part in the programme; of course, we gave them the information they asked but we wished they could allow us to have a look at those beautiful photos they carry with them”, replied a land owner in Kagitarama village.

The role played by the respondents has been to show the boundary of their parcels to the Para-surveyors during land demarcation and to provide additional information on the nature and type of their rights during the land adjudication. However, some of the interviewees perceive their role as limited to providing what they are asked to instead of freely act as real stakeholders of the programme.

4.5.2. The establishment of rights on land

Before the LTR programme, most of the individuals or organisations detaining rights to the land in Rwanda have established their rights without any recognition from the authority. The LTR’s principle of establishing rights to land doesn’t aim to create new rights but to confirm and officially recognise the existing rights. However, most occupants do not have proper documentation of their rights or have no documentation at all (NLC, 2007). Furthermore, the research revealed that not only documentation is missing but also some people ignore their rights or choose to easily renounce on them.

Although the following widow affirmed living in discord with her mother in law, she accepted to abandon her rights on the pretext that her land is too small to cost any tax:

“... I suffered much to get the small plot of mine since my husband was not there but when I heard about registration, cost and taxes to follow, I made an arrangement with my mother in law and we decided to combine our lands and register them together under her name.” Thoughts like the one expressed by the above mentioned were present in most of the interviews where some people decided to combine their parcels with those of their neighbours in order to register them as one parcel and reduce costs and future taxes.

Hence, they consider their arrangement as simply concerned with registration but expect to keep their real rights as they are. The following figure illustrates the above mentioned arrangements.

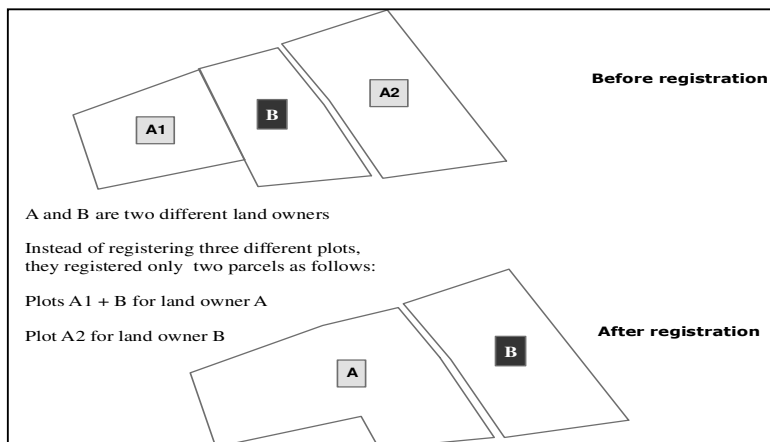


Figure 9. Arrangements by the community to reduce registration costs.

Not only the cost of registration harms the process of establishing rights to land but also the fear that through registration the community will lose their rights. Among others, here after is the question from a respondent in Gifumba Cell: *“How can you think that land registration will ascertain our rights to land if the simple act of registration gives authority to the State to usurp the full power on the land? I don’t know what to think now ...”* The two statements presented show how controversial is the establishment of rights to land. However by discussing with the community, an observation that comes up is that the community’s perception on land registration remains limited to a simple process of linking land to the State because they expect to continue holding the same rights on their lands even after registering them to someone else’s name. The issue of registration cost will be discussed in details later.

4.5.3. Community participation in land adjudication

The respondents to this research have been involved in the SLR during the implementation phase of the programme. Indeed, their District is not among the four trial districts where views from the community have been collected during the conception of the programme. However, during interviews, the community said their role in the SLR is only to show their boundary and raised the issue of not getting time to ask questions and clearly understand what is going on.

“I was working in my field when four people approached and asked me to show them the boundaries of my parcels; I was really surprised. I accepted because they were with the Umudugudu leader and they told me not to worry about their work because that was of my interests. My question is: why not coming before and explain to us about this registration?” noted one of the interviewees in Biti village of Remera Cell.

“Now that you explain it a little bit, I can understand but when they (NLC field staff) came to register my small land, they only asked me to show the boundary and as soon as they finished they moved to the neighbour. I tried to ask them but they told me that there will be a meeting where all of the registration will be explained; I waited for that meeting until now!” replied a land owner when asked about her involvement in the registration.

The person present during land demarcation

Cell name	The person present during land demarcation			
	Head of household	children	other members of the family	Neighbours
Gitarama	10	2	2	1
Remera	20	4	1	3
Total	30	6	3	4

Table 6. The person present during land demarcation

The community participation in land demarcation is higher than their participation in the adjudication. This is due to the fact that, anybody present at home can proceed to demarcation (Table 4), but adjudication looks more serious for the community and requires the presence of the person directly concerned with the rights to be ascertained. In Gitarama and Remera Cells, from a total number of 44 respondents, 9 didn’t participate in the adjudication. Therefore, through adjudication, rights holders present proofs (documents or witnesses) in order to receive “Provisional Claim Receipt”. The latter certifies the authenticity of their rights for the time they are waiting for land titles to be delivered after final verification.

4.5.4. **Transparency in the registration process**

Even though the community adhere to registration, most of the time, the respondents to the research are convinced that the land registration programme as conceived lack transparency and consequently, they put in question the ability of the programme in securing rights and resolving disputes on land. Indeed, the NLC field staff in the study said there are many claims pending waiting to be resolved in Kigali or to be resolved during the verification period.

The community don't have answers of many of their questions and claim to lack a clear mechanism of getting informed nor receiving a feedback of the process. Some of their questions are:

- What happens if a plot left unregistered?
- Is there any special free registration for those who don't have money to pay the registration process?
- What to do during transactions to keep the registration valid?
- How to claim if not agreeing with the adjudication decision taken in one's absence?

The following is a case of an old woman in Remera Cell who had her parcel demarcated but didn't participate in the adjudication because she was at the hospital for her daughter in law giving birth; as a matter of fact she didn't get a "Provisional Claim Receipt". *"I brought my case to the Cell Executive Secretary who sent me to the district office ... on my surprise, the district land officer told me that all request and claims in relation with the registration must be addressed to the NLC Headquarter Office in Kigali ... as you can see, I am poor and don't know how to get there."*

4.5.5. **Land registration perceived to be costly**

The public should contribute to the costs of registration as they will be the ones who get the benefits of it (NLC, 2007). In general, the registration cost is 1000 Rwandan francs (more or less 1.5 Euros) for each parcel registered. There were many discussions with four trial district's communities on the cost of registration and the affordable amount for the community. One of the interviewees critically argued: *"Careful consideration should have been taken as how costs are to be proportional to the threshold of life of each household"*.

Because payment is carried out during the adjudication, the respondents who didn't participate in the adjudication subsequently didn't pay for registration. However, the cost is perceived by some as not affordable.

4.6. **Perception on the outcomes of the registration**

4.6.1. **The benefits of land registration**

Despite the efforts to explain to the community about the benefits of land registration, there are still some who think that the Government has undertaken the registration for tax and use control purposes. They affirm that they are used to their past routine where land management belongs to the family while disputes are resolved in family and between neighbours. The discussions in groups revealed that some of the above mentioned people change their views when given time to ask questions and receive appropriate answers. During a group discussion in Remera Cell, the participants learned from each other's knowledge and finally they ended up agreeing with the benefits set by the Government.

When asked about their knowledge of the benefits of land registration, the respondents enumerated some of the one mentioned in the LTR programme which include: to guarantee land rights and security of tenure; reduce land disputes; access to loans, market information and harmonisation; land taxation; be the basis for land and property taxation; develop and monitor land and mortgage; facilitate reliable land use records; improve urban planning and infrastructure. However, not all of the benefits are known nor perceived the same way by the respondents.

There are people who really believe that the registration will be beneficial. The following is one of the statements from interviews: *“The time before registration seemed to be like anarchy; everyone could come and say he/she has rights on any plot but we expect that this SLR could bring solutions to that issue since the government will be involved and officially recognise our rights on land”*. However, the respondents perceive that registration will benefit more to the Government as summarised in the following table.

Benefits of registration as perceived by the community

Cell	Benefits of registration to the community			Total
	Security of tenure; disputes resolution	Pay taxes; the government to control the use of lands	Both answers	
Gifumba	2	17	4	23
Gitarama	7	3	6	16
Remera	11	12	5	28
Total	20	32	15	67

Table 7. The benefits of land registration as perceived by the community

The respondents only look to the nearby and direct benefits of land registration like disputes resolution, security of land tenure and collection of taxes to land but they don't perceive the anticipated benefits as stipulated in the LTR programme. They didn't mention anything about mortgage, market, environmental management or investment.

During discussions with the community in groups, they were convinced of the ultimate benefit from land registration of securing their rights on land. However, they also expressed their worries towards the tendency of the Government looking through land registration to control and decide on the appropriation and use of land. Being aware of the basic reference that is the land law for the registration, the community accused some of the articles in the land law to threaten their rights to land.

4.6.2. The ultimate role of the land law

The views collected during community discussions in groups permitted to emphasize the importance of land regulations in that they influence the community perception on land registration. The existing land-related regulations include importantly the 2004 national land policy, the 2005 Organic Land Law, and the National Land Tenure Regularisation Programme. The main aspect of the LTR is the systematic land registration. It mostly resulted in combined elements of the national land policy and particularly the OLL. Among the 67 interviewed people only 13 affirmed they heard about the land law. Therefore, when asked about some of the articles and statements in line with land registration, they replied with limitations and wrong interpretation of the articles.

An illustrative example is from a respondent in Remera Cell: *“I know that land law exist but don’t ask me about its articles! ... I only heard it is written in the law that the government will take our land and give it back in a long period of lease ... don’t ask me how much we will pay for how long”*.

The land law have been raised in group discussions held with 36 participants in two community service *“Umuganda”* in Gitarama and Remera Cells. Most of the time, five articles have been mentioned:

- a. Land is part of the public domain of all Rwandans; ancestors, present and future generations. With exceptions of the rights given to people, the state has supreme powers to manage all the national land, and this is done in public interest aimed at sustainable, economic development and social welfare. In that regard, it is the state that guarantees the right to own and use the land. The state also has rights to expropriation due to public interest, settlement and general land management (Article 3).
 - The only part of the article retained by the community is that the government will have the supreme power on land making them loose theirs. After reading the full article and long discussions between them, the participants concluded that registration is really in their interest and were to get the titles.
- b. Any person or association with legal personality that owns land either through custom, or who acquired it from competent authorities or who purchased it are allowed to own it on long term lease in conformity with provisions of this organic law (Article 5).

Any person whether a Rwandan or a foreigner who invested in Rwanda, or an association with legal personality shall enjoy full rights of ownership of land reserved for residential, industrial, commercial, social or cultural and scientific services (Article 6).

Notwithstanding the provisions of article 6 of this organic law, the right to land lordship is guaranteed by the state in terms of lease. The period of land lease shall not be less than three (3) years or more than ninety-nine (99) years. Such a period may be extended (Article 24).

 - The community fear to lose the full ownership on the land they acquired from their ancestors since through registration this will become property of the state. They think that if the government gets possession of their land, they will be asked to share land or decisions on its use will be taken without their consent.
- c. Registration of land a person owns is obligatory. The order of the Minister having Land in his or her attributions specifies the procedures through which land registration is carried out (Article 30).
 - The participants reflected on the fact that registration being obligatory, none can escape it. The main views were: *“We don’t have choice; it is not important what we think since pro-registration or not we are obliged to participate”*.

Regardless of the gender or the marital status of the respondents, the Cell where they live or their level of education, the participants’ knowledge and interpretation of the land regulations remains problematic. Indeed, the educated people and local leaders don’t make any exception on that, because even they are not able to explain the registration basing on its ultimate guiding law; the 2005 OLL. During group discussion in Gitarama Cell, some of the participants revealed that they registered their lands because they expected back the land titles but they are worried of lacking the governmental directives on the registration hence they listen to what is said here and there. Despite the good will by the Government to explain to the community the content of the regulations, the community’s knowledge of land-related regulations remains one of the reasons of less motivation in participating to the implementation of the LTR programme.

4.6.3. **Land registration and other land-related programmes**

Land Registration, Land Sharing, Land Consolidation and Land Redistribution are other programmes being implemented at the moment of the research in Rwanda. They are expected to work smoothly after the registration. Some people associate the land registration programme to parallel ongoing social-economic programmes that in a way or another affect the community's lands. Therefore, a typical example of such attitudes can be found in the following statement made by one of the interviewees in Rugarama village: *“One of the people who was telling us to register our lands said that registration will be followed by other so called development programmes like land consolidation, land sharing where the government will ask us to move from our lands, I can't imagine in any how moving from my father and grandfather's land, the land that have grown my family from generations to generations”*. They are persuaded that registration is the base to those programmes and think they can resist to those by refusing to participate or providing wrong information during registration.

4.6.4. **Expectations from the registration**

Through interviews, the community in the study area expressed the wish to have their land registered. Therefore, 57 of the interviewees believe the land registration can bring solutions to the crucial land-related problems that were difficult to address in the past. Those problems include among others the boundary disputes between family members and neighbours and most importantly, the security of land tenure. In most cases only buyer, seller and neighbours were present during transactions on land while the authority intervened only when disputes rose.

The following are some of the comments made by the interviewees when asked about their thoughts towards the programme:

- *I agree that registration is a good way to secure my rights, but the only problem I have is that this programme is looking for making people lose their full ownership and give their land to the Government ...* Replied a land owner in Remera Cell.
- *... We don't need a programme that is “obligatory”; we need a registration that people feel motivated to participate in on their own. The Government made the programme obligatory because the basic intentions are not receivable by the community!* Argued a primary school teacher in Gitarama Cell.

The answers on the respondents' past experience revealed that only mortgages were possible on land covered by forest. Only 6 of the respondents have benefited from such mortgages. Before the current campaign of systematic land registration, only 7 of the interviewees have registered their land at the district offices. They affirm that it was sometimes difficult and even impossible to reach an agreement during disputes. In those cases, the authority took decisions basing on speculations since there were no documents and sometimes no witnesses to prove the rights. Nevertheless, the community's need to register their lands doesn't simply rely on their past but surely on their target to get title certificates testifying their rights on land. They are convinced that through registration they can finally get official proofs of their interests in land.

However, the respondents expressed their hesitation to accept the now being implemented land registration programme because they perceive it as imposed by the Government in its own interest.

5. DISCUSSIONS

The previous chapters described the process and procedures of the systematic land registration in Rwanda, the method and techniques of data collection and analysis and presented the community perception on the preparations, implementation and outcomes of the ongoing land registration in the study area. This chapter discusses the findings from the previous chapters and emphasizes the community participation in the adjudication process and the reasons that influences their participation.

5.1. Preparations for the registration

Considering the community, the preparations for land registration consist of series of meetings organised by the National Land centre with the help of local authorities. During that sensitisation campaign, the community gather in their respective Villages or Cells and receive explanations on the nature, process and procedures of land registration. They also get to know their required participation and the benefits that go with the registration (NLC, 2007). However, the participation in those meetings remains problematic. If not postponed for limited attendance reasons, the participants in the meetings claim to see their questions hanging after attending.

During group discussions, the community revealed their worry about land registration threatening their rights on land. The idea that through land registration, land owners give up the full ownership and get a lease from the State makes people miss the meetings because they are convinced that whether participating or not they have to register. However, it is stipulated in the article 30 of the OLL that registration is obligatory. The mentioned article is understood by some members of the community as attesting that registration is imposed and no one can escape it.

5.2. Tenure security

5.2.1. Tenure security threatened by the land law

The research reveals that some of the articles of the 2005 OLL are not interpreted the way they are specified in the law. This is due partly to the fact that the community don't have enough explanations on them and as a matter of fact retain the parts that seem to threaten their rights on land. A general interpretation is that the community fear to lose their rights on land and perceive land registration as a way the Government opted to seize all rights on land.

In addition, the research confirms that the community could have a different perception on the five emphasised articles of the OLL if they had enough explanations on them. Indeed, as a review, the above mentioned law constitute the basis and the reference of the now countrywide ongoing land tenure regularisation programme which includes the systematic land registration as well. The fact that some people perceive land registration as preventing them to use and benefit from their lands, doesn't contribute in anyhow to the proposed ascertainment of a sustainable tenure security. On contrary, as summarised in the following figure, a distinction can be drawn from the defined objectives of the land tenure regularisation programme, and the community perception on the OLL as observed in the findings of the research.

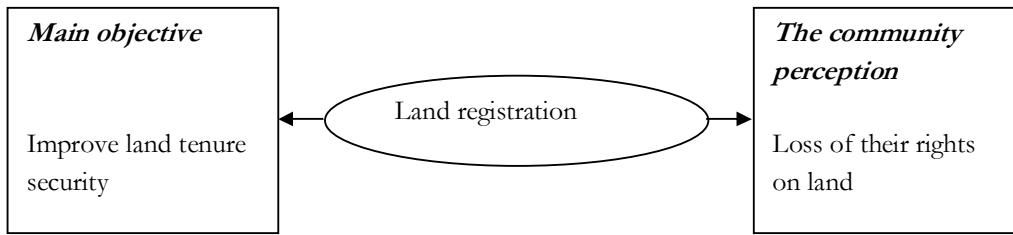


Figure 10. The main objective of land registration and the community perception

The community perception is highly influenced by the information they receive on the articles that constitutes the basis of land registration. Though some particular individuals have a little information on the law, other people take point of what they hear from their neighbours who themselves are wrongly informed or spread an originally distorted information. It is either because they think that registration is obligatory or because they refute the changes brought by the registration saying their past routine was well enough to manage their pieces of land. Indeed, they claim to be in a position in which they only have to obey to the Government and register their lands whether they know or not, whether they agree or disagree on what the law states. However, the research reveals that the more the community get informed the more they understand and adopt a new perception vis-à-vis the land registration programme.

Even though the law stipulates the extent to the State powers on land, the inheritance character to which land transfer is subjected constitutes a fact that avoids the community to understand how land can become a property of the state. Having understood about the long 99 years lease, the respondents show their worries concerning their habits of transferring land through inheritance. Indeed, they think that when the registration finished and the Government take possession of their lands, all the decisions on land transfer, transactions and use will be taken by the Government.

The community's knowledge on the OLL has repercussions on their participation in the land adjudication process. On one hand, the limited number of participants in the adjudication can be justified by the community's reprehensive behaviour towards a programme that they consider as threatening their rights on land. On the other hand, the long time spent by adjudication committees waiting for people to come and present the required documents contributes to that justification.

5.2.2. **Trust in the SLR programme**

The trust and trustworthiness, by the community are some of the most important factors to be considered when studying a land registration programme (Rubasinghe, 2010). During discussions, the participants raised the issue of trusting in the programmes undertaken by the Government. The attitude of some members of the community corresponds to their trust in land registration. They are convinced that since the programme has been initiated by the Government, it is in their interest to participate. However, by deeply discussing with the community in groups, they mentioned their anxiety of seeing the State looking through registration to increase its powers on land and control the use of land

5.2.3. **Resolution of disputes**

The function of land registration is to resolve disputes and uncertainties pertaining to who owns what property, it may focus solely on problems that exist when property is first formalized but in some jurisdiction it is also involved in many problems that arise after formalization (v Raj & Rabin K., 2006); Dale and McLaughlin, 1999). 39 of the 67 interviewed people believe that land registration can put an end to the disputes between neighbours and members of families.

5.2.4. **Benefits of registration**

The systematic land registration in Rwanda started in 2007. In the study area, the benefits of land registration are perceived to be limited to simple provision of land titles. The latter is considered by the community as ascertaining tenure security in the measure that title constitutes formal proof they hold on land. The other anticipated benefits include the ability of land registration to promote an active land market and productive land use; to make possible the security of tenure and the development of a mortgage market on which a functioning economy depends. However, those benefits as enumerated respectively in (Deininger & Feder, 2009; MINIRENA, 2008a; UNECE, 2005), are yet to be discovered by the community in the study area.

5.3. **The customary and statutory legislation in land registration**

The past customary land management regimes have a significant influence on the community perception on land registration. (Firmin-Sellers & Sellers, 1999) examined the changes proposed by the state legislation and the customary law for the land titling programme to be accepted by the community in Cameroon. Those changes are also present between the past customary behaviour and the 2005 OLL. Indeed, Rwanda as a country has its own socio-economic environment concerning land tenure, land transfer and land management in general. The past or already established environment has an influence on the perception of the changes now operating in the land management regimes. The potential of achieving the success of land registration programmes requires the design of a process that suits the local socio-economic environment (Griffith-Charles & Opadeyi, 2009). The previous studies on land registration in Rwanda discussed the customary behaviours that characterised the ancient land tenure regimes in Rwanda, their weaknesses and convened on the need for a statutory regime that can regularise tenure and provide security to the community (André & Jean-Philippe, 1996; Musahara, 2006; Musahara & Huggins, 2005).

5.4. **Land registration procedures**

5.4.1. **The role of the community**

Land adjudication is one of the main registration processes that require community participation. Indeed, the study on sustainability of land tenure and land registration in developing countries revealed that by experiences, the effectiveness of the titling system is reached through broad participation of local people in the process and the fact that the registration work is built trust in land registration system (Törhönen, 2004). Therefore, the community in the study area claim to be more involved in the registration instead of being simple information providers. Studies on the procedure of the systematic land registration in Rwanda have most of the time concluded on the sensitisation for community participation and capacity development. However, during discussions with the community in the study area, the problem of lacking appealing measures has been raised. The community has many pending claims that are waiting to be processed because they are told to bring them at the NLC Head Office in Kigali.

The article on the Cambodian method of systematic land registration by (Törhönen, 2001) revises the six parts of the programme: public information, adjudication, demarcation, surveying, documentation and appeal and recommends the latter as allowing the community to feel listened. By giving the community a chance to express their views and claims where necessary, they develop a kind of trust where the act of providing information on their rights is completed by the expectation of securing them against any threats.

According to (Törhönen, 2004), the success of a land tenure reform is enabled by strong community participation and control. In addition, landholders should be closely involved in the registration process. Land registration can be difficult and unfair unless the potential beneficiaries and their neighbours are called upon to provide evidence and documents, preferably in an on-site situation together with neighbours, and are asked to discuss boundaries, give testimonies about other residents, etc (Feder & Nishio, 1998). The findings show that there are disparities in landowners' presence during both land demarcation and adjudication. Any person present provided the information on boundary during the demarcation, even neighbours and local authorities helped in that regards.

6. CONCLUSIONS AND RECOMMENDATIONS

The chapter presents a general picture of the research by examining whether proposed objectives were reached and identified research questions were answered. The research findings and their discussions are used to verify the assumptions made in the problem statement part of the thesis. After concluding remarks, a set of recommendations are formulated towards the SLR programme stakeholders.

6.1. Conclusions

The research described the process of systematic land registration in Rwanda, identified the community perception on land registration and investigated their impact on the adjudication process. This has been accomplished through interpretation and analysis of data collected through interviews, group discussions and own observation conducted in three Cells: Gifumba, Gitarama and Remera of Nyamabuye Sector in Rwanda.

The results of the research cover only three Cells. The generalisation of anyhow may alter the validity of the results. However, the research can inspire further researches that can be conducted in the same field.

Qualitative data collected through group discussions and interviews contributed most in the research since the aim was to identify the perception of the community than simply quantifying the number of responses to each question. However, in some cases, the combination of the two types of data clarified more the perception of the community.

To guide this research, three specific objectives were proposed and four research questions were suggested in line with the three objectives. The conclusions are discussed sequentially as per specific research objectives and research questions.

6.1.1. Objective one:

Specific objective	Research question
To describe the process of systematic land registration programme in Rwanda	What are the objectives, guiding principles and anticipated benefits of the SLR programme in Rwanda?

The SLR is the most important part of the LTR programme. It aims at clarifying the rights of the existing owners and occupants of land and, where necessary, to convert those rights into legally recognised. The programme has got six guiding principles: the public and open process; establishing rights to land; a transparent mechanism for resolving disputes; security of land tenure in rural and urban areas; just administration; a replicable programme. All the principles are supposed to contribute at achieving the overall goals of fairness and transparency that must be the SLR programme.

The benefits of the programme are described in the LTR manual as principal outcomes: an increase in security of tenure with transparent mechanisms for resolving disputes locally; improved land administration and decentralised institutions that effectively execute land policies and achieve institutional sustainability; the development of an open and flexible land market at all levels in urban and rural areas; a solid foundation for small-scale private investment in the improvement of shelter and neighbourhood conditions by urban dwellers.

Improved land productivity; improved capability of farmers to respond to market incentives and to national policy incentives; higher on-farm incomes and poverty reduction; increased opportunities for farmers to access formal credit sources and obtain loans; improved management of land resources and compliance with environmental measures; improved collection of revenues from land; improved land planning and provision of a solid foundation for transparent and legal urban development programmes.

In addition to the SLR's description, a historical background on the customary regime of land tenure and changes that characterised the past land management in Rwanda are explained to facilitate a better understanding of the nature and interpretation of the SLR programme now being implemented.

6.1.2. **Objective 2:**

Specific objective	Research question
To identify the community's knowledge and appreciation of land registration in the study area	What is the extent to the community's knowledge and appreciation of the Systematic Land Registration in the study area?

The knowledge and appreciation of the community are regarded on three important angles: the preparatory phase; the implementation of the programme through land demarcation, adjudication; and finally the outcomes of the SLR.

Community's knowledge

The results of the fieldwork permit to conclude that the community know about the SLR programme. They are aware of the ability that has land registration to guarantee tenure security through obtaining undisputable land titles. However, as far as the present registration is concerned, the community don't have enough knowledge that should encourage them to participate in the programme. They don't attend preparatory meeting and merely rely on information transmitted among neighbours which in many cases is altered from the one spread by the NLC.

Community's appreciation

Apart from perceiving the registration as increasing the tenure security, the community perceive it as threatening their rights to land. The first impression the community give is that they really appreciate the SLR and are ready to participate on their own will but the more they get into details and discussions going deeper, a contradictory consideration of their appreciation appears. The community accuse the preparatory meetings to be more technical and take their time for nothing since according to them the registration is obligatory whether they attend meetings or not.

During land demarcation and adjudication, the land owner is expected to be present and indicate boundaries of his/her plot(s) to the para-surveyors but the community perceive their role as limited. They wish they could know how all the activities are done in the field and at least know what the para-surveyors will do with the orthophotos they carry with them. Consequently, we observe that people value their everyday activities more than participating in the adjudication.

6.1.3. **Objective 3:**

Specific objective	Research questions
To investigate the impact of community's knowledge and appreciation of land registration on their participation in the adjudication process	How is the discrepancy between the planned community involvement and their actual participation in the SLR?
	How is community's participation in the adjudication affected by their knowledge and appreciation of the SLR programme?

The adjudication committee is composed of local land officers and “*Abunzi*” mediators. This committee receives land owner who have finished the demarcation process and after studying the documentation presented or listening to witnesses, the committee issues provisional claim receipts. It is during adjudication that land owner pays for registration and finally enjoys one of the fruit of registration: the formal proof of rights. The community shows their interest in getting those provisional claims. However, they don't participate in the adjudication as expected. This results partly on the fact that apart from getting titles, the community perceive the registration programme as conceived by the Government searching to get powers on land, to control the use and facilitate tax collection on land. Another reason evoked is that the community consider the process to be costly.

6.1.4. **General conclusion**

It is clear that if the community participate in the adjudication, it is not necessarily because they either understand or appreciate the land registration programme but simply and most of the time because they feel obliged to participate. The same happens to those who don't participate, either they fear to loose their rights on land or they don't have means to pay the registration.

6.2. **Recommendations**

We cannot pretend that all aspects in line with community perception on land registration have been explored. Further research is recommended on the way the land registration process can be improved to fit the community's expectations in order to make them appreciate the programme and consider it as theirs. A study to revise the affordability of the registration cost is also advised.

The community sensitisation should be reinforced and new approaches created because the experience has shown that the more the community get sensitised and involved in deep discussions, the more they understand and become motivated to participate in the adjudication process.

The five mentioned articles of the 2005 OLL should be emphasized during information campaign. The issues of lease, State power on land and control, the obligatory point stipulated by the law should be well explained to the community.

Decentralisation of activities from Kigali to the local level to allow smooth coordination of activities and perception of local representation is also advised.

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APPENDICES

Appendix 1. Guiding questions for interviews with the community

Cell: Gifumba *Gitarama* *Remera*

Interview No.....

Check list for interviews with heads of households in the three Cells

1. General information

Age: ...

Religion: ...

Education level: None P S U

Gender: M F

Occupation (Profession): ...

Monthly income: ...

2. Information on land

2.1. How long have you been living on/using this land? years

2.2. How many parcels do you have (own)?

2.3. What is the extent of your land? Ha

2.4. Type of use:

Residential	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Residential and agriculture	<input type="checkbox"/>	Residential and commercial	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>	Other (specify)	<input type="text"/>

2.5. Which rights do you hold on your parcel(s)?

Ownership Lease Both (on different parcels)

2.6. Source of right(s) held on the land:

Inheritance	<input type="checkbox"/>	Purchase	<input type="checkbox"/>
Gift	<input type="checkbox"/>	Other (specify)	<input type="text"/>

2.7. Ownership pattern:

Singly owned
Jointly/co-owned

3. The community knowledge and appreciation of the National Land Tenure Reform Programme (NLTRP)

A. Information about the land tenure situation before the registration:

3.1. How was land transferred?

.....
.....

3.2. Were there accompanying documents?

Yes No

3.3. Which ones?

.....
.....

3.4. How were the local authorities involved in the transaction?

.....

3.5. What was the role of the community (neighbours)?

.....
.....

3.6. Was it possible to give land in mortgage?

Yes No

3.7. Your experience (if any)

.....

3.8. Were there land disputes?

Yes No

3.9. How were they resolved?

.....
.....

3.10. Did you register your land before the current systematic land registration?

Yes No

3.11. Where have you registered your land?

.....

3.12. What has been your motivation to do so?

.....

3.13. Is there any need to change the existing land tenure system?

Yes No

3.14. Why? (Give reasons)

.....
.....

B. Information on the ongoing land registration

3.15. Do you know about the NLTRP? Yes No

- How did you come to know about the NLTRP?

.....

3.16. In which stages of the NLTRP have you been involved?

.....

- How were you involved?

.....

3.17. Did you attend the meetings where the NLTRP was explained?

Yes No

3.18. What are according to you the benefits of the NLTRP? (Comparing with the situation before the NLTRP implementation)

.....
.....

3.19. Are you aware of the other land regulations (Organic land law, land policy)?

Yes No

3.20. How beneficial are they as far as your land is concerned?

.....
.....

3.21. What is wrong with them?

.....
.....

3.22. Did you participated (or plan to participate) in the adjudication process?

Yes No

- What has been (is) your motivation to (not) participate?

.....

3.23. Did you experience problems while participating in the adjudication process?

Yes No

- Which problems?

.....
.....

3.24. Are you satisfied with the way land reform is done in general and land adjudication in particular?

Yes No

- If not yes, justify your answer.

.....

.....

3.25. Did you pay for the adjudication of your land(s)?

Yes No

3.26. How much? Frws

3.27. What are your suggestions for improvement in the NLTRP and land adjudication in particular?

.....
.....

Appendix 2. Day to day data collection

Date	Activity
Monday Sept 13	Visit to the NLC Request to the Director General of the NLC for permission to conduct the fieldwork; Consultation of the archives of the LTR reports and data that allowed to select three Cells (Gifumba, Gitarama and Remera) in the Sector of Nyamabuye in Muhanga District.
Tuesday Sept 14	Interviews with Nyamabuye Sector and Gitarama Cell authorities about how they participate in the on-going Systematic Land Registration: The participation of respective land committees and the involvement of the communities (meetings and other ways of sensitisation)
Wednesday Sept 15	Discussions with NLC GIS team: discussions on the way PGIS is applied in the field of land registration. Interview with the NLC staff in charge of the Southern Province where the study area is located. (Progress and procedures, problems and solutions, the way forward). Preparation of orthophotos to be used during interviews with communities.
Thursday Sept 16	Interview with Executive Secretary of Gifumba Cell + Pilot interviews with 5 heads of households in Gifumba Cell.
Friday Sept 17	Interviews with 6 heads of households in Gifumba Cell
Saturday Sept 18	Interviews with 6 heads of households in Gifumba Cell
Monday Sept 20	Interviews with 6 heads of households in Gifumba Cell
Tuesday Sept 21	Interviews with 7 heads of households in Remera Cell
Wednesday Sept 22	Group discussion (Munini primary school teachers) Group discussion (people participating in a meeting at Remera Cell office)
Thursday Sept 23	Interviews with 7 heads of households in Remera Cell
Friday Sept 24	Interviews with 7 heads of households in Remera Cell
Saturday Sept 25	Interviews with 7 heads of households in Remera Cell
Monday Sept 27	Visit to the Remera Cell – Participation in the land demarcation and adjudication as an observer; I interviewed the Para-surveyor and the Remera cell land committee and the leaders of the Munini village (<i>Umudugudu</i>)
Tuesday Sept 28	Discussions on the progress of SLR in the study area and problems encountered so far with the NLC field working team (Coordinator of Muhanga District and staff)
Wednesday Sept 29	Interviews with 7 heads of households in Gitarama Cell
Thursday Sept 30	Interviews with 9 heads of households in Gitarama Cell

Appendix 3. The repartition of the respondents by Villages

Cell (Akagari)	Umudugudu (Village)	Number of households	Sample size
REMERA	Biti	268	5
	Gasenyi	149	3
	Gasharu	390	8
	Kinyenkanda	162	3
	Kirenge	108	2
	Munini	114	2
	Nete	127	3
	Nyakabingo	119	2
	<i>Sub-total</i>	<i>1437</i>	<i>28</i>
GITARAMA	Gatika	83	1
	Kagitarama	296	6
	Kavumu	145	3
	Nyabisindu	144	3
	Nyarusiza	55	1
	Nyarutovu	101	2
	<i>Sub-total</i>	<i>824</i>	<i>16</i>
GIFUMBA	Gifumba	263	6
	Gisiza	105	2
	Kirebe	166	3
	Rugarama	300	6
	Rutarabana	115	2
	Samuduha	207	4
	<i>Sub-total</i>	<i>1156</i>	<i>23</i>
Overall total		3417	67

REPUBLIKA Y'U RWANDA
INTARA Y'AMAJYEPFO
AKARERE KA MUHANGA
UMURENGE WA NYAMABUYE

Nyamabuye kuwa 20/10/2010
N° 346 /07.020708

Bwana SINGIRANKABO UWACU Alban

C/O UNIVERSITY OF TWENTE-FACULTY OF ITC

THE NETHERLANDS

Impamvu: Uburenganzira bwo gukora ubushakashatsi

Bwana;

Nshingiye ku ibaruwa yawe yo kuwa 20 nzeri 2010 wanditse usaba uburenganzira bwo gukora ubushakashatsi ku bijyanye n'uko abaturage babona igikorwa cyo kwandikisha ubutaka, uruhare rw'abo muri icyo gikorwa ndetse n'umumaro w'icyo gikorwa;

Ndakumenyesha ko ubwo burenganzira bwemerewe nk'uko wabisabye. Ndagusab kandi kwegera Abanyamabanga Nshingwabikorwa b'Utugari twa **Gitarama, Gifumba na Remera** kugira ngo ubagezeho gahunda yawe y'igihe uzajya ubonanira n'abaturage ndetse n'ibindi bisobanuro wakenera. Nk'uko kandi nabo mbageneye kopi, basabwe kugufasha.

Ugire amahoro.


MUGUNGA Jean Baptiste

Umunyamabanga Nshingwabikorwa

w'Umurenge wa **Nyamabuye**

Bimenyeshejwe

Madamu Ushinzwe Ibikorwa byo kubarura ubutaka mu Karere ka Muhanga

Madamu Umunyamabanga Nshingwabikorwa w'Akagari ka Gifumba

Bwana Umunyamabanga Nshingwabikorwa w'Akagari ka Gitarama ✓

Bwana Umunyamabanga Nshingwabikorwa w'Akagari ka Remera

DUKORANE UMURAVA DUTERE IMBERE

Appendix 4. Literature review

	Reference	Useful information	How useful
General understanding of “community perception”			
1	(Afon, Abolade, & Okanlawon, 2006)	Attitude, feelings of the community towards environmental hazards. Questionnaires to parks’ permanent and transit users.	<p>These eleven documents have different ways to define the concept “community perception” and different approach to collect data about it. Therefore, they discuss a set of other relating concepts such as community appreciation, attitude, awareness, behaviour, beliefs, conception, knowledge, thoughts, understanding and many more.</p> <p>The review of those article gave us a general understanding of what community perceptions are and allowed to retain the following definition:</p> <p>The community perceptions towards the land registration programme means their awareness and appreciation towards the programme</p>
2	(Braam, 2004)	Attitudes vis-à-vis values, ideologies and behaviour. Survey questionnaire, interview and direct observation to gather perceptions of teachers, parents and learners, so that there is acceptance of an appropriate language policy.	
3	(Brooker, et al, 2001)	Local community’s willingness to participate and views on key aspects that affect acceptability and sustainability of the programme. Interview and focus group discussions.	
4	(Chesoh, 2010)	Process of attaining awareness and understanding. The members of the community must be allowed to use their own views and convictions to address the specific conditions and problems prevailing in their community (power plant in this case). Quantitative and qualitative mixed approach. Structural questionnaires were used as informant interviews.	
5	(Green, 1999)	Community perception on “town character” is the meanings related to the community’s conception of town character. Methods used include “rating scales” that reflect respondent’s judgements of the perceived similarity or dissimilarity between stimulus elements.	
6	(Liefoghe, et	Beliefs, knowledge and understanding that influence community behaviour and	

	al., 1997)	compliance.	As far as the data collection methods are concerned, of course a good way to collect information from the community is to approach them, discuss with them and observe them acting. Taking into account all the methods used by the mentioned authors and given the fact that the present research focuses on perception towards a programme in implementation, we selected three methods: interviews, group discussions and observations
7	(Marschlavelli, Hadi, McCall, & Kingma, 2009)	Qualitative analysis using focus group discussions People's knowledge on flood risks and their participation in the mitigation process. Household interviews and building inventory GIS and ILWIS tools have been used during the analysis of data	
8	(Muscelwhite & Herath, 2004)	Community attitude and values towards the Australian forest policy.	
9	(Peluso & Blay, 2004)	Public beliefs and attitudes concerning mental disorders. The paper is a literature review	
10	(Schrader, 1995)	Awareness, understanding and attitudes of the landowners towards land management.	
11	(Ulukanligil, 2006)	Data collection by mail with survey questionnaires Community awareness of the programme, knowledge of the benefits and the compliance. Parents and teachers interviews through questionnaires, focus group discussions and in-depth interviews	
<i>Community perception on land registration</i>			
12	(Deininger & Feder, 2009)	Land registration improves tenure security with benefits manifesting themselves in higher investment, facilitate land rental and market. The authors argue about the important role held by the community members in providing and accessing information.	The community is central to the land registration; they provide and use the information from registration. But do they perceive that?
13	(Zevenbergen, 2004)	The paper focuses on the three main functions from the land administration dynamic model (adjudication, transfer and subdivision) and trustworthiness in land registration.	Of course trustworthiness is something important to be looked at when studying community and their perception towards any governmental programme

14	(Törhönen, 2001)	We read in the article the Cambodian method of systematic land registration consisting of six parts: public information, adjudication, demarcation, surveying, documentation and appeal. The problems that the programme faces especially in rural areas and the particular role to be played by the community.	
15	(Törhönen, 2004)	This article investigates sustainability of land tenure and land registration in developing countries. It concludes that the success of tenure reforms is enabled by strong community participation and control.	
16	(Sar, 2007)	The paper focuses on procedure of systematic land registration, participation, capacity development, team work, and the measures of good governance adopted in the systematic land registration. According to the paper, the experiences indicate that the effectiveness of the titling system is reached through broad participation of local people in the process and the fact that the registration work is built trust in land registration system.	The papers emphasize the crucial role to be played by the community in the land registration. Therefore, their involvement depends much on their perception on the registration and vice versa. That's why a study on their perceptions is necessary.
17	(Feder & Nishio, 1998)	There is always higher output/income expected as far as land registration is concerned. However, there are prerequisites for land registration to be economically viable and social aspects which need to be considered when designing a land registration system: "Landholders should be closely involved in the registration process. <i>Land registration can be difficult and unfair unless the potential beneficiaries and their neighbours are called upon to provide evidence and documents, preferably in an on-site situation together with neighbours, and are asked to discuss boundaries, give testimonies about other residents, etc.</i> "	
18	(Atwood, 1990)	In the process of land registration in Africa many alternatives have to be taken in account since the costs of land titling may be quite high, and its effects contrary to expectations	The SLR in Rwanda may face same situation where alternatives could be envisaged and costs of registration controlled to avoid community rejection and make the programme successful.
19	(Paudyal & Sharma, 2006)	In Nepal: The function of land adjudication is to resolve disputes and uncertainties pertaining to who owns what property.	Do community in Rwanda perceive this function? For the purpose of this research, there has been emphasis on what the community expect from the land registration and adjudication in particular.
20	(Rubasinghe, 2010)	Attitude and perception, trust and trustworthiness, awareness and participation by the community are some of the most important factors to be considered for a land titling	The Rubasinghe thesis gives angles on which we looked at while studying the reasons that make

		programme to be accepted.	people refusing to participate in the land adjudication process.
21	(UNECE, 2005)	Good land registration promotes an active land market and productive land use. It makes possible the security of tenure and the development of a mortgage market on which a functioning economy depends.	The community perceptions on the SLR concerning the anticipated benefits of land registration as highlighted in the UNECE publications.
22	(Firmin-Sellers & Sellers, 1999)	The paper examines the contradictions between the state legislation and the customary law for the land titling programme to be accepted by the community in Cameroon.	Contradictions between existing and usual land management system and the new 2005 OLL are also to be foreseen as they can influence much the perceptions of the community towards the SLR.
23	(Griffith-Charles & Opadeyi, 2009)	The potential of achieving the benefits of land registration programmes requires the design of a process that suits the local socio-economic environment.	Rwanda as a country has its own socio-economic environment concerning land tenure, land transfer and land management in general. The past or already established environment has an influence on the perception of the changes now operating in the land management regimes.

Land registration in Rwanda, involvement of and benefits to the community

24	(André & Jean-Philippe, 1996)	The document exposes the nature and the consequences of land disputes in Rwanda. It goes farther and talks about the changing land tenure that characterised Rwandans before and after the 1994 Genocide.	The information from this document is crucial for this research as it allows to learn the past land management and thus gives an image on possible origin of the perception of the community nowadays towards the SLR.
25	(Rurangwa, 2002)	The papers relate among other points the actual reforms embarked by the government of Rwanda, the problems underway, their source and possible solutions. However, the need for capacity building is evoked in particular.	A wider understanding of the land tenure regularisation and the SLR in particular is given in the paper. Hence, we got to confront the community perceptions on the SLR to the lack of qualified people to implement SLR programme.
26	(Sagashya & English, 2009)		
27	(Musahara & Huggins, 2005)	The customary behaviours that characterised the ancient land tenure regimes in Rwanda, their weaknesses and the need for a statutory regime that can regularise tenure and provide security to the community.	Do community perceptions on the SLR come from the past customary land tenure regimes?

28	(Musahara, 2006)		
29	(MINIRENA, 2007)	Results of Preparatory Field Consultations in Four Trial Districts.	This report has been produced before the actual start of the SLR. It gives an image on the general awareness of the community in the four Districts about the 2005 OLL, the LTR and the SLR.
30	(MINIRENA, 2008a)	Results and analysis of the results of the phase 1 of the National Land Tenure Regularisation Programme.	Here are exposed the procedures followed by the SLR, the role of each stakeholder and the role of the community in particular since it has been reported that there is a great need to sensitise the community and encourage their participation.
31	(MINIRENA, 2008b)	Results and Analysis of field Land Tenure Regularisation in Four Trial Districts (Karongi, Kirche, Gasabo, Musanze)	
32	(GoR, 2005)	The Organic Law determining the use and management of land in Rwanda	This law constitutes the basis of the now ongoing LTR in Rwanda. Each and every stage refers to the law before any decision or detailed plan to follow.
33	(NLC, 2007)	Operational Manual for the Regularisation of Land Tenure in Rwanda.	This document explains in detail about the implementation of the LTR in Rwanda.