

Land Capacity Building Working Group Report

December 2015
Strategic Objective 1

By
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Prepared For

U.S. Agency for International
Development
USAID/Rwanda Democracy and
Governance Office
Contract No. AID-696-C-12-
00002

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LAND CAPACITY BUILDING WORKING GROUP REPORT

December 2015

This report is made possible by the support of the American People through the United States Agency for International Development (USAID)

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LAND CAPACITY BUILDING WORKING GROUP REPORT

LAND PROJECT

Contract No. AID-696-C-12-0002

Chemonics International, Inc.

Recommended Citation: Masengo Fidele, December 2015. *Land Capacity building working group*. Kigali, Rwanda: USAID | LAND Project.

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INTRODUCTION

This report contains findings from interviews with representatives of institutions involved in Land Capacity Building activities. It describes these representatives' achieved and planned capacity building activities, identifies potential duplications of effort, and includes recommendations from the inaugural working group meeting.

I. BACKGROUND, OBJECTIVES AND METHODS

The Government of Rwanda (GOR) emphasizes strong land administration, security of tenure, and land-based investments as critical to increasing agricultural productivity and reducing rural poverty. As mandated in the Rwanda's second Economic Development and Poverty Reduction Strategy (EDPRS2)¹ and other policy documents², the Rwandan land administrative structure continues to develop. The central governing body of the land sector has a high level of capacity and a well-conceived structure for decentralized support, and has proved its ability to design and execute programs. Yet, there is a continuing need for the comprehensive and consistent coordination of land sector capacity building stakeholders to ensure their respective capacity building plans and training materials are harmonized, accurate and responsive to the needs of the land sector.

Lack of comprehensive and up-to-date information on land-related capacity building activities conducted by land sector stakeholders can result in overlapping, uncoordinated, and even conflicting efforts.

Through the leadership of the Rwanda Natural Resources Authority (RNRA) and the support of the USAID LAND Project, the Land Sector Capacity Building Working Group (LCBWG) was created. The working group will facilitate the establishment of an overarching strategy for capacity building stakeholders and help partners coordinate their respective capacity building plans.

It is expected that the LCBWG will:

- Provide expertise and leadership needed to develop priorities and strategic direction for achieving land-related capacity building objectives;
- Provide leadership in determining training needs and capacity building priorities to ensure smooth coordination of various stakeholders;
- Provide expertise and leadership in identifying key capacity building experts who can contribute to the development and delivery of capacity building activities on land matters;
- Produce annual planning of activities to be undertaken by the capacity building stakeholders and ensure the implementation, monitoring and evaluation of all related initiatives;
- Serve as a platform for partners to draft and approve joint training modules, common training methods and other capacity building materials; and
- Serve as a forum for sharing best practices and lessons learned from partner experiences implementing capacity building activities.

In anticipation of the LCBWG inaugural meeting, held at USAID LAND Project offices on October 13, 2015, the LAND Project met with prospective members of the working group to elicit information on land-related capacity building endeavors they have either completed, are currently implementing or are planned for the future. This report summarizes the findings from this assessment of land-related capacity building activities that have been achieved since

¹ Economic Development and Poverty Reduction Strategy II, document accessible on http://www.rdb.rw/uploads/tx_sbdownloader/EDPRS_2_Main_Document.pdf.

² Rwanda Vision 2020, document accessible on <http://www.rwandachamber.org/rwanda+vision+2020>.

2012, as well as planned activities to address capacity gaps, as reported by LCBWG members. It highlights the institutions involved, their capacity building activities, target audiences, subject matter, time period of implementation, and other available details. The report also includes recommendations of LCBWG members, as they were expressed in the inaugural meeting.

This assessment elicited information from land sector stakeholders that have a vested interest in land-related capacity building. These stakeholders included government agencies, civil society organizations (CSOs), private sector partners, and donors. The author recognizes that some land sector stakeholders may have been inadvertently excluded from this assessment, while others that were contacted by the LAND Project opted not to participate. Therefore, their activities are not included in the report.

The Consultant tasked to lead the assessment organized it in three phases:

1. A preparatory phase during which meetings were organized with key stakeholders. The meetings included an interview on the stakeholders' achieved and planned land-related capacity building activities. The Consultant interviewed RNRA, RCN *Justice et Democratie*, Rwanda Institute for Sustainable Development (RISD), HAGURUKA, Department For International Development's (DFID), Rwanda Association of Local Government Authorities (RALGA), National Capacity Building Secretariat (NCBS), and USAID LAND Project.
2. A data collection stage during which all stakeholders involved in land capacity building activities were given an information form designed to collect the data on all achieved and planned capacity building activities. The following stakeholders submitted completed forms: RNRA, RCN, HAGURUKA, RALGA, and Legal Aid Forum (LAF).
3. An inaugural LCBWG meeting during which stakeholders gathered to discuss their capacity building activities. The following members attended: RNRA, RCN, HAGURUKA, NCBS, USAID LAND Project, and LAF.

II. MAIN FINDINGS OF THE ASSESSMENT

This section presents the main findings and recommendations, beginning with a summary of stakeholders contacted by the Consultant, as well as the status of the information collected.

Table 1: Interviewed stakeholders and status of information collected

Targeted Institution	Interview & LCB information form sent	Status
RALGA	Yes	Information collected
Haguruka	Yes	Information collected
RISD	Yes	Information not provided
NCBS	Yes	Information not provided
RCN	Yes	Information collected
Legal Aid Forum	Yes	Information collected
RNRA	Yes	Information collected

The land-related capacity building assessment revealed that LCBWG members – including the public sector (RNRA), the private sector (RALGA and the LAND Project), and CSOs (Haguruka, RCN and Legal Aid forum) – have led numerous capacity building activities. Significant resources have been devoted to short-term trainings (including TOT), seminars, and sensitization. Long-term (e.g. university) courses were not reported in the assessment.

While the Government funds some land-related capacity building activities through its regular budget, donor partners provide the majority of funding for these activities. The following table provides details on the completed capacity building activities reported by LCBWG members with the exception of RNRA. Given the role played by RNRA as the overall institution involved in training local land administration staff and the unique content of this training, training provided by RNRA is presented separately in sections II.1 and II.2.

Table 2: Achieved land-related capacity building activities

Target Audience	Subject, Content & Training Period	Implementer & Funding Source	Tools Available? (Yes/No)
All District One Stop Centers (OSCs); Vice Mayor Fed; Chairperson of Economic Commission	<p>Subject: Training of Trainers</p> <p>Content: Land use management, National Land Policy, Land Law, land registration.</p> <p>Period: October- December 2013</p>	RALGA w/ funding from VNG International	Yes
All District Land Officers	<p>Subject: Training on GIS applied to land management and valuation</p> <p>Content: Cartography and mapping, vectorisation processing, topology, analyzing spatial data with geo referencing.</p> <p>Period: October- December 2014</p>	RALGA w/ VNG International	Yes
Sector Land Managers	<p>Subject: Training of sector land managers on Geospatial data collection and ICT for land administration</p> <p>Content: Introduction to ICT linking the geospatial technologies, geospatial data capturing (GPS receivers, digitizing scanners, etc.) and practice exercise based on case studies, etc.</p> <p>Period: August –September 2015</p>	RALGA w/ VNG International	Yes
Haguruka lawyers & human rights CSOs jurists	<p>Subject: Women’s land rights in Rwanda</p> <p>Content: 2013 Land Law; land rights for women and vulnerable groups.</p> <p>Period: April 2013</p>	Haguruka and USAID LAND Project	Yes

Haguruka paralegals & NWC volunteers	<p>Subject: Legal framework governing land</p> <p>Content: 2013 Land Law and other related laws.</p> <p>Period: December 2013</p>	Haguruka and USAID LAND Project	Yes
Haguruka paralegals & NWC volunteers	<p>Subject: Legal framework governing land and climate change adaptation</p> <p>Content: 2013 Land Law; Expropriation law, GCC adaptation matters principles</p> <p>Period: March -April 2015</p>	USAID LAND Project	Yes
Haguruka lawyers & CRAFT Members	<p>Subject: Legal framework governing land and climate change adaptation</p> <p>Content: 2013 Land Law and implementing regulations; other land-related laws; Expropriation Law, Principles relating on GCC adaptation matters.</p> <p>Period: March -April 2015</p>	USAID LAND Project	Yes
26 sector-level NWC members from Kayonza and Nyagatare Districts	<p>Subject: Refresher training on different land-related laws</p> <p>Content: 2013 Land law, Succession Law, mediation techniques and methods of dispute resolution.</p> <p>Period: November 2014</p>	Haguruka with support from LANDESA Project	Yes
Haguruka Paralegals	<p>Subject: Women's access to land</p> <p>Content: Key provisions from Land and Succession Laws</p> <p>Period: May 2013</p>	Haguruka w/ support from RCN	Yes
Monitoring Surveyors	<p>Subject: Survey and advocacy on women land rights</p> <p>Content: Survey techniques and advocacy on women's land rights</p> <p>Period: June and December 2013</p>	Haguruka w/ support from RCN	Yes
Advocacy, village leaders, MAJ Legal Assistance Providers, & CSO representatives	<p>Subject: Women's access to land</p> <p>Content: Equal rights principles, Succession Law, GBV Law, etc.</p> <p>Period: May- October 2013</p>	RCN	Yes

Abunzi committee members & local leaders	<p>Subject: Land conflicts resolution</p> <p>Content: 1999 Succession Law, 2008 GBV Law</p> <p>Period: January- March 2015</p>	RCN	Yes
30 District-level paralegals representing all Districts	<p>Subject: Training of 30 paralegals at District level for 3 days.</p> <p>Participants were from HAGURUKA, Lawyers of Hope, CESTRAR, AJEPRODHO, HUMAN RIGHTS FIRST RWANDA ASSOCIATION, AVEGA, ADL, ADEPE.</p> <p>Content: 2013 Land law and application orders; Expropriation law; Succession law; Civil procedures; Case management; Report writing</p> <p>Period: June 2015</p>	LAF w/ support from OXFAM	Yes
Stakeholders & MAJ staff	<p>Subject: Development & harmonization of TOT modules for the capacity building of Abunzi.</p> <p>Content: Land and related laws; child' rights; civil procedures; GBV Law; mediation techniques; criminal procedures. This did not include training.</p> <p>Period: June-August 2015</p>	LAF w/ support from OXFAM	Yes
Abunzi Committees in the Eastern Province	<p>Subject: Development of TOT and legal empowerment modules</p> <p>Content: <u>TOT modules:</u> Land and related laws; child' rights; civil procedures; GBV Law; mediation techniques; criminal procedures; Succession Law; mediators' code of ethics. Legal empowerment modules: Legal procedures; land laws, succession/inheritance; & enforcement of court judgments. This did not include training.</p> <p>Period: 2013</p>	LAF w/ support from IRC	Yes

Paralegals from LAF member organizations	<p>Subject: Training of 198 Paralegals in Rwamagana, Muhanga and Rubavu</p> <p>Participants (paralegals) were from the following Legal Aid Forum member organizations: AVEGA, HAGURUKA, AJEPRODHO, LAWYERS OF HOPE, HUMAN RIGHTS FIRST RWANDA ASSOCIATION, ARDHO, COSYLI, MPEDH, AVEGA, INALAS, AJPRODHO, MDD, CESTRAR, ADL.</p> <p>Content: 2013 Land Law; GBV Law; and enforcement of court judgments and Abunzi decisions</p> <p>Period: March-September 2014</p>	LAF w/ support from OXFAM	Yes
Legal Officers & Paralegals from LAF member organizations	<p>Subject: Training of 33 Legal Officers from LAF members and Paralegals</p> <p>Participants (legal officers and paralegals) were from SURF, LAWYERS OF HOPE, CLADHO, IRC, LIPRODHOR, AJPRODHO, Corps de Defenseurs Judiciaires, TI-RWANDA, ARCPDG, ADL, COSYLI, AVEGA, SJI, ARPAD, INALAS, NURLAC, MDD, COPORWA, HUMAN RIGHTS FIRST RWANDA ASSOCIATION, MPEDH, IBUKA, ADEPE, RCN, HAGURUKA, ULKLAC, NON CRIME RWANDA, ARDHO.</p> <p>Content: 2013 Land law, expropriation law, civil and criminal procedures, law governing enforcement of court decisions</p> <p>Period: October 2013</p>	LAF w/ support from the Netherland Embassy	Yes

All LCBWG members indicated that they plan to remain engaged in trainings and capacity building activities; however, most respondents either did not have trainings planned or had limited information on planned trainings. Table 3 summarizes the information on planned activities reported by LCBWG members.

Table 3: Planned land-related capacity building activities

Target Audience	Subject, Content & Training Period	Implementer & Funding Source	Tools to be Developed
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			? (Yes/No)
Primary Court judges & MAJ legal assistance providers	<p>Subject: Opportunities for improving provision of legal services, esp. application of law in regards to women's land rights</p> <p>Content: TBD based on review and analysis of of Court Judgments & MAJ legal guidance on women's property rights cases.</p> <p>Period: November 2015</p>	Haguruka w/ support from USAID LAND Project	Yes
District/ City Of Kigali Coordinator of One Stop Centers	<p>Subject: New land management benchmarking</p> <p>Content: New self -assessment indicators; analysis of benchmarking data; sharing and discussing findings.</p> <p>Period: November 2015</p>	RALGA, Districts & City Of Kigali w/ support from Cooperation Agency of the Association of Netherlands (VNGI)	Not yet known
TBD	<p>Subject: Update available training materials on land management to integrate them in the Local Government Institute (LGI) curriculum & develop land management related course through LGI</p> <p>Content: TBD</p> <p>Period: TBD</p>	RALGA, Districts & CoK w/ support from VNGI	Not yet known
Paralegals from LAF member organizations	<p>Subject: Three-day paralegal training sessions</p> <p>Content: Land Law & 2015 law governing expropriation</p> <p>Period: 2016</p>	LAF	Yes

1. Need assessment carried by RNRA and areas of training

RNRA Department of Lands and Mapping carried out a Training Needs Analysis (TNA) exercise in September 2014. This TNA was focused on assessing the immediate training needs of land administration staff at RNRA central government office, plus District and Sector land staff. The assessment results identified some gaps in competencies which need to be quickly addressed through training and learning interventions. Key among them was an urgent need for training for the newly appointed Sector Land Managers, District Land Administration staff, and RNRA, Department of Lands and Mapping staff.

In response to the needs identified, RNRA management developed five modules, which address land law, land administration, land use planning, GIS and customer care.

Specifically, the key areas of competencies are:

- The National Land Policy;
- Land use management, planning and development;
- The Law Governing Land in Rwanda;
- Land registration forms and land governance;
- Land taxes, fees and sub- leases; and
- The law on succession; and
- The law on expropriation.

The Customer Care training covers these four main areas:

- Interpersonal communication skills
- Communication: Effective listening
- Communication: Presentation skills
- Handling emotive interactions: Emotional intelligence

2. Trainings conducted by RNRA

Several training activities were conducted by RNRA. In total **326** Sector Land Managers were recruited, trained and took oaths as Land Notaries. Among those trained, 72 received training on the introduction to land law, land administration principles and concepts, land use planning and customer care services. A second group of 146 were trained in only three modules and a third group of 108 received training on only the first module. Table 4 presents the details of these trainings.

Table 4: RNRA Achieved Training Activities

Target Audience	Subject, Content & Training Period	Implementer & Funding Source	Tools Available? (Yes/No)
District Land Managers, SLMs, District Land Officials, and other recommended staff from Land and Mapping Department	Content: Introduction to Land Administration module. Period: August 2015	RNRA	Yes
District Vice Mayor in charge of Finance and Economic Development); Sector Executive Secretaries	Content: Land law, land administration and expropriation law Period: August/September 2015	RNRA	Yes
District Land Managers; SLMs, District Land Officials and other recommended staff from Land and Mapping Department	Content: Land use planning. Period: October 2015	RNRA	Yes

District Land Managers and IT team	Subject: LAIS environment training, enterprise architecture design, networking training, software auditing Period: August- September 2015	RNRA	Yes
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3. RNRA planned capacity building activities (September 2015 - June 2016)

Table 5 presents the RNRA's planned land-related capacity building activities.

Table 5: RNRA Planned land-related capacity building activities

S/N	Planned Trainings & Events	Target Audience	Responsibility in DLM	Date/Time Location
1	Induction training and swearing-in as Land Notaries	<u>5th group of SLMs:</u> 47 new SLMs from Rusizi, Rutsiro Gicumbi and Nyabihu district.	DLA, DRLT (East & North), Legal Advisor and Eastern Province land registration professionals	28 September - 2 October 2015 Rwamagana District, Dereva Hotel
2	Land use planning & development / land administration	<u>2nd and 3rd groups of SLMs:</u> 147 Sector land managers divided in two groups	Professionals in charge of land use planning and land registration	9-13 November 2015 Huye District, <i>Bonni Concilii</i> Hotel
3	Land administration and land laws	<u>4th and 5th groups of SLMs:</u> 123 sector land managers divided into two groups	DLA, DRLT (professionals in charge of land registration in the Western Province and legal advisor)	16-20 November 2015 Nyanza District, Dayanu Hotel
4	Induction training and swearing-in as Land Notaries	<u>6th group of SLMs:</u> 90 Sector land managers in the remaining districts (Burera, Nyagatare, Ruhango, Gatsibo, etc.)	DLA, DRLT (professionals in charge of land registration in the Eastern and Northern Provinces and legal advisor)	7-10 December 2015 Rwamagana District, Dereva Hotel
5	Land use planning & development/land administration	<u>4th and 5th groups of SLMs:</u> 123 sector land managers divided into two groups	Professionals in charge of land use planning and land registration	12-16 December 2015

				Musanze District, Lapalme Hotel
6	Land administration and land laws	6 th group of SLMs: 90 Sector land managers in the remaining districts (Burera, Nyagatare, Ruhango, Gatsibo, etc.)	DLA, DRLT (professionals in charge of land registration in the Western and Northern Provinces and legal advisor)	11-15 January 2016 Rubavu District, Dian Fossey Hotel
7	Customer care module	147 sector land managers divided in two groups	DLA/UR Consultants	26-30 January 2016 Rwamagana District, at Dereva Hotel
8	Customer care module	123 sector land managers divided into two groups	UR Consultants	1- 5 February 2016 Nyanza District, Dyanu Hotel
9	Land use planning & development/land administration	6 th group of SLMs: 90 Sector land managers in remaining districts (Burera, Nyagatare, Ruhango, Gatsibo, etc.)	Professionals in charge of land use planning and land registration professionals	22-26 February 2016 Classic Hotel
10	GIS modules	56 SLMs divided into two Groups	GIS professionals	14-18 March 2016
11	Customer care module	90 SLMs in remaining districts (Burera, Nyagatare, Ruhango, Gatsibo, etc.)	UR Consultants	21-24 March 2016 Bonni Concili Hotel
12	GIS modules	147 SLMs	GIS professionals	18-15 April 2016
13	GIS modules	123 SLMs	GIS professionals	2– 6 May 2016
14	GIS modules	90 SLMs	GIS professionals	16-20 May 2016

III. ANALYSIS OF DATA COLLECTED

Analysis of the table presenting trainings carried out and planned reveals several duplications in the various capacity building activities. There are equivalent training activities by RALGA and RNRA delivered to the same audience. For example, the same training content was given to Vice Mayors in charge of Finance and Economic Development by both RNRA and RALGA. Similar content was also delivered to District Land Managers and Sector Land Managers by the two institutions. This issue is mainly a result of poor coordination among the stakeholders involved in training.

Other organizations have also delivered trainings to the same audiences with notable similarities in the overall content. For instance, USAID LAND Project, Legal Aid forum, Landes and RCN have all delivered training to Haguruka paralegals on the 2013 Land Law and the 1999 Succession Law within a space of two years. USAID LAND Project and LAF also recently trained Haguruka paralegals on the 2007 Expropriation Law. While there were differences in the extent of paralegals trained, it nevertheless seems likely that several paralegals were trained on the same material more than once. This type of duplicative training underscores the need for information sharing and coordination among capacity building providers in the sector to ensure their respective efforts are complementary and leverage one another, and avoid delivering the same material to the same audience within a short time frame. One of the major objectives of the Land Capacity Building Working Group is to streamline land-related training efforts. Specifically, through the group developing a joint capacity building strategy based on defined training needs and objectives for different audiences, training providers will be able to agree on which provider is best equipped to train which audience in a particular subject matter at a given time and using a commonly developed curricula that draws on the group's joint knowledge and expertise.

IV. INAUGURAL WORKING GROUP MEETING AND RECOMMENDATIONS

RNRA in collaboration with USAID LAND Project organized the inaugural LCBWG meeting on October 13, 2015. The Acting Deputy Director General of RNRA chaired the meeting. Sam Biraro from RNRA presented on RNRA's achieved and planned capacity building activities. The Consultant then presented the findings from the assessment on the achieved and planned activities from other land capacity building stakeholders. A lively discussion followed the two presentations, during which members identified a range of issues and opportunities for that should be addressed by the LCBWG. Their recommendations and comments stemming from that discussion are as follows:

1. GOR, its partners, and CSOs are committing significant resources to capacity building.
2. Support for capacity building is widespread, but many activities are fragmented, duplicated and carried out in an *ad hoc* manner. For example, various trainings activities carried out by RALGA were also done by RNRA for the same audience.³ Similar duplications occur for trainings provided to paralegals by LAND Project, RCN, Landesa and Legal Aid Forum. There is a lack of the communication between various stakeholders and unwillingness to share training materials. Organization of various training courses occurs during the same season, affecting trainee availability. Moreover, there is a lack of coordination among several donors.
3. There is a need for better coordination and information-sharing in order to avoid duplication. Yet, there still an issue of capacity to deliver capacity. RNRA which is the government institution responsible for land capacity building coordination and implementation of capacity building efforts is lacking staff to assume this role. The one staff person in charge of land capacity building is not able to properly assume this role given the challenges observed in supervising and coordinating various stakeholder training activities.
4. The LCBWG should facilitate the establishment of an overarching strategy for land-related capacity building and help partners work together to ensure their respective training plans and material are coordinated, accurate and consistent with the strategy.
5. A national capacity building development policy is needed to provide a framework for short, medium and long-term human resources investment.

³ RNRA representatives said that they planned to meet with RALGA to address the issue.

6. The LCBWG can better facilitate dialogue, information exchanges, and sharing of best practices among all stakeholders.
7. Efforts to build capacity in local government should be intensified and accelerated given their critical role in service delivery.
8. Efforts to build capacity of CSOs should be intensified and accelerated given the critical role they play in advocacy.
9. There are insufficient mechanisms to systematically assess the impact of this support on capacity creation, utilization and retention. To ensure the effectiveness of land capacity building activities, regular monitoring should be conducted.

CONCLUSION

Land-related capacity building is an essential tool to support land management and the implementation of land law and policies. Several capacity building activities have been accomplished. Several more are planned, but coordination and avoidance of duplication is currently a problem. There is a need to build on existing training efforts and materials to ensure consistency in the content and quality of trainings. In order to help RNRA and other land sector stakeholders solve this issue, USAID LAND Project and RNRA will draw on the efforts of the LCBWG to elaborate a 3-5 Year strategy to coordinate land related capacity building activities and also work to develop common curricula and training material for particular audiences.