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LAND PROJECT, RWANDA

**Proceedings of a National Research Forum to Present Findings on
Urban Land Markets and on Gender and Land Rights
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Proceedings of a National Research Forum to Present Findings on Urban Land Markets and on Gender and Land Rights

27th June 2014

Kigali, Rwanda

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INTRODUCTION

On 27th June 2014, INES-Ruhengeri together with USAID LAND Project hosted a multi-stakeholder research forum at the Umubano Hotel. The purpose of the workshop was to communicate final research findings from two studies: 1) research carried out by INES-Ruhengeri with LAND Project support to assess the determinants of land market values and the impacts of urban land-related policies in Rwanda and 2) research carried out by LAND Project consultants and staff with support from the GMO on gendered land rights in practice. The forum was attended by key government policy makers, civil society and other non-governmental organizations, researchers, and international partners (see Appendix 1). The workshop format engaged decision makers and other key actors in dialoguing, brainstorming and generating ideas and proposals on new policy directions.

The objectives of the workshop were as follows;

1. Present the findings of the recently completed research and corresponding recommendations;
2. Elicit participant input and discussion on the proposed recommendations for policy and practice;
3. Gather participants' ideas for how final recommendations can most effectively influence policy and practice to support:
 - Dynamic and socioeconomically diverse urban environments, and
 - Gender equality in land rights.

The half day workshop was characterized by very interactive sessions comprised of presentations followed by plenary discussions and structured small group discussions.

SESSION I: WORKSHOP OPENING

Welcome remarks from Mr. Guillaume Bucyana, Governance Specialist, USAID

Mr. Guillaume Bucyana began by welcoming participants to the workshop and noted that the Land Project is now 5 years in Rwanda. He also informed participants that INES-Ruhengeri has conducted high quality, evidence-based research addressing urban land market values and policies. He thus congratulated INES for the excellent work done. Mr Bucyana went on to thank the Government of Rwanda and other partners that contributed to the success of the research. He also thanked the Chief of Party of USAID-Land Project for her dedication in directing the research.

Welcome remarks from Rev. Fr. Dr. Fabien Hagenimana, Vice Rector of Academics, INES-Ruhengeri,

The Vice Rector welcomed all participants on behalf of INES-Ruhengeri. In his speech, the Vice Rector noted that urban land issues are rising in Rwanda and yet the effects of such urban land dynamics on people's livelihoods and tenure security have only been scantily studied. Therefore, INES Ruhengeri was selected on a competitive basis by the USAID-

sponsored LAND Project to undertake this research. The Vice Rector expressed his gratitude to USAID noting that indeed through the research, the capacity of INES-Ruhengeri has been enhanced. He thanked the Government of Rwanda, especially Rwanda Natural Resources Authority RNRA, Ministry of Environment and Natural Resources, National Institute of Statistics of Rwanda, other government partners, and all the interviewees who contributed to the success of the research. He expressed his wish that the collaboration would continue to grow.

Workshop background and objectives by Ms. Anna Knox, Chief of Party, USAID LAND Project,

Ms. Anna Knox reminded the workshop participants that the research on urban land markets had emanated from the September 2012 National Land Research Agenda Workshop, a multi-stakeholder workshop led by the LAND Project to identify key, policy-relevant research priorities on land. The outcome of this workshop was the selection of three research topics for LAND Project support, including the research on urban land market which was awarded to INES-Ruhengeri on a competitive basis. The research was done in partnership with Prof. Rashid Hassan from the University of Pretoria who did a tremendous job in building the capacity of the research team. Ms. Knox emphasized that one of the overarching objectives of the LAND Project is to strengthen the capacity of Rwandan organizations to do empirical research.

SESSION II: PRESENTATION OF RESEARCH ON LAND MARKETS, URBAN LAND POLICIES, AND THEIR IMPACTS IN URBAN CENTERS OF RWANDA

Presentation of the INES research team by the research team leader by Ms. Selina Khan

Ms. Selina Khan acknowledged the research team for the hard work and introduced each member and the roles he/she played during the research as follows;

- | | |
|----------------------------|---|
| 1. Ms. Selina Khan | Team Leader |
| 2. Ms. Violet Kanyiginya | Results interpretation |
| 3. Mr. Wilson Tumusherure | Economist |
| 4. Prof. J.B Kiema | Report writing |
| 5. Dr. Monica Lengoiboni | Researcher-urban land policies |
| 6. Mr. Valence Ngabo | Data Analyst |
| 7. Mr. Jean Damascene Sisi | Research policy and advocacy |
| 8. Prof. Rashid Hassan | External partner-University of Pretoria |

Introduction and methodology by Prof. J.B. Kiema

The study employed the hedonic pricing model to investigate the determinants of urban land values in Rwanda. The study also evaluated outcomes emerging from existing urban planning and policy measures, including titling, zoning, land use master plans, expropriation and

resettlement. The study covered all four provinces and the City of Kigali and used a multi-stage stratified random sampling method to select a total of 1,260 households for the survey.

Presentation of key findings on trends of urban land values and their determinants by Mr. Wilson Tumushere

Mr. Tumushere presented various key findings drawn from the sample of household survey respondents , including:

- The value of developed land in urban areas is much higher than that of undeveloped land.
- There is more property ownership as opposed to renting in Rwanda.
- The vast majority of respondents possess a land title for their property.
- 85% of the sample reported not using mortgage financing to acquire property.

Urban population growth and income growth are key drivers of urban property values. The determinants of urban land values were found to be: the cost of further developments to the property as well as the time when such investments were made, the location of the property, the type of property (bungalow, group of enclosed house, multi-story house), the presence of a flush toilets inside the house, and proximity of the property to all weather roads and recreation facilities,

Presentation of Key Findings on Outcomes of Policy Measures

It was reported that zoning was correlated with an increased likelihood of people possessing property titles, being safe and living near the Central Business District (CBD). Also households residing in areas where zoning policies are implemented have better access to public facilities and enjoy better housing standards, whereas people living in unzoned areas tend to have lower education, income, and access to public services.

Among the characteristics of the expropriated people interviewed for the study, the majority have a lower education, are from low income groups earning Rwf 100.000 or less per month, and are female headed households. Most of those expropriated population has been compensated financially, but the study could not establish if they had been compensated for other losses associated with the displacement, such as loss of access to services, schools, transports, jobs etc..

From the results, three recommendations were emerged:

- ✓ Revise master plans to cater for more subsidized housing for low income groups.
- ✓ While they are good reasons for expropriation in the public interest, negative impacts particularly on vulnerable social groups should be mitigated.
- ✓ Further research is needed on those who have been expropriated to assess the impacts on their livelihoods.

A copy of the presentation can be found in Appendix 2.

SESSION III: PLENARY DISCUSSIONS

This following comments and questions were submitted by participants following the presentation:

- The Multi-criteria approach to sampling is important to ensure a mixture of different social and income groups.
- It is important to investigate the reasons behind people's low willingness to use mortgages.
- Most people in Rwanda depend on agriculture and with the changing climate; there is high risk of crop failure so such people fear to commit themselves in getting bank loans.
- How can banks do a better job providing people with access to finance? Why couldn't the research go deeper in mortgage financing?
- Results reveal multi-storied houses as expensive to construct yet these could be the best housing option for a high density population of Rwanda where land is limited. There is need to encourage and promote high-density occupation in Rwanda to increase housing supply. High density does not actually need to go that high to alleviate pressures. Structures of only a few stories are also less costly. The higher you go, the more you need to develop public spaces for recreation, which is costly.
- Need for affordable housing. 90% of urban residents fall into low-income category. However, affordable housing schemes are missing in the Master Plan.
- Do people want to own land for agriculture or for building houses?
- The study is almost blind when it comes to gender. There is need for more disaggregated analysis.
- More research is needed to know the reasons behind the findings of the research, and to understand the impacts of policies on vulnerable groups. More "whys" are needed to inform policy.
- What are the solutions for those who cannot comply with zoned housing standards? There is need to distinguish between expropriation and zoning.
- Investments in urban development should be spread out over the entire country instead of concentrating in Kigali to help attract rural people to urban centers.
- Few options exist for those who are expropriated. The government does not provide affordable housing options for them. Efforts are being made by the GOR to reduce expropriation.

SESSION IV: SMALL GROUP DISCUSSION – ASSESSING POLICY RECOMMENDATIONS

In order to have input and views of participants regarding the recommendations drawn by the research, two groups were formed for a deeper discussion on the recommendations. Two questions were put to participants to guide the discussions:

1. Are the recommendations appropriate?

2. How can the recommendations be integrated into policies, and specifically what can policy makers, NGOs, society do?

Summaries of the discussion highlights follow.

Group 1 Discussion

Question 1: Are the recommendations appropriate?

Participants agreed that the recommendation, ‘use appropriate measures for expropriation’ is vague.– What measures are appropriate? More specific recommendations highlighting measures that policymakers can take are needed.

Participants suggested that the research team should formulate another recommendation about mortgage financing in terms of what policies can be formulated to facilitate access to mortgage finance? Some suggested microfinance as an option. Others felt that microfinance was not a viable option for securing mortgages for property and recommended instituting measures that would ease access of low income groups to conventional bank financing. They acknowledged that commercial bank interest rates were very high and that this was a key barrier together with reluctance of banks to provide long-term loans (e.g. 20 years). The fact that competition between banks in Rwanda is low was seen as a reason that interest rates remain high.

It was suggested that banks fear lending large sums to a single household due to high repayment risk. However, others said that the role of BRD (Development Bank of Rwanda) was to offer long-term loans instead of commercial loans. Some felt credit constraints could be alleviated by sensitizing peoples and training them to do market research and develop good project proposals attractive to banks. It was maintained that the culture of saving among Rwandans is still low. Hence the population should be encouraged and educated to save more.

Age was also seen to be a factor hindering mortgage financing – the mindset is that when you are young you will not be given a loan by the bank – but this is not correct. From the bank perspective, they would not want to provide a mortgage to those over 50, so the younger you are, the better. To change people’s mindsets about taking loans the youth should be educated about the pros and cons of taking loans and how to go about it.

It was suggested that policy recommendation for National Bank of Rwanda were needed.

With regard to affordable housing, some participants felt that the government could incentivize investors to invest in affordable housing, but that measures would need to be put in place to protect investors/developers. The South African Microfinance for Self-help Housing could be a model for Rwanda to consider.

Another option would be for the government to set up public-private sector financing institutions and provide them guidelines to offer reduced interest rate. This will help government to ensure credit is available to affordable housing investors at low interest rates.

One participant asked, what measures should be put in place to cater to the needs of those who are expropriated that go beyond just financial compensation and address other problems arising from being expropriated? Are there any mechanisms in place? The research didn't find any policy on resettlement of the expropriated, which is a big gap.

High levels of expropriation with low compensation were seen as a problem in Rwanda. There is a need to follow up on the expropriated to know where they are going. Is there a way of tracking them? Tracking of the expropriated could be integrated into government policies. So far, policy on expropriation is clear when it comes to compensating for land and development, but silent on other aspects that are part of value of the land (e.g. proximity to employment, schools, services). Perhaps the government or those who implement expropriation should take actions to assess the implications before expropriation, rather than follow-up afterwards. The process of valuation in expropriation should be fair. In hindsight, more questions of expropriation should have been included in household survey in Kigali. There is still a need for more information.

Question 2: How can the recommendations be integrated into policies?

Participants suggested some measures of disseminating the recommendations to policy makers as follows;

- Lobby parliamentarians to revise the expropriation law
- Hold a forum to disseminate results through NGOs and INGOs.
- Inform the Inspector General of Government (*Umuvunyi*) about the recommendations
- Establish an official database on land and housing which the public can access.

Group 2 Discussion

The following points were made by the group participants;

- The recommendations are ambitious – they seem impossible to achieve.
- The population that needs affordable houses is too big while there is a need to increase the housing standards.
- There is need to consider areas in the Master Plan for high density housing. During the design of master plans a consideration of the densities is important to have an appropriate Master Plan.
- In the Master Plan there is no consideration of income levels, but rather population densities.
- Does the Master Plan consider the situation of those who can afford the standards set in the Master plan?
- With the current construction style in Rwanda (single family houses), the main concern is to see how to accommodate the current and future generation of the Rwandan population.
- There is an issue of land scarcity. Why not be strict in the land use plan? The Land use Master Plan is not implemented accordingly. What could be the reasons?
- Secondary cities should be planned according to economic zones

- If you construct housing, whether multi-storied or bungalows, more space is still needed (at least 50% of the construction area)
- There is lack of a resettlement plan
- The trust of people in resettlement depends on the nature of the investments that pushes people to be relocated.

Participants felt the recommendations drawn from the study are fundamental.

It was highlighted that there is another research on expropriation that will be supported by the LAND Project, and this will build on the recommendations.

SESSION V: PRESENTATION OF RESEARCH ON THE GENDERED NATURE OF LAND RIGHTS IN POST-REFORM RWANDA, presented by Dr. Alfred Bizoza and Laura Dick

The study aims inform the further development of policies in Rwanda that can create a gender equitable society, and ensure women and men have adequate access to and control over the land they need to be secure, to flourish and to reach their full human potential. Field research was carried out by LAND Project and the Gender Monitoring Office.

The study's main objectives were: (1) to gather information on the evolution of land rights of women and men in Rwanda, especially land rights in practice, (2) to understand how the legal framework governing land and the land tenure regularization program have shaped gendered outcomes and where remaining gaps exist. Data to inform the study was gathered from 20 sectors covering all four provinces plus Kigali City.

The findings addressed:

1. Women's access to inheritance and *umunani* relative to men's access.
2. Matrimonial property rights and women's control rights over land transfers, land use and land management within the household; and
3. Issues pertaining to informally married women's rights to land;
4. Outcomes on gendered land rights emanating from the 1999 Succession Law and other laws as well as the Land Tenure Regularization (LTR) Program; and
5. Barriers to fair land dispute resolution faced by women.

Key recommendations included:

How to improve the security of informally married, widowed and divorced women's rights to land.

1. Include in the new draft Succession Bill a provision recognizing the property rights of informally married couples (those married in a traditional or religious ceremony or those in co-habitation arrangements) on-par with civilly married couples.
2. Provide rural girls and young women educational opportunities that reduce their economic dependence on men.

*How to strengthen women's ability to claim their *umunani* and inheritance.*

1. Continue to sensitize men on women's legal rights to inheritance and inter-vivos gifts (*umunani*).

2. Provide for children to have rights to equitable values of umunani in the Succession Law.
3. Invest significantly in the creation of rural livelihood opportunities, for both men and women that are not dependent on land.

How to advance women's bargaining power within the household.

1. Sensitize communities on shared decision-making and joint control rights over land between couples.
2. Support skill-based trainings for women on how to communicate effectively, be leaders, present alternatives and prepare budgets.
3. Create opportunities for rural young women to reduce their economic dependence on men, to purchase land if they so desire, and to choose the best time to marry.

How to improve women's access to fair dispute resolution mechanisms.

1. Promote women's recruitment, training and instatement as local authorities at the village, cell, and sector levels.
2. Reform the chain of appeals in the dispute resolution process so that women can, if they so choose, go directly to local authorities with their complaints, rather than to their families and neighbors.

The presentation is attached as Appendix 3.

SESSION VI: PLENARY DISCUSSIONS

After the presentation, a plenary discussion session chaired by LAND Project Communications Specialist Innocent Karangwa. The following questions and comments were offered by participants.

- There is a need to consider how to pave the way for gender equality among future generations. One way is by integrating concerns into primary and secondary school instruction materials and mainstreaming gendered concerns into school curriculums.
- It is important to give security to informally married couples. Do we focus on property or the security of marriage?
- Instead of recognizing the property rights of informally married couples, why don't we focus on encouraging formal marriage?
- How are the rights of those born outside of marriage protected?
- If a couple is legally married and the woman has received land from her family, in cases of separation but not divorce, is her husband able to claim that land?
- When you discuss interviewing older women and older men, how old is old? The question was about the choice made with the respondents categories (both males and females)
- Aren't married women then getting both inheritance from their own families and benefitting from their husband's land? Is this unfair?
- The recommendation to reform the chain of appeals is not clear. Women need accompaniment when it comes to lodging claims. Poor women need to have their awareness raised. It is due to poverty.

- Are you encouraging informal marriage with your recommendation to recognize informal marriages on a par with civil ones? Why don't we instead focus on reducing the barriers to informal marriage?
- For those children born outside of marriage – how do we protect their rights?
- If people are living together and owning property together, this should be sufficient – it shouldn't matter if they're married.
- The succession law is now under revision – now is the time to advocate for changes.
- How does the law distinguish between what was acquired before or after the marriage?

In view of the above, presenters provided some clarifications and responses to the above comments and questions before discussing in small groups.

SESSION VII: SMALL GROUP DISCUSSION – ASSESSING POLICY RECOMMENDATIONS

Two small groups were organized to elicit more input and discussion from participants on the proposed recommendations and how they can most effectively influence policy and practice to support gender equality in land rights. Each group discussed two categories of recommendations in terms of appropriateness of the recommendations and measures necessary to enable them to influence policies.

Group 1 Discussion

This group discussed recommendations from the presentation on how to strengthen women's ability to claim for their *umunani* and inheritance as well as how to improve women's access to fair dispute resolution. The specific recommendations from the study are listed under Session V above.

Participant feedback on recommendations to strengthen women's ability to claim for their umunani and inheritance

- Why focus communications efforts on men and boys? It is better if the entire family and the community is sensitized.
- Communications also need to target youth and children – to change their mindsets.
- Another communications channel is local authorities. Form committees to mobilize and sensitize the community. Explore modalities such as the URUNANA Radio Program and theater. Use *Itorero* (especially for the youth). Use community mechanisms in place. Try to document best and bad practices. Work to uncover reasons for resistance to gender equality.
- Use mobile van cinemas: "seeing is believing." GMO or MIGEPROF can get donors to support them to do this.
- Some suggested *Umuganda*, but others said women do not attend *Umuganda* due to inferiority complexes or exclusion. The Chief Gender Monitor explained it is not due

to women's inferiority complex, but rather information exclusion of women by men through their informal networks.

- Some may not understand the difference between *umunani* and inheritance. It is important to explain the difference to communities so that to avoid potential misinterpretation.
- While the recommendation provided for inheritance is fitting, this is not the case for *umunani*. It is better to concentrate on advocating for equal inheritance. *Umunani* may soon disappear anyway due to land scarcity. Also by advocating for equal values of *umunani*, it may bring more disputes. We need to see with the community what they want.
- Life is a competition. Gender equality depends on how girls and boys are positioned, and who is in charge of redistribution.

Participant feedback on recommendations to improve women's access to fair dispute resolution

- *Abunzi* need to be sensitized on mechanisms for dispute resolution and gender equality. **Abunzi** are being regulated now.
- We need to build more gender sensitivity into existing mechanisms for dispute resolution, like families. Families are male-biased. They need to be sensitized to include women in solving family problems.
- Heads of families are all men. We need to address biases at this level to change mindsets and attitudes. It is an issue of power. We need to sensitize men to listen to women.
- There is a need for more education around gendered land rights. People don't know. Radio can help.
- Do not agree with promoting "jumping over" families. It takes time for women to solve disputes if they go outside the family, and it costs money. They do not understand the justice system. MAJ structures may help them become more aware of their rights and means to access justice.
- How can we strike a balance, so men do not see themselves as the sole decision-makers, and so executive secretaries know the criteria and standards to apply? The local authorities need to be the ones to sensitize others.

Group 2 Discussion

Group 2 members structured their discussions around specific recommendations, first examining whether the recommendation was valid and then moving on in some cases to specific actions for implementation.

Recommendations on Informally Married, Widowed, and Divorced Women's Rights to Land

Recognize the property rights of informally married couples on a par with civil marriages.

- It is important to protect informally married couples. One needs to educate them that legal marriage protects them, but until then, this is an appropriate marriage. These couples may get legally married someday, and giving them both rights to land will protect them until then.
- Informal marriage is a choice of the couple. You can encourage them to formally get married. Getting formally married doesn't also formally guarantee her rights.
- What about daughters? Does the law give daughters rights? We should look at recognizing the family's rights.
- If the men and women are not formally married, there should be a distinction between legal and illegal marriages. Otherwise, this could threaten or weaken formal marriage.
- Specific actions: Provide assistance in drafting laws, or holding a national debate on this issue to raise public and legislator awareness.

Provide women with educational opportunities to reduce their dependence on men, to purchase land if they so desire, and to choose the best time to marry.

- This is too broad. We need other kinds of opportunities, not just educational ones.
- The more women become independent, the more it could increase conflict in intra-house disputes.
- Women's work in the home is already heavy, and not included in GDP. Moreover, they don't get to get paid for it. So, we must pay attention to the burden of labor for women with these other opportunities. We cannot have a law that says women don't need to take care of the kids, but we need to reduce their burden.
- The target for education should be men. Sensitization is important
- You could make primary education compulsive.

Recommendations on Strengthening Women's Household Bargaining Power

Sensitize communities, particularly men and boys, on shared decision-making and joint control rights over land, appealing to people's sense of what is right and fair.

- We need to follow up. It's generational change. Start with the youth, but don't expect immediate changes.
- More extension services and community services are required
- How do we get boys and men to attend?
- Could utilize community dialogues, along with training and resources, particularly about male role models. Suggestion to use GBV groups, parents' forums (umugoroba w'ababyeyi).

Support skill-based trainings for women on how to negotiate effectively, be leaders, present alternatives and manage household resources.

- Encourage women to register or track what they have contributed to the marriage.

SESSION VIII: CLOSING REMARKS

Closing Remarks by the Deputy Director General, RNRA Eng. Didier Sagashya

The Deputy Director General offered insights and information related to some of the key findings of the study.

Concerning the low use of mortgages in Rwanda, he pointed out that access to finance cannot be solved by land titles alone. There is need for Rwandans to venture into big projects that can be financed by the banks.

As far as expropriation is concerned, RNRA has produced a draft for a new expropriation law. Its formation was a participatory process involving various stakeholders. The draft was approved by Cabinet on 28th February. It is now being discussed by the Parliamentary Committee on Agriculture and Environment. The Law has 44 articles, and 34 of them have already been discussed. Once revisions are made based on the committee review, it will go to the Plenary and then the Senate. It is expected that Rwanda will have a new law on expropriation by September 2014.

One of the key changes in the new law is that valuation will be done based on the market value of the land. The law will repeal use of (government established) reference prices, and instead rely on real property values to establish reference prices. The proper use of land will be determined by registered professionals.

In addition, committees will be established to supervise expropriations at district, Kigali City and national levels. Committees will be appointed by the Prime Minister.

Also, the provision stating that any project deemed to be in the public interest could be grounds for expropriation was removed. With the new law, no private project can be considered in the public interest – not if the investor is making money from it. Up to now, the process has been very subjective. Going forward, no personal projects will be deemed in the national interest.

As regards to the National Land Use Plans, participants were informed that the Kigali City Master Plan was approved in 2013 and is available on the Web: www.masterplan2013.kigalicity.gov.rw One can use it to check the land use designation of one's own parcel.

The government is working with all districts on their land use plans. 17 draft land use plans are ready for validation in the next quarter, and the remaining 10 are being finalized. One challenge confronted by the government is that 30% of Rwanda's land is stipulated to be covered by forest. 18% of land is designated for biodiversity conservation. 52% is targeted for agriculture and 10% of land is to be urban land. This adds up to 110% of land area. So, we have earmarked uses for more land than exists. We need to focus on reducing the amount of land per person and increase densification. We need to preserve some land for farming and

devote the rest to urbanization. We have chosen six secondary cities for development, in addition to planned group settlements.

With regard to affordable housing, the Government of Rwanda needs to put money into this. We need to have investors commit to allocating part of their investments to affordable housing. Rwanda Housing Authority is the institution responsible for affordable housing. We also need to put in place systems that ensure wealthier folks do not end up acquiring these houses and then sell them to the poor. We need to figure out the “do’s” and “don’t’s,” for example limitations on being able to sell these houses. Conditions will be established for acquiring and using these houses.

Concerning gender, RNRA has worked closely with the GMO. A key challenge was confronted during the Land Tenure Regularization regarding how to handle rights of couples in informal marriages. The RNRA opted to allow them to jointly register as “partners.” But this does not protect the rights of their children. Informal marriages can bring conflicts, especially when it comes to inheritance.

The deputy director general finally thanked all participants for their attendance.

Closing Remarks by the Chief Gender Monitor, GMO Rose Rwabuhiri

The Chief Gender Monitor began her remarks by congratulating LAND Project and partners on the research done, and stressing the importance of land in Rwanda. Land not only is a resource that contributes to the development of the family, but it also can be the subject of conflict, particularly intra-family conflict.

These studies provide important insights that can and will serve to inform decision-making on these issues of gender and land rights and urban land exploitation. They not only highlight policy issues, but also make recommendations to the land sector.

The GMO will discuss further how to use these proposals, working together, to improve the gendered management and use of land in Rwanda. She referenced the GMO’s “inspiring partnership” with LAND Project, and looked forward to the findings of both studies informing gender profiles. Before concluding, she supported the further dissemination of the findings and their use in informing policy.

APPENDIX 1

LIST OF PARTICIPANTS

SN	NAME	POSITION	ORGANISATION
1	GUILLAUME BUCYANA	GOVERNANCE SPECIALIST	USAID
2	SELINA KHAN	LECTURER	INES-RUHENGERI
3	SANDRA GASANA	RESEARCHER	AVEGA
4	Prof. JOHN KIEMA	LECTURER	INES-RUHENGERI
5	VIOLET KANYIGINYA	LECTURER	INES-RUHENGERI
6	Prof. RASHID HASSAN	Prof.	UNIV OF PRETORIA
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8	NSENGIYUMVA, CELESTIN	PROJECT CORDINATOR	LANDESA
9	ANDREW MUSEMAKWERI	LAND PROJECT	USAID-LAND PROJECT
10	Rev.Fr. Dr. FABIEN HAGENIMANA	VRAC	INES-RUHENGERI
11	ERICA BURDICK	CHEMONICS	CHEMONICS
12	JOOST MOHLMANA	TECH ADVISOR	UN-HABITAT
13	TUMUSHERURE, WILSON	LECTURER	INES-RUHENGERI
14	SAMUEL SCHERER	RESEARCHER	DAKE UNIVERSITY
15	MUGABO, FIDELLE	LAWYER	HAGURUKA
16	MUNGANYINKA, TRIPHINE	GENDER COORDINATOR	USAID
17	RUBAGONZA, J.CHRISOTOM	PROJECT COORDINATOR	RCN
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19	ROSE RWABUHIHI	CHIEF GENDER MONITOR	G.M.O
20	KALIMWABO, J.P	M. OFFICER	TI-RWANDA
21	UWAYO, JOCELYNE	PROJECT MANAGER	INTERNATIONAL ALERT
22	ODETTE MUSENGIMANA	CHAIR	CRAFT
23	NDAYISENGA, M.F	EXECUTIVE SECRETARY	IRPV
24	MASHINGA, THEOBOLD	NPM	EMBASSY OF SWEDEN
25	NSANZUWERA, MICHEL	CORDINATOR/ ONE STOP CENTER	NGOMA DISTRICT
26	KEMIREMBE, JOY	WOMEN EMPOWERMENT	NWC
27	RODRIGUE RWIRANGA	JOURNALIST	NATION MEDIA
28	GILLES NTAHOBATUYE	JOURNALIST	NMG
29	KAYITESI, FATIMA	JOURNALIST	NMG/KFM
30	NZEYIMANA, JEAN	URBAN PLANNER	CITY OF KIGALI
31	HAKIZIMANA, DENNIE	JOURNALIST	AMAZING GRACE
32	WALTER BANDORA	CHAIRMAN	REIT
33	REFIKI, CLEMENT	JOURNALIST	RADIO SALUS
34	MUBERANTWARI R.	DISTR. LAND OFFICER	NGORORERO
35	EVERIST TWAGIRAYEZU	JOURNALIST	ISANGO STAR
36	MINANI, MARC	LECTURER	CST
37	OLIVIER. M.	PROGRAM OFFICER	E U
38	NTIHABOSE, D.		OASIS
39	ANNIE KAIRABA	DIRECTOR	RSD/LAND NET
40	MALUNDA, DICKSON	RESEARCHER	IPAR
41	DIEGO ZURDO	EU	EU
42	UWIRINGIYIMANA, CLEMENT	REPORTER	FLASH FM
43	SOPHIE	JOURNALIST	NEW TIMES
44	ANTJE ILBERG		MININFRA
45	DIDIER SAGASHYA	DEPUTY DIRECTOR GENERAL	LANDS&MAPPING,RNRA
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47	DR. ALFRED BIZOZA		LAND PROJECT
48	LAURA DICK	GENDER AND LAND RIGHTS SPECIALIST	LAND PROJECT

APPENDIX 2: URBAN LAND MARKETS PRESENTATION




**LAND MARKET VALUES, URBAN LAND POLICIES,
AND THEIR IMPACTS IN URBAN CENTERS OF
RWANDA**

Institut d'Enseignement Supérieur
(INES) - Ruhengeri

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

The research was conducted by the following **research team** members, their profession and responsibilities in the project:

1. Ms. Selina Khan	Mapping and GIS (Team Leader)
2. Ms. Violet Kanyiginya	Land Administration and Natural Resources (Impact of Policies)
3. Mr. Wilson Tumushere	Economy (Land Market Values; Hedonic Model)
4. Prof. J.B Kiema	Land Survey (Report writing)
5. Dr. Monica Lengoiboni	Expert Land Administration (Impact of Policies)
6. Mr. Valence Ngabo	Data Entry and Analysis
7. Mr. Jean Damascene Sisi	Communications Specialist (Advocacy)
8. Prof. Rashid Hassan	External Partner and Economist Specialist of University of Pretoria, South Africa

INES-Ruhengeri in collaboration with USAID LAND Project 3/35

Outline

1. Background and Objectives
2. Methodology & Data Collection
3. Survey Findings
4. Conclusions
5. Way Forward

INES-Ruhengeri in collaboration with USAID LAND Project 1/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

2. Methodology & Data Collection

- To investigate the determinants of urban land values in Rwanda this study employed the Hedonic pricing model (Asset pricing model).
- The current situation of land sales and rental markets in urban centers of Rwanda was analyzed using data collected from the survey and available time series information.
- The study evaluated impacts/outcomes of existing urban planning and policy measures (Titles, Zoning, Master Plans Expropriation/Resettlement) and analyzed the following aspects among others:
 - socioeconomic diversity (gender, income, occupation etc.) of urban population;
 - access to public services and living conditions (education, health, transport etc.);
 - land rights and tenure security; and
 - environmental conditions including access recreational and green areas, water and sanitation.

INES-Ruhengeri in collaboration with USAID LAND Project 4/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

1. Background & Objectives

- Factors influencing urban land prices and the impacts on the livelihoods and tenure security in Rwanda have only been scantily studied.
- Against this background, USAID LAND project contracted INES-Ruhengeri to conduct evidence-based empirical research in order to:
 - a) assess determinants of urban land market values and impacts of current urban land development regulations and policies on the urban population of Rwanda.
 - b) increase understanding of the dynamics of urban land markets and the impacts of urban land policies and regulations on people's livelihoods, tenure and the environment.

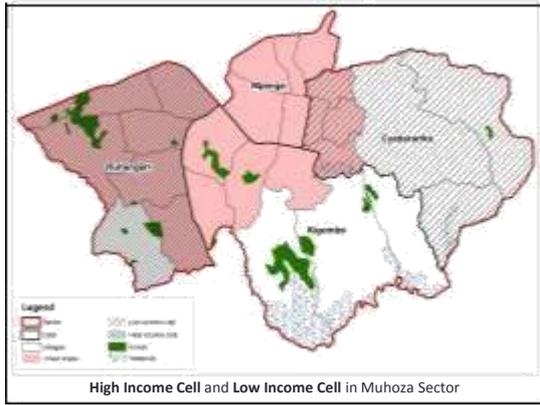
INES-Ruhengeri in collaboration with USAID LAND Project 2/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Sampling Framework

- Target population in urban areas of Rwanda
- Survey covered all 4 Provinces and the City of Kigali
- Multi-Stage Stratified Random Sampling Method:
 - Stage 1:** Selection of urban centers (Sectors) stratified by population density
 - 1 Major town from each Province (Sample size: 75 households each)
 - 1 Medium town from each Province (Sample size: 50 households each)
 - 1 Small town from each Province (Sample size: 40 households each)
 - 15 Sectors in City of Kigali (Sample size: 40 households each)
 - Stage 2:** Stratification of Cells within the Sectors into high and low income levels
 - Stage 3:** Stratification of *imidugudu* (villages) within the Cells by distance from the main road (approximated by near and far from the main road)
 - Stage 4:** Selection of households within the *umudugudu* (village) by random walk (because of the lack of a household list)
- Total Sample Size: **1260 households in 27 Sectors** (15 in City of Kigali, 12 other Provinces)
- The Sampling Fraction was based on proportional to the density of households (at least 40 households per Sector)

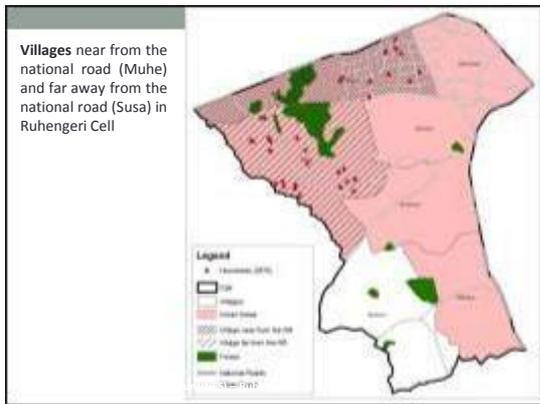
INES-Ruhengeri in collaboration with USAID LAND Project 5/35



1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Category	Province	District	Sector	Population of Sector	Sample size for each Sector	
Major	Northern	Musanze	Muhoza	52,640	75	
Major	Eastern	Nyagatare	Nyagatare	52,125	75	
Major	Western	Rubavu	Gisenyi	54,133	75	
Major	Southern	Ruhango	Ruhango	66,068	75	
Medium	Northern	Gicumbi	Byumba	36,997	50	
Medium	Eastern	Kayanza	Mukaranga	41,209	50	
Medium	Western	Karongi	Bwishyura	32,126	50	
Medium	Southern	Muhanga	Nyamabuye	44,831	50	
Small	Northern	Rulindo	Shyorongi	23,633	40	
Small	Eastern	Kirehe	Kigina	26,831	40	
Small	Western	Rusizi	Kamembe	27,091	40	
Small	Southern	Huye	Tumba	31,223	40	
		Kigali	Gasabo	Rusororo	36,215	40
		Kigali	Gasabo	Kimironko	59,312	40
		Kigali	Gasabo	Ndera	41,785	40
		Kigali	Gasabo	Remera	43,424	40
		Kigali	Gasabo	Kacyiru	36,898	40
		Kigali	Gasabo	Gisozi	44,075	40
		Kigali	Gasabo	Kimihurura	20,704	40
		Kigali	Kicukiro	Kigarama	44,610	40
		Kigali	Kicukiro	Kagarama	14,054	40
		Kigali	Kicukiro	Gahanga	27,859	40
		Kigali	Kicukiro	Kanombe	44,504	40
		Kigali	Kicukiro	Nyarunguza	39,375	40
		Kigali	Nyarugenge	Kimisagara	47,133	40
		Kigali	Nyarugenge	Muhima	30,242	40
		Kigali	Nyarugenge	Gitiga	28,670	40
				1,048,067	1260	

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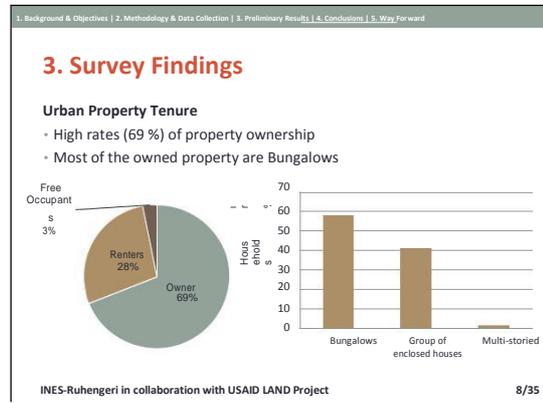
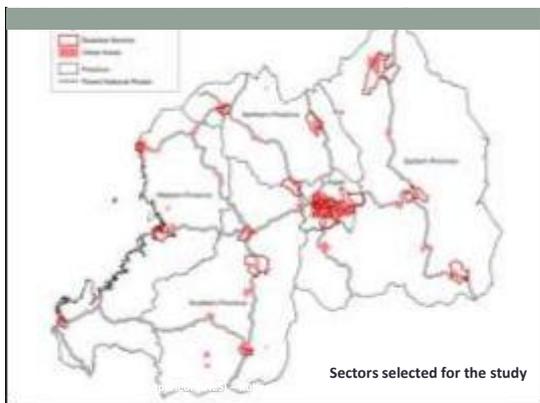


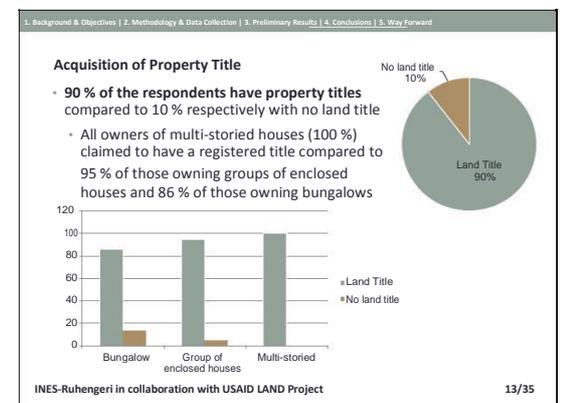
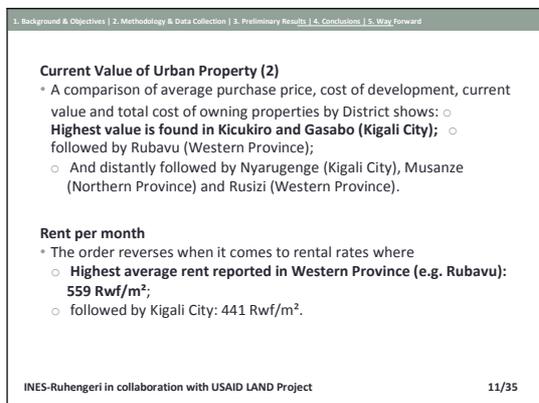
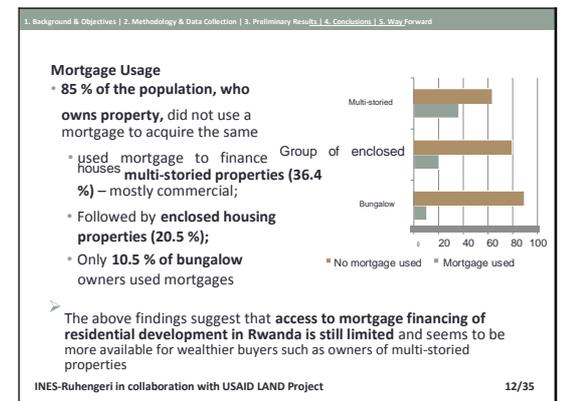
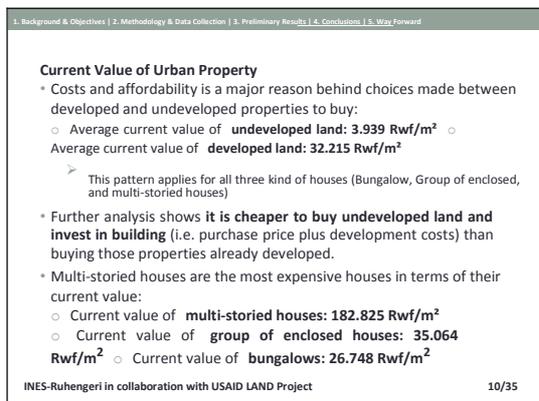
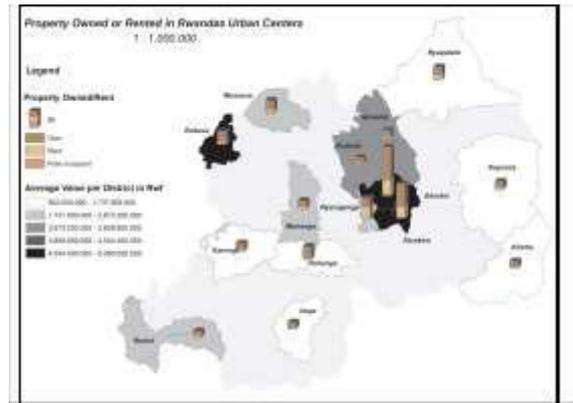
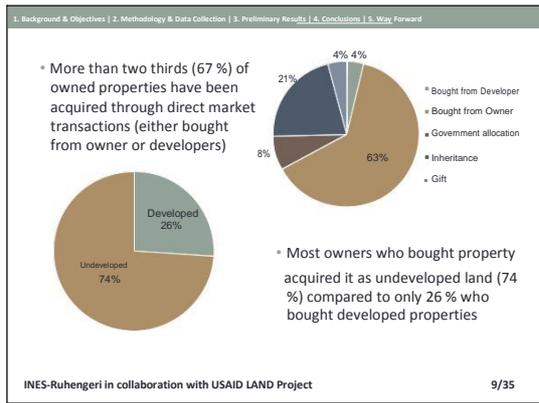
1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

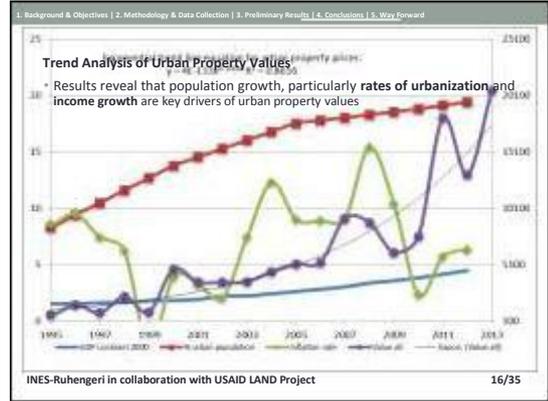
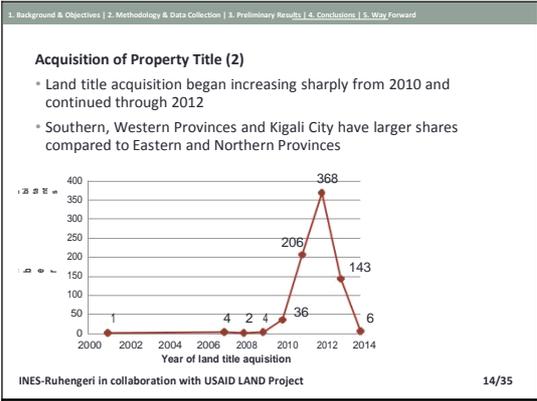
Data for Qualitative Analysis

- **50 Key Informants working in the Land Sector** were selected (but not all of them were contacted) including:
 - Urban community leaders e.g., City Mayors
 - Kigali City Council
 - District Land Bureaus
 - Public institutions
 - Urban landlords
 - Urban real estate agents
 - Urban land administrators
 - Professionals in land administration and management
 - Practitioners in land issues
- **18 questionnaires were returned.**
- Information derived from the qualitative interviews helped shape the primary data collection (type of questions, important factors in sampling etc.).

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1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Trend Analysis of Urban Property Values and Associated Drivers (2)

- This suggests **growth in demand for urban land** following the return of people to resettle after the Genocide of 1994 as the rapid urbanization trend line in the Figure reflects for the post 1995 period.
- While urbanization rates slowed down after 2005, urban property values began faster growth rates that seem to be influenced by higher growth in income (GDP) as well as possible influences of changes in urban land policies, such as the LTR (Land Tenure Reform) process and planning during that period.

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1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Trend Analysis of Urban Property Values and Associated Drivers

- Results reveal that population growth, particularly rates of urbanization and income growth are key drivers of urban property values
- The survey data shows a **mild positive trend of rising property values up to 2005**
- After 2005 urban property values started a sharp rising trend
- Then dropping with low peaks in 2009/2010 and 2012, patterns that seem to follow the inflation trend for those years. However the trend is sharper than the increase inflation.

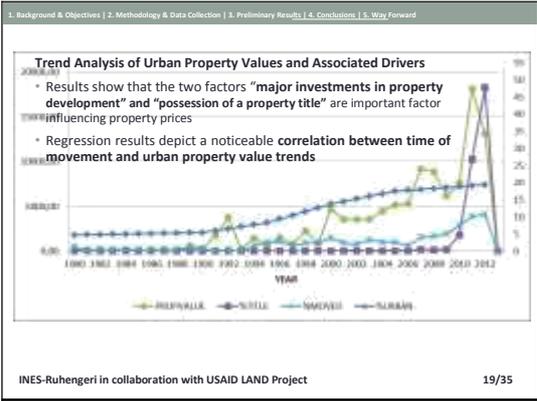
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1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Trend Analysis of Urban Property Values and Associated Drivers (3)

- Results show that the two factors “major investments in property development” and “possession of a property title” are important factor influencing property prices
- Regression results depict a noticeable correlation between when the population moved (migration) and urban property value trends
- Our survey data on migration seem to agree with secondary data from other sources on the high rate of urbanization

INES-Ruhengeri in collaboration with USAID LAND Project 18/35



1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Determinants of Urban Property Values

- The **cost of further developments of the property** as well as the **time when such investments were made** had modest positive effects on current property values with very high statistical significance
- The **location of the property** also matters as the effect of being in Kigali has a positive significant effect of 17,866 Rwf more per m² of property value compared to sampled urban areas in other Provinces.
- The **type of property** (bungalow, group of enclosed house, multi-story house) and presence of a flush toilets inside the house are the two structural property features showing positive, statistically significant effects.
- Access to all weather roads and recreation facilities** are two of the many neighborhood attributes with statistically significant positive influences on property values of 35,103 Rwf and 23,168 Rwf per m² respectively.

INES-Ruhengeri in collaboration with USAID LAND Project 22/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Trend Analysis of Urban Property Values and Associated Drivers (4)

- Most those who reported moving from another area indicated that they moved
 - in search of **better life (32.4 %)**;
 - in search of **better jobs (24 %)**;
 - in search **land (10.4 %)** or
 - because they were **returning (8.9 %)**.
- The share of respondent who moved to their current urban location due to **resettlement or expropriation by government was 2.1 % and 11.1 %**, respectively (high expropriation, low resettlement).

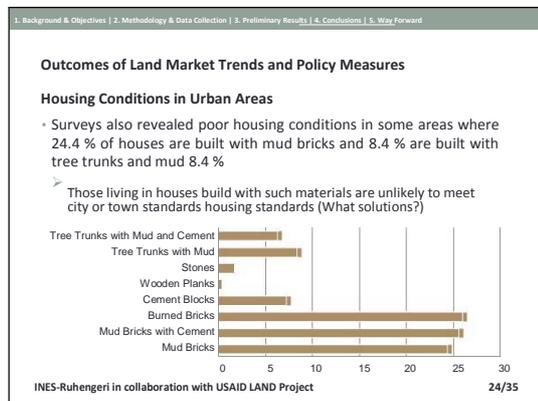
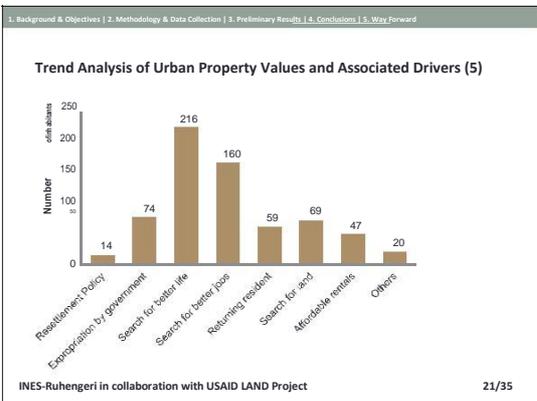
INES-Ruhengeri in collaboration with USAID LAND Project 20/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Determinants of Urban Property Rentals

- The **effect of living in Kigali as opposed to other Provinces** negative and statistically significant for rental prices,
- More structural attributes showed **positive** and statistically significant influences on rentals, including **number of toilets, number of rooms, and unit size**.
- As expected, **rents are lower on properties located farther away from the CBD and recreational facilities** (playgrounds/parks)
- However, being further away from all weather roads seems to be a preferred property attribute as it associated with higher rental rates. This could be due to better environmental or safety conditions (e.g. lower noise, pollution, and traffic risks) when one resides further from primary roads.

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1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (2)

Main Characteristics (Outcomes) of Expropriated/Resettled Groups

- Expropriated or resettled persons have a lower education: 46.1 % of respondents have only completed primary school or never went to school
- More than 50 % (45 out of 89) of those expropriated or resettled are from low income groups and earning Rwf 100.000 or less per month
- Further gender seems to be a factor for being resettled or expropriated: 58.4 % of female headed households, against 41.6 % of male headed households

INES-Ruhengeri in collaboration with USAID LAND Project 25/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (5)

Main Characteristics (Outcomes) of Population in Planned Areas

- More than a half (56.7 %) of the surveyed population reported they have not been affected by a Master Plan
- About 80 % (438 out of 545) of the affected respondents reported positive effects

Category	Percentage
Affected positively	80%
Affected negatively	14%
Not affected	1%
No answer	5%

INES-Ruhengeri in collaboration with USAID LAND Project 28/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (3)

Main Characteristics (Outcomes) of Population in Planned Areas

- Results show that areas where zoning has been implemented are more likely to have people possessing a property title as compared to areas zoning policy is not implemented

Category	Yes, I have a land title (%)	No, I don't have a land title (%)
Possession when Zoning Policy is implemented	~80	~20
Possession when Zoning Policy is not implemented	~75	~25

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1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (6)

Main Characteristics (Outcomes) of Population in Planned Areas

- The vast majority of multi-storied houses (90 %) are found in zoned areas, followed by groups of enclosed houses (72.2 %), while only 52.9 % of bungalows were in the areas which have implemented zoning

Category	Multi-storied (%)	Group of enclosed houses (%)	Bungalow (%)
Zoning/Planning Regulations implemented	90%	48%	51%
Zoning/Planning Regulations not implemented	0%	29%	71%

INES-Ruhengeri in collaboration with USAID LAND Project 29/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (4)

Main Characteristics (Outcomes) of Population in Planned Areas

- Regression analysis results showing that the following socioeconomic attributes are more positive in zoned areas than in unzoned areas:
 - Safety;
 - Registered Land titles;
 - Possessing of a high value property (price/m²);
 - Living in a multi-story or in a group of enclosed houses;
 - Possessing of a higher level of education
- Additional analysis results show that the closer the population lives to the CBD the more likely the population lives in a zoned area
- We found no difference in terms of living conditions (i.e. number of people/room) between people living in zoned and unzoned areas

INES-Ruhengeri in collaboration with USAID LAND Project 27/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Outcomes of Land Market Trends and Policy Measures (7)

Main Characteristics (Outcomes) of Population in Planned Areas

Income in zoned areas:

- 16.2 % of respondents earn a monthly income above 250.000
- 31.4 % respondents earn less than 50.000

Income in unzoned areas:

- 9.4 % respondents get a monthly income above 250.000 Rwf/month
- 41.7 % earns less than 50.000 Rwf/month

Income Bracket (Rwf/month)	Zoning Policy is implemented (%)	Zoning Policy is not implemented (%)
<=50000	~31	~42
50001-100000	~22	~20
100001-150000	~10	~10
150001-200000	~8	~5
200001-250000	~2	~2
>250000	~16	~9

INES-Ruhengeri in collaboration with USAID LAND Project 30/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

4. Conclusions

Major Achievements:

1. Land registration and titling is a very successful process in Rwanda,
 - Titles can be useful to access credit to finance small business activities. But our study revealed very few used mortgage to acquire or develop property.
 - moreover an additional research is needed to find out why some people did not collect their land titles
2. The results suggest it did not matter if a person migrated from another area or has been local in terms of land title registration
3. In areas where Zoning Policies are implemented the population has better access to public facilities and enjoy better housing standards
 - However, our survey suggest that people living in unzoned areas have lower socioeconomic status (e.g. education, income, access to public services)

INES-Ruhengeri in collaboration with USAID LAND Project 31/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

2. Expropriation Law/Valuation Law/Compensation (3)
 - Effects on population: 60 % (9 of 15) in Kigali City reported that their socio-economic status had deteriorated since being expropriated. However, out of the 600 people surveyed, only 17 respondents (3 %) had been expropriated and still lived within Kigali City.
 - The study seem to suggest that there are still lack of clarity on related aspects such as what just compensation means, and how the valuation is implemented

INES-Ruhengeri in collaboration with USAID LAND Project 34/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

Major Challenges:

1. No National Resettlement Policy Framework was found (only those for particular projects implemented e.g. Resettlement Policy Framework for Lake Victoria Environmental Management Project, 2011 and Rwanda Feeder Roads Development Project, 2013)
 - It is clear that it is important to have a National Resettlement Policy Framework to provide adequate compensation and access to main facilities and income and employment opportunities.
2. Expropriation Law/Valuation Law/Compensation
 - The confidence in the purpose of the Expropriation law as people fail to see the proposed alternative investment

INES-Ruhengeri in collaboration with USAID LAND Project 32/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

5. Way Forward

To improve urban development in Rwanda three major recommendation can be drawn by the research team:

1. Revise master plans to cater for more subsidized housing for low income groups.
 - * Zoning for subsidized housing can be combined with appropriate standards for housing construction that are accessible to the poor.
 - * If socioeconomically diverse and sustainable cities are to become a reality, social housing and other subsidy schemes (e.g. micro finance) for the poor must be made a priority in master planning policy.
2. While they are good reasons for expropriation in the public good, but negative impacts particularly on vulnerable social groups should be mitigated.
3. Further research is needed on those who have been expropriated to assess the impacts on their livelihoods.

INES-Ruhengeri in collaboration with USAID LAND Project 35/35

1. Background & Objectives | 2. Methodology & Data Collection | 3. Preliminary Results | 4. Conclusions | 5. Way Forward

2. Expropriation Law/Valuation Law/Compensation (2)
 - Affected population: More than 50 % (45 out of 89) of those who were expropriated or resettled are from low income groups and earning Rwf 100.000 or less per month; Also more women (58.4 %) than men (41.6 %) headed HH's were resettled or expropriated
 - In our study we found most of the expropriated population have been compensated financially, but the study could not establish if they had been compensated for other losses associated with the displacement (access to services, schools, transports, jobs etc.)
 - The study found there are still a large percentage (more than 30 %) of urban population live in low standard houses with high likelihood of being expropriated; This calls for special attention

INES-Ruhengeri in collaboration with USAID LAND Project 33/35



APPENDIX 3: GENDER AND LAND RIGHTS PRESENTATION



Gendered Nature of Land and property rights in Post Reform Rwanda

Kelsey Jones-Casey, Laura Dick, and Alfred Bizoza

LAND Project
June 20th, 2014



2. Research Objectives

The overall objectives of the study were to :

- Gather information on the evolution of land rights of women and men in Rwanda, specifically land rights *in practice*.
- Understand how the legal framework governing land and the land tenure regularization program have shaped gendered outcomes and where remaining gaps exist.



Outline of the presentation

1. Introduction and Background
2. Research Objectives
3. Research Methodology
4. Key Findings
5. Recommendations



3. Research Methodology

- Four provinces, plus Kigali City
- 20 sites: Two sectors in two districts of each province, including Kigali (random selection)
- Younger women; older women; younger men; older men
- Local authorities, including Gender Focal Points
- Qualitative Research: Focus group interviews (an average of 7 people per FGD); individual interviews




1. Introduction and Background

- Concerns about gender inequalities in land rights have received a growing degree of attention in sub-Saharan Africa over the past few decades.
- Rwanda has provided a picture of promising change for improving gender equalities in land rights.
- The 1999 Succession Law was developed to protect the rights of many widowed and orphan –headed households to remain on and manage the lands of their husbands and fathers after the 1994 genocide.
- Some previous empirical research on women’s land rights, but the breadth of these studies has been rather limited and some were only in the early phase of the Regularization process.



Site map

PROVINCE	DISTRICT	SECTOR
East	Ikwemagana	Karanga
		Fumbwe
		Musaza
South	Nyaruguru	Kiraha
		Kivu
		Ngara
West	Muhanga	Rugendabari
		Nyamabuye
		Kanama)
North	Kirundi	Gisenyi
		Mutanze
		Ruganika
Kigali City	Gisubano	Mutoni
		Kirundi
		Butara
Kigali City	Nyarugunga	Kagabo
		Gikomero
		Rumera
Kigali City	Nyarugunga	Kigali

4.1 Key Findings: Positive Changes

The 1999 Succession Law, among others in Rwanda's progressive legal framework, good governance, and LTR program has had a broad impact:

- More and more women are receiving inheritance and are more often receiving it in equal shares.
- Daughters are increasingly laying claim to umunani, which was almost unheard of before the genocide.
- Formally married women living under community of property marital regimes are now joint owners of property
- Greater decision-making power over property
- Decreased distress sales and mismanagement of household land resources due to joint ownership of land and property.

2. Difficulty Claiming Umunani and Inheritance

While the number of women who receive umunani seems to be increasing, the cases are situation-dependent. Access to umunani and inheritance could depend on :

- Their household's economic status,
- Their parents "kindness" or "mindset,"
- The amount of land their parents hold,
- The number of siblings they have, and
- The mindset of the community around them

4.2. Key Findings: Some Challenges

- Challenges experienced by women in accessing land to farm, and in controlling the land that they do have access to can be grouped under the following areas:
 - Informally-Married Women's Insecure Rights to Land
 - Difficulty Claiming Umunani and Inheritance
 - Weak Bargaining Power within the Household and Control Rights over Land Use and Management
 - Barriers to Fair Dispute Resolution

2. Difficulty Claiming Umunani and Inheritance

- Depending on a variety of factors, including on the region, women often hesitate to claim umunani from their parents:
 - They fear creating conflict,
 - Worry that their parents will not have enough land to survive on,
 - Don't want to deprive their brothers of land to live on and cultivate.
- Women who do claim umunani or inheritance may be refused by their parents, and may face conflict with their brothers. The effect of these kinds of conflicts on women should not be underestimated.

1. Informally-Married Women's Insecure Rights to Land

- Informal marriage is still very common, although the numbers of informal couples appear to be decreasing
 - Women face eviction upon separation or widowhood,
 - Lack of decision making power in land use, management, and control
- During the registration process, there was not a systematic approach for documenting the property of these women's families.
 - Some were registered as co-owners (as "partners," or even sometimes as spouses), while many were not registered at all, and are left without the legal protection that offers.

2. Difficulty Claiming Umunani and Inheritance

- While many women receive umunani (and most receive inheritance), many parents said they give it to their daughters "because it is the law," suggesting that their beliefs may not have actually changed to perceive these gifts as their daughters' inherent right.
- Young women: "Men still have bad mindsets. People, who train us on gender and land rights only train women, don't train men. We need to be trained together so that we both have a common understanding."

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3. Weak Bargaining Power within the Household and Control Rights over Land Use and Management

- Both formally and informally married women have weaker bargaining power than their husbands, and their decision-making power over land is often limited to vetoing land transfers decided by their husbands. Even in couples that 'decide together,' men are the ones who 'bring the idea' for all major decisions.
- However, daughters are increasingly requesting umunani from their parents, an exercise of bargaining power within their natal families.

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5.2. How to strengthen women's ability to claim their umunani and inheritance:



- Continue to **sensitize men on gender equitable rights** to inheritance and inter-vivos gifts (umunani).
- Provide for children to have rights to **equitable values of umunani** in the Succession Law.
- Invest significantly in the **creation of rural livelihood opportunities**, for both men and women that are not dependent on land.

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4. Barriers to Fair Dispute Resolution

- Women generally experience equal treatment from sector and district level officials.
- However, they do not feel they receive equal treatment when they bring their disputes to be resolved at the family or village level.

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5.3 How to advance women's bargaining power within the household:



- Sensitize communities on **shared decision-making and joint control rights over land** between couples.
- Support skill-based trainings for women on how to **communicate effectively, be leaders, present alternatives and prepare budgets**.
- Create opportunities for rural young women to **reduce their economic dependence on men**, to invest in the assets of their choice (land or otherwise), and to choose the best time to marry.

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5. Recommendations

5.1. How to improve the security of informally married, widowed and divorced women's rights to land:



- Include in the new draft Succession Bill a provision **recognizing the property rights of informally married couples** (those married in a traditional or religious ceremony or those in co-habitation arrangements) on par with couples married under civil law.
- Provide rural girls and young women more **educational opportunities that reduce their economic dependence on men**.

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5.4 How to improve women's access to fair dispute resolution mechanisms:

- Promote women's recruitment, training and instatement as **local authorities** at the village, cell, and sector levels.
- Reform the chain of appeals** in the dispute resolution process so that women can, if they so choose, go directly to local authorities with their complaints, rather than to their families and neighbors.

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Comments?

Reflections?