

SUPPORTING LAND REFORM INITIATIVES IN ZAMBIA



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Zambia is a landlocked country in southern Africa. With an estimated population at 16 million and an area of 752,614 km² (of which 740,724 km² are land and 11,890 km² water), Zambia is also one of the most sparsely populated countries in the region. The country has dual land tenure systems, namely customary and leasehold. Approximately 94 per cent of the land is under customary tenure, while 6 per cent is state land under leasehold

tenure. Dependency on agriculture in customary lands is threatened by increased demand for land from rapid urbanization, development projects and foreign investors.

Customary land is administered by the chiefs using the African customary laws applicable to each chiefdom. A robust and responsive legal system codifying customary land administration is needed to enhance land rights and stimulate investment.

KEY CHALLENGES

Since the passage of the 1995 Lands Act and the repealing of the Land (Conversion of Titles) Act of 1975, the Zambia (State Lands and Reserves) Orders, 1928 to 1964, the Zambia (Trust Land) Orders, 1947 to 1964 and other land laws, the government has been developing a new national land policy. After independence, there were fragmented policy pronouncements by different governments. At present, land administration is still fragmented between the chiefs, the Ministry of Lands and local governments. Aside from creating clear challenges in the over-all land administration and tenure security of the poor, women and vulnerable groups, it also weakens the country's capacity for revenue generation and financial growth.

Most of Zambia's rural landmass is managed by traditional authorities through an informal and undocumented land administration system, while the statutory system is largely absent in rural areas. Rural communities that depend on agriculture on the customary lands are threatened by market forces and the situation is aggravated by the lack of documentation of land rights.

GLTN INTERVENTIONS

Since 2014, GLTN partners in Zambia have been involved in discussions on the development of national land policy with the Ministry of Lands and Natural Resources, under the leadership of African Union/United Nations Economic Commission for Africa/African Development Bank Land Policy Initiative (LPI). The government recognizes the urgent need to finalize the draft land policy whose protracted process dates as far back as 2006. GLTN continues to support the multi-stakeholder consultation processes, including holding dialogues with the House of Chiefs, for the development of the National Land Policy (NLP).

In close collaboration with Huairou Commission and its network in Zambia, communities living on customary land have been supported to recognize their social tenure relationships through community-driven processes using some of the GLTN tools and approaches, within the continuum of land rights framework. Under this partnership, STDM was piloted in Mungule Chiefdom in Chibombo District in the periphery of Lusaka,(2015) and later in Chamuka



Designing the certification process at Mungule Chiefdom. Photo @ UN Habitat/John Gitau

Chiefdom in Chisamba district, (2016). In Mungule chiefdom, STDM was successfully implemented where community data from 308 households was captured. Community profiling and enumeration was conducted in the seven villages of Mungule: Mungule, Chilete, Mankalu, Mukumbwanyama, Meleki, Mutakwa and Kandeke. Data obtained was validated by the respective headpersons and resident villagers through a series of community dialogue sessions. An STDM database was later established and presented to the Chieftainees of Mungule.

Building from Mungule Chiefdom experiences, STDM was implemented in Chamuka Chiefdom under the leadership of Chief Chamuka and with the support of traditional leaders and their fellow community members. In November 2016, 40 households in the Chamuka chiefdom, Chisamba District, located at the periphery of Lusaka (Zambia's capital city) were issued with Certificates of Customary Land Occupancy.

These interventions continue to expand to additional household beneficiaries within the same chiefdom and GLTN partners are exploring the opportunity to sustain and scale up the operations.

Building from its lessons and experience, GLTN is also supporting the Lusaka City Council in the issuance of occupancy licenses for informal settlements, starting with Kanyama Settlement Ward 10 in Lusaka. This intervention complements on-going UN-Habitat support to the City Council in the implementation of the Slum Upgrading and Prevention Strategy.



Training of Lusaka City Council staff on participatory mapping and enumerations. Photo @ UN Habitat/John Gitau

EMERGING OUTCOMES

- ❑ Renewed multi-stakeholder engagement and dialogues towards the finalization of the National Land Policy.
- ❑ Increasing awareness and knowledge of many land stakeholders including poor people in the overall land governance issues.
- ❑ High acceptance of the certificate of customary land occupancy as an instrument in securing land rights on customary land.
- ❑ Increasing commitment by Lusaka City Council and other councils in improving tenure security of slum dwellers and in improving the Council's services to the selected sites.
- ❑ Strengthened capacity of change agents and other key land stakeholders on issues and measures for improving land and natural resources tenure security.

Implementing Partners: Ministry of Lands, Natural Resources and Environmental Protection (MLNREP), Lusaka City Council, People's Process on Housing and Poverty in Zambia/Zambia Homeless and Poor Peoples' Federation (PPHPZ/ZHPPF) and UN-Habitat Regional/Country Office.

In close collaboration with: The Chiefdom of Chamuka, Katuba Women Association and target communities.

NEXT STEPS

GLTN, in close collaboration with partners, will continue to support the multi-stakeholder consultations of the development of the National Land Policy and the tools implementation for improved tenure security in both urban and rural contexts.

In addition, GLTN is consulting with key bilateral and multi-lateral development partners working in the land sector on the potential establishment of a land sector donor platform.

In early 2018, GLTN partners will organize a learning exchange event highlighting the field experiences of GLTN interventions, among others.

GLTN in collaboration with partners will also continue the discussion on up-scaling tools implementation to support certification of customary land holdings in other areas.



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