

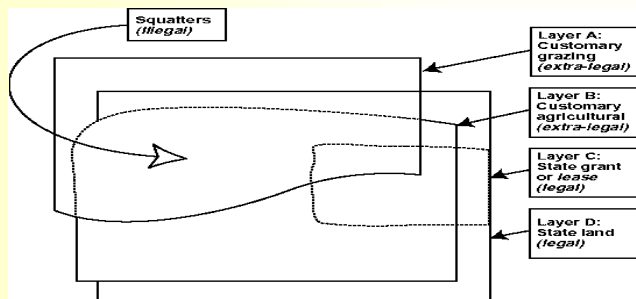


Centre of Land Management  
and Land Tenure

### Introduction: Land Tenure in Peri-urban Areas

High population growth has caused widespread increase of land use and land values in peri-urban areas, swallowing the rural villages and affecting the existing land tenure systems. There exists various forms of tenure thus creating a complex pattern of rights and other interests as shown below. This diversity of customary, statutory, religious and informal tenure systems presents major problems in the overall land development process. UN urban indicators have failed to capture this complexity. Attempts to provide a more accurate reflection of tenure types, the degree of *de facto* security associated with each and the extent of *de jure* property rights applicable to all systems and both sexes are crucial. It is high time to provide a basis for identifying policy options based on the need to increase rights and security of tenure

*Complexities and conflicts resulting from different types of tenure in peri-urban areas*



Source: FAO's Rural Development Division (2000)



### Research Methodology

This study uses Qualitative Research Methods based on a case study research strategy. It is divided into three main stages: literature review or background information, qualitative interviews and direct observation and mapping.

Existing farms and homesteads in peri-urban areas of D'Salaam held under either customary or quasi-customary law



### Land Tenure Changes in Peri-urban Areas of Dar es Salaam

Case One discusses Land Titling Programme which has been implemented in peri-urban areas of Dar es Salaam with the intention providing interested developers with land titles and to provide land settlers with most secure form of tenure (reduce poverty). Land acquisition and payment of compensation to landowners was done in 2003. By conducting land use planning and allocates titled plots to settlers and potential developers, the mode of holding land in these areas changes from customary/quasi-customary to statutory land ownership

Part of the twenty thousands plots in Tuangoma area- Dar es Salaam



PROJECT AREA	REGISTRE D TITLE DEEDS	NO OF PLOTS PRODUCE D
Tuangoma	1,620	3,228
Kisota	843	1,334
Mbweni Mpiji	2,042	1,776
Mbweni JKT	702	7,570
Buyuni	365	3,451
Mtoni Kijichi	95	1,100
Bunju	32	4,538
<b>TOTAL</b>	<b>5,699</b>	<b>23,057</b>

### Conclusion and Recommendation

Land tenure and property rights are an extremely complex issue in peri-urban areas of Dar es Salaam. Legal pluralism exists and is officially recognized. Each land tenure system solves the needs of different social groups thus restricting government interventions. The functioning of land tenure management institutions depends on the acceptability by the local communities, clarity on the arrangement institutions, the degree of autonomy and accountability of institutions held. Therefore, workable peri-urban land tenure management is built upon good governance, cultural and land value sensitivity, equity, quality and commitment. Sustainable urban expansion is best promoted by secure, flexible, all-inclusive land tenure structures.

Case two discusses the change of land tenure status and ownership by City council through physical planning. The process was done without compensation and no consideration was given to the existing settlements, leading to serious land conflicts. The plan was never implemented.

### Main Findings

About 7,176 acquired farms were subdivided into 23,057 plots (different land uses) and only 29% (5,699) individual titles were distributed. The majority of the peri-urban poor were dislocated due to high premium - denies the urban poor including women and youth access to the land. Selected project areas are too scattered and very far from the CBD, leaving junks of undeveloped land between them prone to squatting. Land Conflicts restricted plan implementation