

**REPORT ON THE
PROCEEDINGS OF

THE SYMPOSIUM ON
IMPLEMENTATION OF
THE 1999 LAND ACTS**

**Held at Courtyard Hotel,
Dar es Salaam**

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Abbreviations

CEDAW	Convention for the Elimination of all Forms of Discrimination against Women
CRO	Customary Right of Occupancy
CSO	Civil Society Organisation
DCI	Development Cooperation Ireland
GCA	Game Controlled Area
GLTF	Gender Land Task Force
GoT	Government of Tanzania
INGO	International NGO
JAS	Joint Assistance Strategy
JOLIT	Joint Livelihoods Initiative Tanzania
LGA	Local Government Authority
LHRC	Legal and Human Rights Centre
MDA	Ministries, Departments and Agencies
MDG3	Millennium Development Goal Three
MKUKUTA	Mkakati wa Kukuza Uchumi na Kuondoa Umaskini Taifa
MLHSD	Ministry of Lands and Human Settlements Development
MLWD	Ministry of Livestock and Water Development
MP	Member of Parliament
MTEF	Mid Term Expenditure Framework
NGO	Non Government Organisation
NSGRP	National Strategy for Growth and Reduction of Poverty
PER	Public Expenditure Review
PINGO's	Pastoralists Indigenous NGOs Forum
PMS	Poverty Monitoring System
PO-RALG	Presidents Office, Regional and Local Administration
PRBS	Poverty Reduction Budget Support
PRSC	Poverty Reduction Structural Credit
PRSP	Poverty Reduction Strategy Paper
REPOA	Research on Poverty Alleviation
SME	Small and Medium Enterprises
SPILL	Strategic Plan for the Land Laws
TAS	Tanzania Assistance Strategy
TIC	Tanzania Investment Centre
TAWLA	Tanzania Women Lawyers' Association
UCRT	Ujamaa Community Resource Trust
VEO	Village Executive Officer
WCA	Wildlife Conservation Act
WEO	Ward Executive Officer

EXECUTIVE SUMMARY

The main purpose of the symposium was to review implementation of the Land Acts and to recommend future actions for key stakeholders. The symposium brought together NGOs, donors and government concerned about the issue. The format of the symposium was based around the presentation of papers on particular issues of the Land Acts, plenary and small group discussion with a view to identifying the best steps to take forward.

Progress on implementation and future plans were presented in two papers from the Commissioner of Lands and the Ministry of Lands and Human Settlements Development (MLHSD). The former gave an overview of implementation of the Acts and their implementation so far. While recognising the funding constraints the paper calls for continued cooperation with NGOs and Development Partners in the implementation of the Acts. The latter paper outlined development of the Strategic Plan for the Implementation of the Land Laws (SPILL). The paper noted some problems in implementation such as limited public awareness of the Acts, limited capacity at LGA level and funding constraints in general.

Four papers from CSOs reflected on their experience in supporting implementation at District and Village Level. UCRT's paper noted that land use planning needs to be linked to village bye-laws. It also noted confusion between village and reserve lands, imposition of hunting blocks and delays in issuing Village Land Certificates.

The LHRC paper outlined their experience in supporting implementation in eleven districts. They note that training and awareness raising works, and needs to be expanded by government and NGOs. However, central government needs to make a greater effort at facilitating implementation with funding and making available the basic forms and certificates.

The paper also outlined obstacles to implementation. At the local level these included the complicated nature of the system in an environment of high illiteracy and the delay in formation of structures at LGA level.

HakiArdhi argued that the current system does not allow for greater security of tenure and calls for protection of land rights in the constitution with greater decentralisation to village level.

Two papers from The Sand County Foundation and REPOA noted anomalies in the Acts. Both noted the discrepancy in definitions between the Land Act and the Village Land Act with regard to Reserve Lands and Village Lands. Both noted that this discrepancy can make for ambiguity that can be exploited by the executive and private investors to the detriment of villagers. REPOA further criticised the powers given to the executive in determination of lands noting that it lacked transparency and may be more detrimental than a more fundamentally market based system. The Sand County Foundation particularly noted the overlapping jurisdictions arising from the Land Acts and the Wildlife Conservation Act, with special reference to Game Controlled Areas (GCAs).

A presentation from the Vice President's Office outlined how land issues are considered in MKUKUTA, and the need for concerned bodies to operate within this national framework.

Lively discussion surrounded the various papers. Much of it focused on certain discrepancies regarding village, reserve and general lands. Also prominent was the issue of implementation capacity. A strong feature of the discussions was the impact of the Land Acts on pastoralists and how this should best be addressed. There was general acceptance by all participants of the need for increased involvement of CSOs in monitoring and supporting implementation of the Acts. In order to drive this forward, a Task Force was formed, composed of CSO and government representatives who were tasked with drawing up an action plan for future cooperation between stakeholders.

1. INTRODUCTION

1.1. Background

The Government of Tanzania issued the National Land Policy in 1995. Following the policy, the Land Act No. 4 and Village Land Act No.5 were passed by parliament in 1999. Implementation began in 2001.

Following a smaller workshop carried out last year, Oxfam Ireland, Trocaire and Concern Worldwide organised this symposium in collaboration with DCI, who funded the event. A variety of stakeholders were invited. These include representative of Government, CSOs, Private Sector and Financial Institutions.

The main purpose of the symposium was to review implementation of the Land Acts and to recommend future actions for key stakeholders. It was intended to act as a platform to reflect on developments that have taken place with regard to land since the enactment of the Land Act and the Village Land Act in 1999.

The symposium saw nine papers presented by Government representatives, Civil Society and researchers. These allowed for consideration of key issues by the wider group and to lay the basis for smaller group discussions. On the basis of these, a consensus was reached on which issues to take forward and the structures through which to do so.

1.2. Structure of the report

This report presents summaries of the papers, including the Opening Address, that were presented. The discussions surrounding them are presented at the end of the each day's papers. It also presents the findings of the small groups that were convened each day as well as the final recommendations of the workshop.

2. OPENING ADDRESS

Mrs Salome Sijaona, Permanent Secretary, Ministry of Lands and Human Settlement Development

While implementation of the Land Acts is the responsibility of the Ministry, both the previous PRSP and MKUKUTA include private sector, CSOs and communities. Various activities of the land sector are highlighted in MKUKUTA and all actors have a role to ensure achievement of the objectives of the Land Acts and MKUKUTA.

Financial requirements for implementation have not yet been established. The upcoming strategic plan will cost and sequence activities over the short (3), medium (5) and long (10) terms. The support of the private sector and CSOs is expected in this.

Key achievements to take forward the land acts include: the preparation of regulations and prescribed forms; passing of the Land Disputes Courts Act 2002; and passing of the Land (Amendment) Act 2004 on mortgages. Draft bills covering town planning and village land use planning are ready for parliament.

In terms of capacity building, a number of activities have been carried out, including: distribution of the Acts and all relevant forms to all Regions, some Districts and Villages as well as to MPs; training of 72,000 VEOs and 2,408 WEOs in the Acts; and training of 98 District Land Officers. Furthermore, a training manual for the Village Land Act was completed in 2002 as well as a Citizens' Guide for Implementation of the same act as well as Guidelines for Participatory Village Land Use Planning. A total of 23 District Land and Housing Tribunals have also been established.

With regards to implementation, thus far, 36 certificates of village boundaries and 240 Certificates of Customary Rights of Occupancy have been issued in Mbozi District. In Dar es Salaam, a total of 27,712 plots have been surveyed. In squatter areas, 60,000 houses have been registered and it is expected to register 40,000 houses by the end of 2005/06.

In the realm of investment, 710 plots have been identified for inclusion in a Land Bank and 286 plots are ready for transfer to the TIC for allocation to investors. Beyond that, a computerised Management Information System has been established containing 168,000 Land Registry Files and 106,028 titles.

While a lot has been achieved, much remains to be done. The principal constraint is shortage of resources of all kinds. The cost of full implementation nationwide is staggering. A further constraint is the lack of maps of the requisite scales for village land use planning and survey of individual plots.

With regard to implementation of MKUKUTA, the Ministry seeks to institutionalise public participation and education around the Acts. It also seeks to increase CSO involvement in land policy discussions and support to government services. It also seeks to mainstream gender and environment issues in its work. Security of tenure is a key objective of the ministry, with a view to encouraging economic activity through access to credit and access to land for vulnerable groups, farmers and SMEs, while ensuring women's equal access to land.

The Ministry is concerned with key issues surrounding poverty alleviation. Equitable land distribution and more secure tenure is key to this. This can be ensured by transparency in land administration at village and district levels through devolution to those levels. This can be achieved by keeping processes simple and increasing awareness of women and other agricultural producers, including pastoralists, of their rights.

This can further be achieved by facilitating the emergence of efficient land markets, introducing low cost procedures for demarcation of lands, while paying attention to tenure and land issues surrounding resources such as water, fisheries and minerals.

3. PAPERS PRESENTED ON DAY ONE

Paper 1: Overview of the Status of the Implementation of the 1999 Land Acts, by Albert Msangi, Commissioner for Lands

This paper gave an overview of implementation of the Land Act No. 4 1999 and the Village Land Act No. 5, 1999, the Land Disputes Courts Act No. 2, 2002 and the Land (Amendment) Act, 2004.

The first Action plan was devised in 1999. This identified a range of activities including: preparation of regulations and forms; raising awareness of the Village Land Act; establishment of institution at national, district and village levels; surveying of villages; and establishment of registries and dispute machinery.

The cost of the plan was estimated at Tsh2.8 billion p.a. Funding has been at an average of Tsh193.4 million p.a. to date, leading to little progress on implementation.

Dissemination has been conducted via a number of channels including use of press and broadcast media as well as translation of various of the acts and regulations into Swahili, including guidelines for public education on the Village Land Act.

In collaboration with PORALG, approximately four percent of WEOs and 26 percent of Village Council Members have been trained in the new laws. Guidelines for land use planning have also been drawn up and implemented in 200 villages.

Furthermore, land records data have been computerised by scanning of land registries files. With regards to Section 20 (2) of the Land Act, a total of 286 pieces of land have been designated for allocation to TIC. Nine plots and four farms have been fully allocated to TIC so far.

Revenue collection has seen considerable increases since 1996/97 when Tsh1.4 billion was collected, to 2003/04 when Tsh5.5 billion was collected.

With regard to development of administration, the Commissioner has appointed Land Officers in 71 LGAs who have extended authority over neighbouring LGAs who lack such an officer. Land Allocation Committees have also been appointed by the Commissioner. From 1999 to 2001, 98 Land officers were trained in collaboration with PORALG.

Village Land is managed by the Village Council with the approval of the Village Assembly. All villages have such councils, established under the Local Government (District Authorities) Act, 1982.

In Dar es Salaam, over 27,000 new plots have been surveyed of which 72 percent have been allocated. Also in Dar es Salaam, the Ministry in cooperation with the municipal councils has given title to 50,000 informal land owners in the city since last year. By 2006 it is expected that a total of c. 400,000 will have such titles.

Concerning the Village Land Act, 6,000 villages have been surveyed so far. Those villages that have a certificate of village land can proceed to grant certificates of Customary Right of Occupancy (CRO) to villagers. To this end a Village Land Registry needs to be established with a Land Registry at the District level. These have been established in four districts with six other districts planned.

At the national level, a Ministerial Task Force for Implementation of the Village Land Act was established in 2004 with a mandate to evaluate requirements at different levels and to monitor implementation in pilot districts.

The Land Disputes Court Act No. 2, 2002 establishes dispute resolution bodies. At the village level, the relevant body is the Village Land Council, under the auspices of the Village Council and Assembly. These operate under the District Council and PORALG's Registrar of Villages. Budget estimates for the Village

Land Councils have yet to be established. Ward Tribunals are only functional in some areas and again are under PORALG and the District in terms of budgeting. District Land and Housing Tribunals have been established in 23 districts but are under-funded. The High Court (Land Division) is similarly under-funded and is located in Dar es Salaam only.

The paper recognises the importance of land and its relationship with growth and poverty reduction and calls for it to be recognised as a priority sector.

Great challenges remain. Greater funding is required at national and LGA levels while NGOs and other development partners have a crucial role to play in raising public awareness and supporting implementation of the Land Acts. It is hoped that the forthcoming Strategic Plan for Implementation of the Land Acts (SPILL) will stimulate funding.

The paper concludes that support from stakeholders is vital to allow Village Councils and villagers themselves to understand their rights and duties under the Acts and highlights the importance of supporting dispute resolution bodies. It is expected that the completion of SPILL will provide the context for that support, though SPILL itself will take a long time to be operative.

Paper 2: Practical Experience in Village Land Act of 1999, by Mr. E. Gayewi, Coordinator, Ujamaa Community Resources Trust (UCRT)

This presentation outlined the experience of UCRT in supporting the implementation of the Village Land Act 1999 and presented recommendations for future action. UCRT works in Ngorongoro, Kiteto, Simanjiro, Korogwe and Mbulu Districts and aims to promote social justice through sustainable and equitable use of land and natural resource.

UCRT sees the key goals for strengthening of community land tenure to be: preventing loss of village land to outsiders; resolution of boundary disputes; securing communal areas such as grazing reserves; and transparent mechanisms for allocation of land.

UCRT's experience with land use planning indicates that such plans need to be linked to village bye-laws. They should also address issues such as immigration, varieties of land use and economic development planning. In this regard the Village Land Act has positive aspects as it supports communal and individual land use and gives a strong role for the Village Assembly. Drawbacks include: confusion between village and reserved lands; imposition of hunting blocks; non-issuance of Village Land Certificates; and land boundary conflicts.

UCRT recommends that: conflicting legislation needs to be harmonised; certificates of village land need to be issued; the legal framework for dispute resolution needs improvement; and improved knowledge of the land laws and of rights conferred to villages is needed.

Paper 3: Strategic Plan for the Implementation of the Land Acts (SPILL) of 1999, by Professor Hayuma, Advisor to the Permanent Secretary of the Ministry of Lands & Human Settlement Development

The Ministry of Lands and Human Settlements Development (MLHSD) is preparing a Strategic Plan for Implementation of the Land Laws (SPILL) to provide a framework for the contribution of the land sector to the objectives of the PRS priority sectors and GoT policy goals of poverty reduction, agricultural transformation, good governance and promotion of a land market and collateralisation. It will contribute to planning in the medium term (3 years) with a budgeted, agreed, sequenced and prioritised plan. For the longer term (ten years) an outline plan of action with indicative budget will be completed. It is expected that SPILL

will be based on a realistic forecast of resources within the MTEF and will inform budget preparation for 2005/06.

Stakeholders being consulted include various government Ministries and Departments and Agencies (MDAs), Development Partners, NGOs, research bodies and the Private Sector as well as a sample of Regions, Districts and Villages. The public were also invited to give their comments and views.

Nationwide consultations were undertaken in sixty villages in fifteen Districts in thirteen Regions of Tanzania. The sample gave a representative range of rural and urban, livelihoods, poverty levels and agro-ecological zones. At Village level, a total of 1,370 people were consulted of whom 28 percent were women.

Having generated a draft strategic plan, validation workshops were held in one District of Mbeya Region and two in Morogoro Region. The gender balance was more skewed at this stage, with only 23 percent of the participants being women.

The issues that emerged at the consultation and validation meetings were varied. There was a call for further public education and awareness raising on the Land Acts. With regards to capacity building training for District Land Offices and Land Disputes Court was called for as well as basic resources such as staff, transport and basic work equipment. Related to this was the issue of lack of equitable sharing of land rent revenue between LGAs and central government.

Slow progress in demarcation of Village boundaries and issuance of CROs in relation to demand were noted. Concern was also expressed concerning arbitrary decisions of Village Councils and Assemblies in appropriating villagers' lands without consent or compensation. Concerns about compensation also arose with regard to persons whose lands are taken or acquired by government. Encroachment on reserve lands also arose.

The issue of access to land by women and disadvantaged groups arose, as did the need to resolve conflicts between farmers and pastoralists, particularly in Kilosa, Kibaha, Sumbawanga and Urambo Districts.

These issues need to be refined and prioritised at the upcoming SPILL National Workshop. At that point activities will be defined, sequenced and costed.

Paper 4: Community Based Experience of the Implementation of the 1999 Land Acts, by Clarence Kipobota and Gloria Mafoe, Legal and Human Rights Centre (LHRC)

This paper outlines the experience of LHRC in supporting community based land management at the village level in the context of the 1999 Land Acts. LHRC has conducted training in land rights and implementation of the acts in eleven Districts of five Regions in order to raise awareness at the grassroots level of the new laws. This was aimed at paralegals with a view to raise awareness of the new laws, and government officials with a view to supporting them in establishing land adjudication bodies. The focus was on dispute settlement bodies, role of the village Assembly, women's land rights and people's right to participate in decision making over land matters.

LHRC's work has revealed a number of obstacles, mostly surrounding the implementation of new procedures where older procedures already exist. Administrative difficulties include the lack of application forms for CROs at village level and a lack of the certificates themselves. Furthermore, though the District should provide resources for the Village Land Councils, Ward Tribunals and other adjudication bodies, they do not always budget for this, even where they have been established. In most villages covered by LHRC, village authorities were not aware of the need for these bodies nor of their responsibility for establishing them. Village leaders claim they are awaiting instructions from the District while the District is awaiting directions from their superiors.

Some other villages do not see the need for Village Land Council alongside the Village Assemblies. This has led to delays in establishing Village Land Councils and selection of Village Council members to form the Land Councils, reflecting a reluctance of existing leaders to cede power.

With regard to the application of customary laws in dispute settlement, it is not clear what customary law will be applicable in villages where conflicting customs exist.

Establishing women's rights to land under the Land Acts at village level has been problematic, with reluctance shown in some Districts. Where Village Land Councils have been established, women's representation is not always as stipulated. There were even cases of women on adjudication organs with their husbands and relatives, thus remaining silent for fear of contradicting male relatives.

LHRC's programme has had some successes. Where training was undertaken, Village Land Councils, Ward Tribunals and Village Adjudicating Committees were established. Where they already existed, they were reformed in accordance with the laws, such as increasing the number of women or gaining Village Assembly approval for membership.

Villagers are more aware of their rights under the Acts, how they should be applied and the dispute resolution system. This has empowered villagers to question the decisions of officials that do not fall within the law. Furthermore LHRC's work has increased women's representation in the stipulated bodies.

Some recommendations can be made on the basis of this. Firstly, training and awareness raising works, and needs to be expanded by government and NGOs. Secondly, central government needs to make a greater effort at facilitating implementation with funding and making available the basic forms and certificates. Thirdly, if adjudication bodies are trained and resourced, they can be a positive development in improving dispute resolution by keeping it closer to the village. Finally, knowledge of the laws needs to be increased through awareness raising campaigns by all stakeholders. This should include dissemination of simplified versions of the laws, brochures and other materials.

4. ISSUES ARISING IN PLENARY

The first major issue to emerge in the first day concerned definitions of public, village and general lands. The Commissioner reiterated that all land was public land while village land was land within village boundaries while general land was land which is not village or reserve land but include onowned and unused village land. One who identifies general land and wishes to use it for investment purposes can apply to the Tanzania Investment Centre for a certificate of occupancy. Concern was expressed by participants that almost all land is claimed but that the lack of title may lead to land rights being lost through land being defined as general, and allocated to investors.

Related to this was some participants fear that the Land Acts would not increase tenure security through land being identified as unused, and thus classed as General Land. The Commissioner reiterated that Village Land is that land which is in use, including fallow and forest lands. While participants were assured that CROs would increase security, participants remained doubtful and it was suggested by the facilitator that it be kept open for discussion later.

Participants felt that lack of knowledge of the law and inherent ambiguities in the law itself may lead to dispossession. This was appreciated and greater awareness raising efforts were called for. The complexity of the legislation was also seen by some participants as favouring more powerful people. The example of hunting rights in Kilombero was given, whereby a hunting license was issued by the Director of Wildlife for land of a certain village whose residents were driven from their land. In response to this it was stated that under the Local Authority Act, villages have the right to manage their land and that no ambiguity exists and that hunting rights do not give ownership rights.

The issue of boundary conflicts also arose as a possible blockage to obtaining Certificates of Village Land. It was reiterated that the government was to confirm boundaries existing since the establishment of Ujamaa villages. Where disputes arose, Village Councils could mediate. If that does not succeed, the Minister of Lands could appoint an inquiry, normally a judge of the High Court whose decision is final.

Concern was expressed about the limited implementation of the Land Acts in only some parts of the country. This was ascribed to limited resources with which to establish the necessary structures. In this regard the importance of the support of various stakeholders was noted. The role of CSOs in this regard was highlighted.

Arising from many participants was the lack of harmonisation between various pieces of legislation. As well as the Wildlife Conservation Act highlighted in one paper, participants also noted lack of harmonisation between the Land Acts and legislation governing mining.

Particular concerns were expressed with regard to SPILL. These mostly focused on the attitudes expressed about the pastoralist way of life and the numerous recommendations by stakeholders that they settle and the implication that their livelihoods are not valued and will not be protected. It was clarified by MLHDS that these were the opinions of stakeholders and not of the government and that the final plan would be clarified at an upcoming national conference.

5. DAY ONE GROUP WORK

Following presentation of papers and discussion around them, the facilitators identified four key issues for further discussion, namely:

- Capacity Building for Implementation of the Land Laws
- Public Awareness
- Dispute Settlement Mechanism
- Catering for the needs of the vulnerable?

Groups were asked to discuss the issues for up to an hour. Short presentations followed on each topic.

Group One: Capacity Building for Implementation of the Land Laws

This group made four recommendations:

1. Procedures for implementation need to be simplified and documented
2. The efforts of different stakeholders involved need to be coordinated, including CSOs and government at central and local levels
3. Communication strategies for different actors need to be devised
4. Effective inter-ministerial relationships are necessary for effective implementation

Group Two: Public Awareness

Group Two firstly identified the key responsible actors as government, NGOs and communities and recommended coordination of their efforts. With regard to coordination of public awareness raising, they identified PORALG and District Planning Officers as key.

The group recommended that existing documents such as *Mwongozo wa Kutoa Elimu ya Sheria ya Ardhi ya Vijiji, 1999*, be improved and that a greater variety of media be used such as film, drama, print media, radio and meetings.

Group Three: Dispute Settlement Mechanism

Group Three identified each organ of the dispute settlement mechanism, identified problems and made recommendations for each.

Village Land Council

The group noted that while they are established in 40 percent of villages, only 20 percent are functioning and have only an advisory and mediatory role. It recommended:

- Promotion of the spirit of mediation
- Increased public awareness of this mechanism
- Integration of the mechanism into the Local Government Reform Programme
- Coordination of this function with the Ward Tribunal and District Land and Housing Tribunal

Ward Tribunal

The group noted that not all are functioning and identified problems as lack of funding, lack of awareness of land issues on the part of the tribunals and confusion as to their status.

It recommended that PORALG provide adequate funding and training to the Ward Tribunals.

District Land and Housing Tribunal

The group again identified lack of resources and experience as the key problems at this. It recommended increased resources and training.

High Court (Land Division)

The group noted that it was established but seated in Dar es Salaam only. Problems the group identified included lack of resources, shortage of staff and remoteness from the Regions. It recommended that more human and other resources be provided, provision of a proper court house and establishment of the court in the Zones.

Group Four: Catering for the Needs of the Vulnerable?

This group made four recommendations as follows:

1. Government should stop selling of land and return it to pastoralists, such as the Basuto Farms
2. The laws should be amended to defend the interests of pastoralists, women and the disabled.
3. Land should be specifically allocated for the vulnerable
4. With regard to Customary Rights of Occupancy, women should have the same rights as men.

6. PAPERS PRESENTED ON DAY TWO

Paper 5: The 1999 Land Act and Village Land Act: a technical analysis of the practical implications of the Acts, by Geir Sundet, REPOA

The acts were brought in after the adoption of the National Land Policy in 1995. This was the result of wide debate. The policy was controversial as it ignored the recommendation of the Land Commission for a system that vested rights more strongly with users rather than the executive. The Acts legislate for Village Land, General Land and Reserve Land. On the one hand they clarify vague areas in land management. On the other they give scope for discretion and administrative directives.

The Land Act provides the framework for General and Reserve Land. Reserve Land is that set aside for special purposes, such as forest reserves. General land is all land that is neither Reserved nor Village Land. However, ambiguities between the Land Act and the Village Land Act exist, the former including unused village land in the definition, while the latter does not. This could be a means of freeing 'surplus' land for external investors.

The Land Act resolves previous conflicts between the Ministry and LGAs in favour of the former, granting considerable powers to the Commissioner of Lands.

With regard to a land market, the concentration of power in the hands of the executive makes the development of a functioning market unlikely. For example, the Commissioner *may* direct that land be sold at auction or through tender for a grant of occupancy, leaving scope for discretion. Selling on by the holder of such a grant *may* need the approval of the commissioner and *may* be retrospectively investigated up to two years after the sale. Though the Land Act forbids land ownership by foreigners, the threat to smallholders from a regulated market that can be manipulated by administrators and politicians may be greater.

With regard to women's rights to land, the Land Act unambiguously states women's equality before the law, with regard to statutory and customary tenure. This is mirrored in the Village Land Act and represents a considerable breakthrough.

The Land Act outlines the structure of conflict resolution mechanisms to include: Village Land Councils; Ward Tribunals; District Land and Housing Tribunals; the Land Division of the High Court; and the Court of Appeal. Of these only the District and High Court levels are new, while Ward Tribunals are effectively defunct and Village Land Councils are not judicial bodies. Accordingly the incidence of litigation is unlikely to decrease.

In principle, under the Village Land Act, all village land is vested in the Village Assembly and administered by the Village Council under the former's authority. Yet It establishes elaborate processes of adjudication that are to be administered in an environment where administration is weak.

Ultimately, definition and registration of Village Land is in the control of the Commissioner. A judicial inquiry shall determine boundaries where there is a dispute with another village. Village Land can be transferred to general land in the public interest, including investment purposes. In this case, the Village Council should be informed, but it only needs to inform those villagers with a CRO certificate. Anyone with registered rights to the land in question can approach the Village Council and the Commissioner. If the land to be transferred is less than 250 hectares, the Village Council can submit its recommendation to the Assembly for approval or refusal. If over 250 hectares, the Minister can consider the Assembly's recommendation but is not bound by it. Nevertheless, the transfer can only go ahead once compensation has been agreed.

The Village Land Act allows for registration of land under CRO. An application is made to the Village Council which can state the conditions, such as yearly rent and development conditions. This gives the Council considerable discretion without reference to the Village Assembly and may favour well-connected villagers and risk local land grabbing.

Following from CROs are derivative rights, which arise from sale or lease. Granting of such rights follows a similar procedure to that of CROs. Smaller holdings require only the Village Council, larger ones the Assembly also while the largest require both plus the advice of the Commissioner.

A Village Adjudication Committee can be appointed to determine land boundaries. If 20 or more people object to the decision the process can be passed on to the District. It is not clear why the District should be the more senior adjudicating body, given the context of local politics. Meanwhile, conflicts over claims are to be resolved by the Village Land Council, whose jurisdiction is limited to cases involving land sharing with other villages and sharing between pastoralists and farmers. It cannot compel parties to adhere to its recommendations as it has no judicial authority.

In general, the procedures are very complex. Given the lack of administrative skills and structures below the district level, it is unlikely to be fully implemented nor understood by most villagers.

The paper concludes that the capacity to administer the acts is not there. Furthermore, it is unlikely to prevent land speculation as it allows for sale of land below market price in a non-transparent way and that the use of administrative controls is unlikely to lead to more secure tenure for the rural poor. Accordingly, the process of adjudication and titling should be comprehensive and on a village by village basis rather than on demand, with decision making at the village level with recourse to the courts rather than the District or Commissioner. The process of village adjudication could provide the basis for this.

In conclusion, while the Acts are flawed, there may be benefits in building on their positive aspects to put in place land adjudication procedures that are transparent and to monitor its implementation in order to inform policy makers of the challenges presented.

Paper 6: Gender and Land: Emerging Issues, by Magdalena Rweybangira, Gender Land Task Force/Tanzanian Women Lawyers' Association.

This paper presented a review of the Land Acts and TAWLA's experience in supporting implementation in the context of national and international policies and rights frameworks. Women's access to productive resources including land is a critical poverty reduction strategy as outlined in the Land Policy and MKUKUTA. At the international level it is recognised by MDG3, the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW), the African Women's Protocol and the Beijing Platform of Action.

CEDAW in particular obliges governments to take measures in all fields so as to remove obstacles that prevent women from enjoying their human rights and attain their development and advancement (Art. 3). The Africa Women's Protocol specifically calls for the promotion of "women's access to and control over productive resources such as land and guarantee their right to property (Art. 19).

The land law reforms of the 1990s were a crucial part of the response to these international agreements. A Gender Land Task Force formed in March 1997 concerned with four issues: invalidation of customary laws which discriminate against women in land ownership; equal representation of women in land institutions; co-ownership of land by spouses taking into consideration polygamous as well as monogamous situations; and consideration of youth and elderly dependants.

The Village Land Act invalidates customary laws discriminatory against women children or the disabled and recognises a wife's rights to land with respect to death of spouse or divorce. Furthermore, it allows for a certain number of places for women on Village Adjudication Committees and Village Land Councils

The Land Act recognises a woman's right to treatment equal to that of a man in land issues and that occupancy cannot be surrendered in order to defeat the rights of the spouse. Both spouses shall be registered

and mortgages can only be issued with the consent of the spouse(s) who is entitled to a copy of the mortgage agreement.

The rights of youth and elderly dependents are also recognized in the Land Act, whose agreement is necessary for partition of the land in question. Appointment to the National Land Advisory Council by the Minister for Lands and Human Settlements Development should ensure a “fair” balance between men.

Amendments were made to the Land Act with respect to mortgages in response to the advocacy of the Tanzania Bankers Association, allowing unimproved land to be used as collateral. This has led to tensions between smallholders and bankers.

Overall it is difficult to measure the impact of the acts. However, TAWLA has been involved in supporting implementation and is in a position to share lessons learned. TAWLA coordinated five NGOs in the DANIDA funded Women Land Rights and Gender Equality Poverty Reduction Project. This was implemented in 2003 in six regions and nine districts around the country and evaluated last year. The objective was to increase women and men’s awareness concerning the new land law, property and inheritance rights; increase knowledge and competency of law enforcers and selected leaders on the new land law, property and inheritance rights; improve competency among staff and volunteers and expand legal aid facilities; and establish a network with other organizations with similar objectives.

The project revealed that many men and women were not aware of the new Land Acts. Even paralegals trained in the project complained that they did not fully understand it. In some Districts and Wards, tribunals were non-existent and where they existed they had no funds and were charging fees for stationery and transport.

The project revealed certain gaps in the Land Acts. At the village level, VEOs are responsible for signing certificates of CRO’s but are not knowledgeable in surveying, while modifications to the Land Registration Forms are not easily understood. The high illiteracy rate, even amongst paralegals, is an obstacle. At the national level, there is a lack of national level advocacy for behavioral change at grassroots level while the government is not adequately involved in formation of Village Land Committees and Ward Tribunals.

The paper concluded that while it is too soon to see tangible changes certain issues could be identified for consideration. Firstly the most glaring problem is the failure to implement widely and the ad hoc manner when it does take place. Secondly, the government should move to address tensions between smallholders and bankers. Furthermore, there is a need for widespread awareness raising on the law. Finally, there is a need for training to address prejudicial attitudes in a flexible manner.

Paper 7: Wildlife Management and Village Land Tenure in Northern Tanzania, by Fred Nelson of the Sand County Foundation.

This paper examined contests over land tenure in northern Tanzania’s village lands as they relate to wildlife management and land management. Early attempts at such management by the German colonial authorities established wildlife reserves that recognised the rights of local people to live in and use them. Under the British, wildlife management strategies began to emphasise reserves free of human habitation and was implemented first with the gazettelement of Serengeti National Park and removal of its inhabitants. This trend continued after independence with the establishment of 22 new National Parks or Game Reserves from 1964 to 1994 and the consequent loss of land rights by previous users and inhabitants.

Further pressures on land came during economic liberalisation which led to a surge in land grabbing in agropastoralist rangelands driven by the allocation of land for investment and the weakness of customary land tenure. Pressure was exacerbated by population and economic pressure in the highlands leading to migration to semi-arid areas. Transfers of land from local community use to outsiders, whether investors or migrant

farmers, were facilitated by village authorities with limited accountability and understanding of the implications of their actions.

Thus community lands have been greatly reduced while village lands came under pressure from state allocation as well as the sometimes corrupt local sale of village lands.

The 1999 land laws allow for General, Reserve and Village land. Reserve lands are those established under sectoral legislation such as the Wildlife Conservation Act 1974 (WCA). The WCA's provision for Game Controlled Areas (GCA) is critical in terms of the interaction between Wildlife Management and Land Tenure in Northern Tanzania. GCAs only restrict utilisation of wildlife and not human settlement and use. The protection afforded to wildlife in GCAs is no greater than in other parts of the country, leading the Wildlife Sector Review Task Force (1995) to conclude that they were "totally ineffective".

Many GCAs overlap with demarcated village lands. For example, 95 percent of Monduli District lies within GCAs. As the land rights of residents of GCAs are not circumscribed, there is a problem of overlapping use of these nominally protected areas under wildlife legislation and their use as community land.

The implications of this are considerable. The main use of wildlife in GCAs is through the granting of hunting concessions by the Wildlife Division of the Ministry of Natural Resources and Tourism, but without reference to rights of resident communities. While the WCA requires the consent of the landowner for hunting, this consent has never been sought even from titled and certified villages.

A further conflict arises when hunting concessions and non-consumptive tourism occurs in the same area. Numerous villages have entered into agreements with tourist companies for non-hunting tourism activities as corporate bodies under the Local Government (District Authorities) Act, 1982. Hunting operators and central government have moved to stop such agreements, achieved under regulations issued in 2000 prohibiting tourism from being undertaken in hunting blocks. This deprives villages of a substantial source of income.

These overlapping interests are not addressed by legislation. The Land Act states that GCAs are reserved lands under the jurisdiction of the Wildlife Division. Yet the same act defines village lands according to the definitions in the Village Land Act, under which these same areas are village lands.

This conflict serves to undermine rural economies and induces conflict. It also leads to an unfriendly investment environment for the tourism and wildlife sectors in Northern Tanzania. While the National Land Policy recognised the overlap between GCA and customary land, this same overlap has been entrenched by the Land Act. Furthermore a draft Wildlife Act, if passed, would entrench these conflicts further.

Thus while land legislation allows for heightened recognition of customary rights and provides for demarcation of village lands, a great deal of power is held in the executive branch of government. The maintenance of GCA control in the Wildlife Division allows for central control of land and wildlife resources. Thus there has been an effective expansion of central control with regard to GCAs, in contradiction to the rhetoric of decentralisation and liberalisation.

The paper proposed that the maintenance of such confusion can be argued as deliberate as it creates rent seeking opportunities in the bureaucracy. These opportunities could be done away with by legal clarity.

Accordingly, those seeking to improve land tenure need to consider not only the immediate issues of land legislation but also the forces that create such problems. The paper states that conflicts of interest such as those surrounding GCAs are not simply the result of errors or omissions in drafting but a function of the competing political forces that influence the drafting of laws and the vested interests that can benefit from such ambiguity. These processes need to be understood in order to effectively address land tenure issues.

Paper 8: Land and Privatisation in Tanzania: State of the Art, Implementation and Lessons for Policy and Practice, by Yefred Myenzi, HakiArdhi

This paper argues that land reforms have not addressed the key problems facing land users with regard to security of tenure on customary and registered land. Land policy and laws since independence have been based on colonial era structures, ignoring pre-colonial practice of customary ownership and management of land. This has allowed for ongoing alienation of peasants from their land by the state and private interests.

The National Land Policy and the subsequent enabling acts were dominated by ‘puppets’ of the International Financial Institutions, in introducing market oriented reforms while at the same time maintaining power with central administrators. This has led to value being placed on land beyond its use value, hence the emphasis on individual rights of title, allowing for land transactions and access to financial services. This contrasts with the view of land as a public resource that is the basis of sustenance. Land rights advocates argue that individual claims should be limited to usage rights in order to preserve future generations rights to land.

The consequence of the land acts has been to dispossess original rights holders, particularly in favour of private developers consisting of bureaucratic elites and politicians. Examples of such dispossession can be seen particularly in the mining industry where primary land users have been dispossessed. This is expected to worsen given the amendments of 2004 according value to bare land. This is further underpinned by the institutional structure allowed for by the Land Acts. The institutions (MLHSD, Commissioner for Lands, LGAs, TIC and the Parastatal Sector Reform Commission) are working to facilitate land deals for ‘potential developers’ that involve further dispossession of the majority poor. These developments will only serve to deepen poverty and increase inequality.

The paper concludes with recommendations. Firstly, land issues should be included in the constitution to protect them from short term political interests and ensure public participation in future amendments. Secondly, the land management system should be effectively decentralised to the village level with general and reserve land being finally determined by the National Assembly. Thirdly the laws should be widely popularised by government, Civil Society, the private sector and the media to allow people to understand their impact and if necessary call for reforms. Grassroots discussions, national public debates, training sessions and public fora will act as a means at reaching a national consensus on a suitable land tenure system.

Paper 9: Land in the Context of the National Strategy for Growth and Poverty Reduction, David Howlett, Vice-President’s Office

The National Strategy for Growth and Reduction of Poverty (NSGRP) is the successor to the Poverty Reduction Strategy. It is also known as the Mkakati wa Kukuza Uchumi na Kuondoa Umaskini Taifa. (MKUKUTA). MKUKUTA differs from the previous PRS in a number of ways. It has a five year timeframe, rather than three. Importantly, it focuses on broad outcomes rather than “priority sectors”. It therefore demands strong cross sectoral collaboration. The outcomes are organised in three clusters:

- Cluster I: Growth and Reduction of Income Poverty;
- Cluster II: Quality of Life and Social Well-Being
- Cluster III: Governance and Accountability.

Under each cluster is a broad outcome and a set of goals. For each goal, MKUKUTA outlines operational targets, strategies, intervention packages, areas of collaboration and who will be involved in implementation.

The presentation examined the three clusters with a focus on targets and interventions related to land. For Cluster 3, the following table shows targets and interventions relating to land.

Cluster 3: Governance and Accountability	
Goal 1: Structures and systems of governance as well as the rule of law are democratic, participatory, representative, accountable and inclusive	
Target	
1. Ensure representative, inclusive (particularly vulnerable groups) and accountable governance institutions operating at all levels.	

Cross-cutting issues are important for MKUKUTA. These include gender, environment and HIV/AIDS. They have been integrated into the strategy and are not an add on. Technical support on these issues comes from the UN system and NGOs.

Arriving at the new PRSP was a long process in which many stakeholders were involved down to village and district level with over 300,000 questionnaires being distributed. MPs also played an active part in the consultations. Consequently there is increased awareness generally and accordingly more demands on the government.

Challenges include the need to make existing plans and policies coherent with the MKUKUTA framework. In terms of budgets, sector and LGA budgets – including land issues – need to be in accordance with MKUKUTA. With regards to implementation, this will be cross-sectoral – meaning that MLHSD will need to work with others to achieve objectives. It also calls for the involvement of CSOs and the private sector.

Costing is also a critical issue. Costing of the implementation of the Land Acts needs to be completed.

A further challenge is capacity building to deliver MKUKUTA. Public reform needs to proceed at a faster pace and more skilled human resources are needed at all levels.

Related to MKUKUTA is the Poverty Monitoring System (PMS). The existing system is to be reviewed. It is hoped this will increase awareness of MKUKUTA and increase sectoral engagement. To this end indicators and revised targets on land issues are now needed as well as costings. This will strengthen the links between processes such as PER, MTEF, TAS, JAS, PRBS and PRSC.

The presentation concluded that land issues are crucial to the achievement of the MKUKUTA goals.

7. ISSUES ARISING IN PLENARY

Issues on Day Two concerned: the role of government and its capacity; Government-CSO relationships; the specific issue of GCAs; public awareness; security of tenure; and the importance of land issues in MKUKUTA. Finally, the Commissioner for Lands made some general comments on issues arising.

Participants expressed concern at the lack of capacity at District level to implement the Acts and wanted clarification of the Government's role. It was explained that it was the intention of the Government to empower LGAs in terms of training of experts dealing with land, but due to financial constraints it was true that some districts did not have trained land officers. It was further advised that, by all means, PORALG should be facilitated so as to complete registration processes promptly.

With regard to authority, it was clarified that the Land Act No. 4 clearly defined the powers of land authorising officers and there should be no confusion on that score.

The issue of communication between government and CSOs and between CSOs themselves was also raised. The need for increased cooperation, as occurs in Kenya, was recommended. To address this it was suggested that a database of CSOs involved in land issues be established.

The issue of GCAs was further addressed. The overlap of powers of the Commissioner of Lands and Wildlife Officers was again highlighted. The Commissioner reiterated that Section 14 of the Village Land Act clearly recognised the rights of those living in GCAs. However, participants stressed the dangers of land being classed as Village Land and Reserve land at the same time, leading to confusion as to who is the responsible government officer and the loss of rights by villagers to those issued with hunting licences.

Security of tenure arose in relation to the development of a land market. Concern was expressed over the potential loss of land by those who default on loans. It was stated in response that the law now protected smallholders properties such as houses being sold to cover defaulted loans. Related to this, some participants were concerned that the poor may be tempted to sell their land and thus lose their greatest asset. The Commissioner clarified that Village Assemblies were the organs empowered to approve land sales, thus controlling such actions, as well as controlling sale of land to outsiders.

MKUKUTA generated much discussion, particularly with regard to pastoralists. It was noted that MKUKUTA was favourable to pastoralism, but that this conflicted with MWLD's Livestock Policy which favoured ranching and discouraged pastoralism. In response, a MWLD official clarified that the Ministry was in the process of revising the 1997 policy formulated under a different ministerial structure. The official revealed that the new policy would not undermine pastoralists nor impose ranching.

MLHDS was concerned that MKUKUTA did not take account of land adequately. It was pointed out that land issues are prominent in the Annex, which should be regarded as the substantial part of the document, as opposed to the narrative.

The Commissioner for Lands took the opportunity to clarify some points at the end of the plenary. He explained that land privatization policy was arrived at after a very wide consultation process. Land would be allocated to investors for specified development activities and limited time periods. Failure of investors to fulfill agreements would lead to withdrawal of the certificate of occupancy to give way for other investors to occupy the land. Essentially therefore it was the use that was being privatized and not the land. The land remained the property of the village council. Fear of alienation should not exist since customary laws had to be followed. Under the customary law, any plot of land on sale would be advertised to all members of the community first so that any interested member would get first priority. If none were ready to buy the land, it would be sold to others who would be given the land for a specified period of time. If the outsider failed to abide by the conditions then the land would be withdrawn from him/her. When the agreed period of occupancy expired, the land would be returned to the village council.

The objective of empowering people was to make use of their land either through sole ownership or in partnership with other investor/s whereby land would be one of the valuable shares. Land value provided opportunity for a common man to reduce poverty as it enabled them to have access to capital.

It was noted however that land titling was not a compulsory exercise, but was optional for individuals willing to acquire certificates for their lands.

8. DAY TWO GROUP WORK

The second day's group work was designed to move the symposium towards a direction forward. In this regard three themes were identified as follows:

1. Implementation of the Land Laws – how best can we go forward?
2. Policy Recommendations
3. Partnership – how best can we organise?

Group One: Implementation of the Land Laws

The following recommendations were made under this heading:

- The Land Laws should be clarified and put into simpler language
- Awareness of the general public should be raised
- Land Laws should be mainstreamed in the local government laws
- Procedures should be simplified in order to make it easier for the villagers to fill in the forms
- CSOs should be involved and encouraged to provide recommendations
- Issuance of Village Land certificates in order to solve the conflicts between neighbouring village/authorities.
- Procedures should be shortened
- Adjudication processes should be followed instead of administrative measures and pressures from executive authorities.

Group Two: Policy Recommendations

Group Two made recommendations in two broad areas – the legal environment and implementation issues. With regard to the former they recommended:

- Harmonization of conflicting policies and legislation, for example concerning wildlife, mining, tourism, local governance, marriage and inheritance)
- Game Controlled Areas should be de-gazetted
- Reconciliation of differing definitions of 'General Land' under Acts 4 & 5
- Amend the Law of Marriage Act, so that it is in conformity with the positive developments of the Land Laws

With regard to implementation, they recommended that there needs to be improved understanding and cooperation between different stakeholders, particularly Government and Civil Society. The symposium illustrated how government officials are defensive with regard to criticisms from other stakeholders. Otherwise, the group reiterated the need for further demystification of relevant policies and legislation.

Group Three: Partnership

This group identified key partnerships amongst Government, CSOs, Private Sector and Donors.

Intra-government relationships

With regard to intra-government relations, the group noted that coordination is strong at ministerial level, but becomes weaker below that. Nevertheless coordination between ministries could be improved, notably the Ministry of Land and the Ministry of Natural Resources.

At the district level, the group identified a need for greater resources. Furthermore, LGAs need to take an active role in coordinating national policy and legislation at local level while all relevant policies and legislation need to be available and understood at the District. Specifically, roles and functions of district officials need to be harmonised. For example, Land Officers currently report to three different people. Moreover, district coordination bodies such as District Environment Committees need more resources.

CSOs and Government

The group made the following recommendations:

- Government should actively inform Civil Society of legislation and directives
- Joint fora should be established
- CSOs should share workplans and educational materials with government
- Government should use CSOs to support their initiatives such as dissemination of laws and sensitisation.

Intra Civil Society

In this regard the group recommended increased sharing of information, development of joint workplans and sharing of resources. This should be underpinned by joint strategies to influence policy and to support implementation at District level.

Government, INGOs and Donors

It was recommended that common strategies be developed underpinned by pooled resources. With regard to donors specifically, improved harmonisation of donor policies was recommended. In addition to improved transparency it was suggested that the Informal Discussion Group on the Environment (IDGE) include land issues in its agenda.

Private Sector and Government

It was recommended that mechanisms be developed to involve the private sector in implementation. Moreover, it was suggested that funds be solicited from the private sector for anti-corruption measures, services and dissemination.

With regard to transparency a number of recommendations were made. Firstly, greater transparency was called for with regard to land deals. Secondly, negotiating skills of village communities should be developed to help them negotiate with investors. Finally, there should be greater awareness raising of rights under the law, constitution and international treaties.

10. RECOMMENDATIONS ON FUTURE ACTION

Based on the two days' deliberations, a number of recommendations for future action were agreed in plenary. These concerned: the role of CSOs in supporting implementation; specific aspects of the Land Acts that needed addressing; and the need for prompt follow up on the symposium through the formation of a task force.

Role of CSOs

The role of CSOs was recognised, particularly with regard to sensitisation of local communities. It was recommended that a coordinating body be established for CSO activities in this area.

Aspects of the Land Acts

It was recommended that the legal status of the Village Land Council be reviewed and amended. More specifically, it was recommended that villages be given legal authority over land exceeding 250 hectares and that executive control at this level be removed. Furthermore, the symposium recommended that future amendments be enacted with due regard for implementation issues.

Formation of a Task Force

It was finally recommended that a Task Force be formed to follow up on the symposium. By consensus it was agreed that the Task Force should have representation from CSOs (three members), Government (three members) and the private sector (two members). It was agreed that the Task Force would pick up the recommendations from the symposium, prioritise suggestions and draw up an action plan. The Task Force will be coordinated by Oxfam Ireland.

The following were selected to form the Task Force:

CSOs

JOLIT – William Olenasha
PINGO – Edward Porokwa
TWLA – Magdalene Rwebangira

Government

Ministry of Water and Livestock Development – Suma T. Mbopyo
Ministry of Land and Human Settlements Development – Jayson M. Kami
Ministry of Land and Human Settlements Development – Dickson M. K. Koggani

Private Sector

Two vacancies to be filled later.

11. CLOSING REMARKS

Key closing remarks were made by DCI and the Commissioner for Lands. *DCI* noted the importance of the issue of pastoralists and remarked that they are a notable vulnerable group in the context of the Land Acts.

The Commissioner for Lands remarked that he shared the symposium's concerns with regards to pastoralism and gender issues. He expressed his satisfaction with the formation of the Task Force and foresaw improved partnership between government and CSOs in the future.

Annex 1: List of Participants

PARTICIPANTS FOR THE LAND SYMPOSIUM HELD AT THE COURTYARD HOTEL ON 1ST – 2ND MARCH 2005

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53.	Richard Mauore	Financial Times	0741-608317,
54.	Harieth Mandari	Sunday Observer	0745-889612,
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ANNEX 2: PROGRAMME OF THE SYMPOSIUM

DAY 1 – TUESDAY 1ST MARCH 2005: THE 1999 LAND ACTS: THE STATUS OF IMPLEMENTATION: LESSONS, CHALLENGES AND IMPLICATIONS

- 08:30 - 09:30: Arrival and registration of participants
- 09:30 - 09:45: Welcome from the organizers and introductions
- 09:45 - 10:00: Opening Address from the Permanent Secretary for the Ministry of Land and Human Settlement Development, Mrs M. Salome-Sijaona
- 10:00 - 10:15: Introduction to the proceedings of the workshop by the workshop facilitator
- 10:15 - 10:45: Presentation 1: Overview of the Status of Implementation of the 1999 Land acts by the Commissioner for Lands Mr. Albert Msangi
- 10:45 - 11:05: Clarificatory questions from the floor
- 11:05 - 11:25: TEA/COFFEE BREAK
- 11:25 - 11:55: Presentation 2: Practical Experience in Village land Act of 1999 by Mr. E. Gayewi Coordinator, Ujamaa Community Resources Trust (UCRT)
- 11:55 - 12:15: Questions and clarification from the floor
- 12:15 - 12:45: Presentation 3: Strategic Plan for the Implementation of Land Acts of 1999, Professor hayuma, Advisor to the Permanent Secretary of the Ministry of lands and Human Settlement Development
- 12:45 - 13:05: Clarificatory questions from the floor
- 13:05 - 14:05: LUNCH BREAK
- 14:05 - 14:35: Presentation 4: Community Based Experience of Implementation the 1999 Land Acts by Clarence Kipobota of the Legal and Human Rights Centre (LHRC)
- 14:35 - 14:55: Clarifications from the floor
- 14:55 - 15:10: Identification of key issues from presentations for group discussion
- 15:10 - 15:30: TEA/COFFEE BREAK
- 15:30 - 16:30: Group discussions on key issues
- 16:30 - 17:40: Feedback from the groups and plenary discussion
- 17:40 - 17:45: Wrap up of Day 1

DAY 2 - WEDNESDAY 2ND MARCH 2005: THE 1999 LAND ACTS: CROSS CUTTING ISSUES AND THE WAY FORWARD

08:30 - 08:45: Arrival and opening of Day 2

08:45 - 09:15: Presentation 1: Gender and Land: Emerging Issues by Magdalena Rwebangira Gender Land Task Force/Tanzania Women Lawyers Association

09:15 - 09:40: Plenary Discussion

09:40 - 10:10: Presentation 2: Wildlife Management and village Land Tenure in Northern Tanzania. By Fred Nelson of the Sand country Foundation

10:10 - 10:35: Plenary Discussion

10:35 - 10:55: TEA/COFFEE BREAK

10:55 - 11:25: Presentation 3: Land Privatization in Tanzania: State of the art, Implementation and Lessons for Policy and Practice Presentation by Yerfred Myenzi, HakiArdhi

11:25 - 11:50: Plenary Discussion

11:50 - 12:20: Presentation 4: Land in the Context of the National strategy for Growth and Poverty Reduction, Presentation from David Howlett, the Vice President's Office

12:20 - 12:45: Plenary discussion

12:45 - 13:45: LUNCH BREAK

13:45 - 14:45: Group discussions of ways forward for future implementation of the Land Laws.

14:45 - 15:45: Group feedback and plenary discussion

15:45 - 16:00: TEA/COFFEE BREAK

16:00 - 17:00: The Way Forward

17:00 - 17:15: Close of the Symposium