



# ESWATINI

## EU LAND GOVERNANCE PROGRAMME TRANSVERSAL PROJECT

### COUNTRY BACKGROUND

Land resources in the Kingdom of Eswatini are under increasing pressure, which is driven by a growing population, the rising demand for inter alia irrigated agriculture, industrial forestry, livestock grazing, biodiversity conservation and uncontrolled rural settlement. A key technical issue is the absence of an effective land administration and management system (cadastre) that can be used by all land-related organizations. Most land in Eswatini is held in trust by the King on behalf of all citizens; this form of customary tenure is quite secure but does not enable collateralization or the transfer of user rights. Under traditional management and administration, the record of land assignment rests within the memory of the Chief and his council members. When land is allocated, the Chief or his representative walks the boundary and lays markers that delineate the area. These are normally respected by all members of the community.

The grant of user rights to family groups by allocation is not documented and the land not delineated; this has created challenges for rural land administration and management.

### OBJECTIVE

The overall objective of the European Union Land Governance Programme - Country Implementation (EULGP CI) is to improve food security and land access for the rural poor.

It seeks to support the Kingdom in addressing this challenge through strengthening the analytical tools and capacity necessary for sustainable land administration and management thus bringing together traditional and modern systems.

<b>Name of the EULGP CI*</b>	Enhanced Capacity for Sustainable Land Administration and Management at National Regional and Chiefdom Levels
<b>Implementer</b>	COWI A/S, Denmark
<b>Implementer partners</b>	Ministry of Agriculture Eswatini Water and Agricultural Development Enterprise (ESWADE) Ministry of Natural Resources and Energy Ministry of Economic Planning and Development, Aid Coordination and Management Ministry of Tinkhundla Administration and Development Land Management Board
<b>Target areas</b>	Four Regions: Hhohho Lubombo Manzini Shiselweni
<b>Political entities involved</b>	
<b>Budget</b>	EUR 1 800 000
<b>Length of the EULGP CI</b>	October 2016 – August 2019

\*EULGP CI (European Union Land Governance Programme - Country Implementation)

### STRATEGY OF INTERVENTION

The strategic intervention of the country project is to provide tools and capacity for sustainable land administration at chiefdom level but also at constituency, regional and national levels.

More concretely, this intervention was focused on the following three axes:

#### Axis 1

Developing tools for more efficient land administration at chiefdom and constituency level. Concretely, activities have been centered in four pilot areas around tenure responsive land use mapping, data collection (homestead allocations, etc.), and land records validated by and kept in the chiefdom.

#### Axis 2

Educating, training and building capacity of users of land and cadastral information to manage Swazi Nation Land more efficiently and sustainably. The activities under this axis included preparation of

## TRANSVERSAL PROJECT

By means of a Transversal Project, co-funded by the EU and the Swiss Agency for Development and Cooperation (SDC), the Food and Agriculture Organization of the United Nations (FAO) coordinates, supports and consolidates the implementation of the EU Land Governance Programme. The European Union Land Governance Programme funds 18 individual country-level projects in Africa, Asia and Latin America, all of which address tenure issues, and are implemented alongside various partners, among which are government agencies, civil society organizations, bilateral and multilateral organizations and private contractors. All project activities are carried out within the framework of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and, in the African context, the African Union Declaration on Land Issues and Challenges in Africa (AU Declaration) and its Framework and Guidelines on Land Policy in Africa (F&G).

guidelines and manuals, training (mainly training of data collectors to use the data collection tools) process mapping and streamlining procedures.

### Axis 3

A stock take of land institution arrangements and recommendations for moving the reform agenda forward.

Activities under this axis included consultation and consensus-building among the key stakeholders, preparation of discussion papers and possible options for land institution arrangements reforms.

## OUTCOMES AND IMPACT

The main results of the EULGP CI are:

At the end of the project 13 174 homesteads and 17 400 land parcels (landholdings) were recorded in 21 chiefdoms over an 18 month period. Chiefdom traditional authorities were provided with hardcopy land registers and maps as well as digital land information (GIS) on laptop computers, creating a neo-customary land administration system for local land management. Landholding rights are secured by an entry in the land register; landholders are not provided with certificates.

Land administration guidelines and standard methodology for land rights recording and maintenance prepared, workshop held and accepted by stakeholders, then distributed with training to traditional authorities (chiefs and chiefdom inner councils) in the four pilot areas.

A PostGIS database server with QGIS 3.4 software is used at the Surveyor General's Department to process data collection (using GeoODK) and maintain the digital records. Chiefdom data sub-sets are provided on laptop computers (with customized QGIS software) to each pilot area chiefdom.

Land information and administrative systems, comprising maps, records/ registers, lists, computerized data, manuals and guidelines delivered to 21 chiefdoms, which, with training, creates and operationalizes a neo-customary land administration system in the four pilot project areas.

Immediately following delivery, chiefdoms began adding landholdings to the maps and registers that were not captured during the systematic recording campaign. Some chiefdoms have christened the registers Libhayibeli Lemphakatsi or the chiefdom bible, which has two parts, the Lithesitamente Lelidzala or Old Testament of past land allocations, and the Lithesitamente Lelisha or New Testament of blank pages to record new allocations. These registers are modelled on the simple and easy to maintain land registers used for freehold land in many ACP countries.

A formalized system of customary land dispute mediation was developed and operational guidelines were prepared. The Eswatini Conciliation Mediation and Arbitration Commission (CMAC) provided a training in October 2019 to make land dispute mediation services

operational and available at local level. A total of 51 persons (41 percent women) selected from all four pilot locations were trained in mediation to capacitate them to resolve land disputes effectively so as to reduce conflicts associated with land ownership and use. The trained personnel included community leaders, faith organization leaders, women leaders, as well as respected members of the communities.

Four options for land institution arrangement reform were developed and workshops held with key stakeholders, including representatives of both modern state government (ministries) and traditional authority government (King's advisory bodies and councils and chiefs and chiefdom councils). The recommendation is that because most land in Eswatini is held by the King in trust for the nation, the decision on which path to take for land institution reform will require the consent of the highest traditional authority.

Concept and design of follow up on project prepared and agreed by key stakeholders. This will largely be a roll out of the successful work and results of the pilot projects to the remaining 300+ chiefdoms. Scale up will also include components of GIS/IT development and progressing the land institution arrangements reform options.

Roll out of the Sustainable Land Administration and Management Project is supported by continuing budgetary commitments by the Government of Eswatini to maintain the initiative but scale up is uncertain until further donor funding is identified and committed.



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