

Land Titling in the East African Context: Case of Burundi

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Since its independence in 1962, Burundi has experienced two major political upheavals (1972 and 1993) resulting in over 1 million internally displaced people and external refugees. The repatriation of these people continues to be a major focus of government land related activities. At the same time Burundi has one of the highest population densities in Africa (ranging from 230-278 persons/km² and in some provinces as high as 650 persons/km²) and a population growth rate exceeding 3%. Land holdings are small (approximately 0.5 ha per family) and are used for habitat and subsistence farming. Over 90% of the population is dependent on agriculture and the government itself derives over 45% of its GDP and 80% of its export earnings from agriculture.

The formal and informal land tenure system is weak and property rights are unclear. Many conflicts exist between the waves of IDPs, refugees, returnees and resettled families and within families as the limited family resource base continues to be subdivided amongst heirs. Customary realities such as women's inheritance rights, divorce, widowhood, and polygamy deprive women of rights of access to land, further exacerbating the level of conflicts within the society.

Different governments shared in common the absence of clear political commitment/good will and strong leadership to promote a global land policy and then failed to tackle this sensitive matter. Any attempts to resolve land issues are met with that complex situation because it is difficult to balance or resolve the competing interests that are imbued with ethnic undertones especially if linked to perpetration and sustenance of war and to power relations between the political and business patronage that has acquired land, sometimes fraudulently.

We will try to assess and show the gaps and challenges related to the elaboration of a coherent land policy and a legal reform that can give firm foundation for subsequent implementation in a context of long time and interlinked social and political dynamics. We will use an example of an E.U. funded project on land titling. Since there is no common system of land management in Burundi, the expected outcome of the project was the creation of a localized registry system providing a system of land records for small holders in addition to services for land transactions at the communal level.