



**The World Bank**

Land Tenure Improvement Project (P164906)

---

# Project Information Document (PID)

---

Concept Stage | Date Prepared/Updated: 10-Jun-2019 | Report No: PIDISDSC27319

**BASIC INFORMATION****A. Basic Project Data**

Country Tanzania	Project ID P164906	Parent Project ID (if any)	Project Name Land Tenure Improvement Project (P164906)
Region AFRICA	Estimated Appraisal Date Dec 02, 2019	Estimated Board Date Feb 27, 2020	Practice Area (Lead) Urban, Resilience and Land
Financing Instrument Investment Project Financing	Borrower(s) Ministry of Finance and Planning	Implementing Agency Ministry of Lands, Housing and Human Settlements Development	

**Proposed Development Objective(s)**

To strengthen the land administration system and increase tenure security for both men and women.

**PROJECT FINANCING DATA (US\$, Millions)****SUMMARY**

Total Project Cost	150.00
Total Financing	150.00
of which IBRD/IDA	150.00
Financing Gap	0.00

**DETAILS****World Bank Group Financing**

International Development Association (IDA)	150.00
IDA Credit	150.00

Environmental and Social Risk Classification  
Substantial

Concept Review Decision  
Track II-The review did authorize the preparation to  
continue



## B. Introduction and Context

### Country Context

With steady, pro-poor growth averaging 6.5 percent per annum, Tanzania has been one of the stronger performers in Sub-Saharan Africa (SSA) over the last decade but more needs to be done to achieve its development vision. Based on the national poverty line, headcount poverty fell from 34 to 28 percent between 2007 and 2012, and extreme poverty fell by 2 percentage points over the same period but remains high in absolute terms. While the last decade saw a reduction in overall inequality and an increase in the rate of consumption growth of the bottom 40 percent, large income and welfare differences exist between urban and rural citizens. Tanzania's stable political and macroeconomic environment and diverse natural resources provide many opportunities for inclusive growth. For Tanzania to realize the potential presented by these strategic advantages, it will need to strengthen institutional capacity, create an open and competitive policy environment, promote public-private partnerships to raise investment levels to fill the large infrastructure gaps, raise human capital levels and coordinate across government to manage Tanzania's rich natural resources for equitable growth.

Tanzania's population of nearly 54 million is growing rapidly at about 3 percent per year and is expected to reach 100 million by 2040. About a third of the population lives in urban areas and at current rates it is estimated that half of the population will be living in urban areas by 2050, driven primarily by population growth and rural urban migration. Increasing urbanization is having, and will continue to have, an impact on urban development and heightens the need to ensure sustainable urban living conditions, including housing, sanitation, and waste disposal. The population expansion will severely strain the government's capacity to deliver services in health and education, among others.

Currently, 68 percent of the population still lives in rural areas and poverty remains high in rural areas, with about 10 million defined as poor, and 14 million in the bottom 40 percent (2012). About 73 percent of Tanzanian households depend on agriculture for their livelihoods. The sector contributes about 31.5 percent to the GDP. The agricultural sector is dominated by small farms as small-scale farms occupy 91 percent of Tanzania's total farmland. Subsistence farming is at the heart of smallholder activity and 60 percent of small farms and 52 percent of large farms are producing crops exclusively. Global interest in investing in Tanzania's rural and urban land has grown in recent years. After crop production, livestock production is a major activity for an estimated 40 percent of smallholder households and 47 percent of large-scale farms. Only a small share of the former deal exclusively in livestock (including pastoralism) compared to 19 percent of the latter. Nevertheless, smallholders contributed 99.6 percent to the livestock population in 2007/08.

### Sectoral and Institutional Context

The Constitution of Tanzania provides that every person has the right to own property. Tanzania's 1995 National Land Policy (NLP) states that all land in Tanzania is considered public land vested in the President. In 1999 the Village Land Act and the Land Act were published and established three categories of land: General, Reserved and Village Land. In 2005 the Government prepared the Strategic Plan for the Implementation of the Land Laws (SPILL), which was revised in 2013. The FYDP II implementation strategy includes the formalization of land ownership, resolution of land disputes,



and the improvement of processes for investors to acquire land. Currently, Tanzania ranks 142 of 187 economies in terms of ease of registering property in the 2018 Doing Business Report.

One of the key institutions that buttress a strong business environment is the institution of property rights and a system for land registration. Clear, enforceable and tradeable property rights provide security of tenure for communities, families and individuals to invest and reduce the potential for conflicts over land and other natural resources. Property rights through secure tenure are, therefore, an important part of what is needed to achieve inclusive growth.

Tanzania has one of the lowest records of land registration (<10%) in Africa. The current land registration process is not systematic but sporadic, which is expensive and does not provide a complete database for planning, taxation and other key uses. While community norms may provide a perceived tenure security, as pressure on land resources increases, documentation of land rights may help property holders to be more secure and more likely to invest in improvements to the property, as well as reducing potential for land conflicts. The lack of property ownership/use data also negatively affects tax revenue and effective planning for growth and development.

Land disputes are a common feature of both rural and urban areas. Conflicts are tied to increasing population pressure; conflicting land uses, such as grazing versus cultivation; proliferating peri-urban development, overlapping land concessions, and “land grabbing”. Women’s land rights are relatively well-supported in Tanzania’s formal legal framework, but women’s land rights are often undermined as customary laws, which favor male inheritance, are widely practiced.

The 1999 Village Land Act determines that village lands may be demarcated, and land use plans created to provide for Certificates of Village Land (CVL) as well as Certificates of Customary Rights of Occupancy (CCROs) for people living within the villages. The process has been slow and costly, resulting in 11,000 out of 12,500 CVLs, 13% adapted village land use plans and less than 10% of approximately 6 million households with CCROs issued.<sup>1</sup> In urban areas, people may apply for Certificates of Rights of Occupancy (CROs), however, the process for CROs is difficult, costly and time consuming, making the process out of reach for many urban citizens.

The Ministry of Lands, Housing, and Human Settlements Development (MLHHSD) houses the Departments of Land Administration, Survey and Mapping, Physical Planning, and Housing. It is responsible for land administration in the whole country and supervises eight Zonal Land Administration Offices. District Councils, District Land Offices, and village land authorities are accountable to MLHSSD but are vested in the Presidents’ Office for Regional Administration and Local Government (PO-RALG). Land disputes are handled by District Land and Housing Tribunals, Ward Tribunals and Village Land Councils, which partly conflict with judicial functions of the courts.

The Private Sector and Competitiveness Project (PSCP) (P085009), managed by the World Bank Finance, Competitiveness & Innovation Global Practice, included a substantial land administration component (US\$35.2 million). The project closed on July 31, 2018. As a result of PSCP the government has a more robust and effective land administration system supported by a newly established National Integrated Land Management Information System (ILMIS) and the basics for establishing a modern geodetic reference infrastructure. The system and infrastructure developed supports recording of property data using various ‘Fit-For-Purpose’ approaches and technologies.

<sup>1</sup> Schreiber, L. (2017): Registering Rural Rights: Village Land Titling in Tanzania, 2008–2017.



As the Bank is supporting the central level land administration infrastructure, several donors are supporting on the ground pilots to issue certificates. The US Agency for International Development (USAID) is supporting a pilot to issue low cost CCROs. The UK Department for International Development (DFID), along with Danish Aid (DANIDA) and the Swedish International Development Agency (SIDA) are also piloting approaches for issuance of CCROs. Both of these projects use the Mobile Application to Secure Tenure (MAST) which has demonstrated significant cost savings and potential for scale-up. A number of other pilot experiences - IFAD and Finland on land use planning; World Bank financed projects for urban mass registration – provide valuable experience, procedures, costing and other information for project preparation.

#### Relationship to CPF

The project is aligned with the focus areas and objectives of the Country Partnership Framework (CPF) FY18-FY22 (Report No. 121790-TZ). The CPF's Focus Area 1 (Enhance productivity and accelerate equitable and sustainable growth) is closely aligned with the FYDP II's emphasis on industrialization. In this context the support for land administration activities will support the enhanced business environment for job creation (Objective 1.1). Project activities such as acquisition of satellite imagery will provide better information for improved natural resource management (Objective 1.3). The project will also support harnessing urbanization (Objective 1.5) through mass certification in urban areas. The Project will also help address climate change and disaster risk management by supporting both adaptation and mitigation.

The project will also contribute to Focus Area 3 (Modernize and Improve Efficiency of Public Institutions) through capacity building and training, improvement to services and decentralization of services and other potential institutional reforms focused on MLHHSD and other relevant institutions dealing with land administration.

#### C. Proposed Development Objective(s)

To strengthen the land administration system and increase tenure security for both men and women.

##### Key Results (From PCN)

Key results indicators could be:

- Number of CCROs/CROs issued and registered (gender disaggregated)
- Increased number of land and property transactions
- Reduced number of land conflicts
- Increased perception of tenure security (survey data)

#### D. Concept Description

##### Potential project components:

Component 1: Increased Tenure Security which would include urban and rural mass registration, issuance of CCROs, CROs and other related activities. This component would focus on upscaling successful pilots for mass issuance of CCROs in the rural areas and CROs as well as residential licenses in the urban areas. The pilots being financed by several donors provide good experience, process manuals, cost figures and other information vital for the designing the activities for issuance of CCROs in rural areas. The experience in urban areas is less clear and will require additional



review and process improvements but could build on the successful models being utilized in rural areas. The work will be done in a cost-effective manner but one that also is responsive to local social conditions, women's tenure and potential land use conflicts (between for instance pastoralists and farmers). To the extent possible and based on the needed market analysis, this work would be outsourced with monitoring by MLHHSD.

Component 2: Land Information Management which would include the rollout of ILMIS, improvements to the geodetic network, base mapping, and establishment of a National Spatial Data Infrastructure (NSDI). The ILMIS has been designed and piloted through another World Bank financed project – Private Sector Competitiveness Project. However more will be needed to fully implement the system in all zonal office and to design an effective way to reach all localities for maintenance of the land information. All activities will be designed with sustainability as a key aspect of the design to ensure that the technology and infrastructure built are sustainable financially and in terms of human capacity to manage and maintain. This is important not just for ILMIS, but also for the base mapping and geodetic network.

Component 3: Institutional Strengthening which would include capacity building and legal/regulatory reform activities, public awareness campaigns and other related activities to improve land administration. MLHHSD has a wide mandate and land administration is just a part of it. This component could consider appropriate institutional arrangements for land administration for the future including the creation of a land administration agency. Training and capacity building will be a significant part of this component, which could also look at university and other training programs to improve curriculum and educational capacity.

Component 4: Project management and M&E: A Project Implementation Unit (PIU) would be established within the MLHHSD. The key tasks to be carried out by the PIU would be general project coordination, procurement, financial management, safeguards supervision, and monitoring and evaluation. Capacity building for the Ministry staff would be necessary as the proposed project would be the first World Bank funded standalone project to be implemented by the MLHHSD. Capacities exist within the Ministry but need to be strengthened to ensure successful project implementation. Equipment and training would also be needed to upgrade the capacities of the Ministry.

Legal Operational Policies	Triggered?
Projects on International Waterways OP 7.50	No
Projects in Disputed Areas OP 7.60	No

#### Summary of Screening of Environmental and Social Risks and Impacts

The screening process has highlighted a number of social risks and impacts which will need to be considered during Project preparation.

The key potential social issues, which need to be managed/mitigated are related to

- (i) labour and working conditions for contractors, including the risk of the use of child labor during construction;
- (ii) potential for resettlement associated with land acquisition for zonal offices and as a result of regularization of land



plots. This could result in physical and or economic displacement of people who will at a minimum require compensation for their losses. In the case of voluntary land donations procedures will be put in place to ensure that donations are fully informed decisions with appropriate documentation to support this.

(iii) potential impacts to vulnerable groups as defined under ESS7. There is a high risk of conflict over rights to land and land use and this includes potential for conflict over land rights and use. This is a particular risk where hunter-gatherers or pastoralist communities are located in close proximity to settled communities and where there are other pressures on land use.

(iv) as with any construction project, there is the potential for negative impacts to community health and safety including increased transmission of diseases, road traffic accidents, risks associated with GBV and conflict between workers and the community. Due to the size and duration of construction works this is expected to be limited in nature but will still require appropriate mitigation.

From the preliminary review carried out at this concept stage, it can be concluded that implementing agencies' environmental and social management system and procedures need to be complemented/enhanced to comply with ESF requirements. In particular, supervision and reporting capacity is weak and measures and budget will need to be included in the ESCP to address these gaps.

**Note** To view the Environmental and Social Risks and Impacts, please refer to the Concept Stage ESRS Document.

## CONTACT POINT

### World Bank

Victoria Stanley, Emma Isinika Modamba  
Sr Land Administration Specialist

### Borrower/Client/Recipient

Ministry of Finance and Planning

### Implementing Agencies

Ministry of Lands, Housing and Human Settlements Development  
Dorothy Mwanyika  
Permanent Secretary  
[mwanyikads@ardhi.go.tz](mailto:mwanyikads@ardhi.go.tz)



## The World Bank

Land Tenure Improvement Project (P164906)

### FOR MORE INFORMATION CONTACT

The World Bank  
1818 H Street, NW  
Washington, D.C. 20433  
Telephone: (202) 473-1000  
Web: <http://www.worldbank.org/projects>

### APPROVAL

Task Team Leader(s):	Victoria Stanley, Emma Isinika Modamba
----------------------	--

### Approved By

Environmental and Social Standards Advisor:		
Practice Manager/Manager:		
Country Director:		