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**College of Arts and Social Sciences**

**Master of Arts in Development Studies**

**NEW TRENDS OF LAND RELATED CONFLICTS RESOLUTION IN RWANDAN  
SOCIETY: CASE STUDY GISHAMVU SECTOR.**

**(2014-2016)**

**By**

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**Huye, October 2019**

**DECLARATION**

I, BIZIMANA RUTI Emmanuel, hereby declare that the work presented here is my original work and has never been presented to any other institution for any award.

BIZIMANA RUTI Emmanuel

*Signature*.....*Date*.../...../.....

**Supervisor**

I certify that this work was done under my supervision.

Dr. HAHIRWA Joseph

*Signature*.....*Date* ...../...../.....

## **DEDICATION**

Dedicated to:

My wife UMUHIRE Vèrène

To our children;

My relatives,

Friends and colleagues

## **ACKNOWLEDGMENTS**

Firstly, I would like to express my great thanks to my supervisor Dr. HAHIRWA Joseph for his devotion in supervising this work up to the end. This research could have probably not been completed without his professional, enthusiastic and instructive supervision and guidance. His advice was most invaluable and numerous discussions engaged in during the course of this study were most fruitful and enlightening.

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## **ACRONYMS AND ABBREVIATIONS**

<b>CNF:</b>	Conseil Nationale des Femmes
<b>CNJ:</b>	Conseil Nationale des Jeunes
<b>EDPRS:</b>	Economic Development and Poverty Reduction Strategy
<b>EDPRS:</b>	Economic Development and Poverty Reduction Strategies
<b>FAO:</b>	Food and Agricultural Organization
<b>IFAD:</b>	International Fund for Agricultural Development
<b>LTRP:</b>	Land Tenure Regularization Program
<b>NGOs:</b>	Non-Governmental Organizations
<b>NISR:</b>	National institute of Statistics of Rwanda
<b>SDGs:</b>	Sustainable development Goals
<b>UN:</b>	United Nations
<b>UNDP:</b>	United Nations Development Program
<b>UNFPA:</b>	United Nations Population Fund
<b>USAID:</b>	United States Agency for International Development
<b>VUP:</b>	Vision Umurenge Program
<b>RURA:</b>	Rwanda Utilities Regulatory Authority

## **ABSTRACT**

Land related conflicts are the challenging worldwide problem to the sustainable development. Currently, the population growth and land scarcity followed by the spirit of capitalism has made human being selfish and thirsty for development that cause many families live in conflicts related to land. The laws and regulations also that abolish the inheritance and land distribution of parents to their children also increased tension of conflicts among family members.

The objectives of this research wereto assess the problem associated with trends made on land laws and implementers that make land conflicts unresolved. To assess different conflicts that occur in Gishamvu sector and how land laws are applied to solve these conflicts. Gishamvu sector was taken as the case study though this problem does not be found only there, rather in the whole country. The researcher used questionnaires; interview and the quantitative research method were conducted to make the research more accurate.

In the research findings, the study found out that the respondents mostly those from rural areas do not know their laws and rights of land. In rural areas, women are still victimized, where they are not allowed to ask for land at the place of birth, and are not allowed to be inherited. The illegal children countrywide according to the findings live in misery, homelessness and in cold condition because there are no clear laws and regulations that give them rights to protect them. It is also found out that young children who are about to land acquire are not for the new Rwandan law that favor parents to give land to their children willingly and parents also criticized it of not to be fair because it could cause conflicts among families in case parents give one children bigger land than others or in case one children are given land while other are rejected, while other the parents agreed with the laws.

The researcher suggested some recommendations that can reduce the land conflicts within the community mostly in where the families are accusing each other and even those results in death. The government was recommended to taking part in land conflicts management; Gishamvu sector and Rwandan citizens also were recommended.

## **CHAPTER I: INTRODUCTION AND BACKGROUND**

### **I.0. Introduction**

Land scarcity, population growth and the history in which Rwanda passed through brought different conflicts among its population and most of these conflicts are related to land. The polygamous and unofficial unions, who are not protected under the current legal framework also, are causing conflicts within the Rwanda families; the history of bad leadership and ethnic discrimination which made big number of Rwandans left the country and their properties that were occupied by others later. The exploitation of high-value natural resources, including raw materials, gas, minerals and timber has often been cited as a key factor in triggering, escalating violent and conflicts around the globe (UN, 2012).The issue of land has become the world's problem as population increase and the environment is being destroyed by human being (UN, 2012).

Land conflict in Rwanda is a big issue that makes most Rwandan pass their life in conflicts without resolution. In community, most of the crimes, killings that appear are related to land disputes between family members, societies. This land issues exacerbated from the arrival of Westerners, starting their policy of divide and rule. In the first and second republic when people started to be deprived their lights to property, to life and to residency, which made the land conflict aggravate. The food crisis and the recent increase of population have put a new emphasis on the value of land, especially in terms of food production, and placed land as a natural resource right next to all other highly competitive natural resources.

Conflicts over land occurring within a nation state don't merely affect individuals or groups of people, but can be an important threat to a country's stability, especially in developing countries and countries in post-conflict transition. The study is concerned with the new trends of land related resolution in Rwandan community as the country which has many land related issues from the past history that resulted in having many refugees, orphans and widows moreover with many familiar and social conflicts.

## **I.1. Historical background of land conflicts in Rwanda**

Most of the African population especially in rural areas relies on agriculture which means that they exploit land as their means of production and development and as their source of food security and richness; for this, the rich people invest more money in buying big land for securing their food crisis. As a result of land increasingly becoming an economic asset, land users have become more and more vulnerable to losing their land “to those with greater economic, political or social ability than themselves to lay claim to the same tracts of land.” (International Land Coalition, 2008, p.3.; Lavinia H. Schwedersky, 2010). This scarcity of land has caused many conflicts in different areas around the world which were resulted in civil wars and even national and international wars; many nations tried to make some regulations and laws to guide land in order to resolve such conflicts but still not yet reaching to the solution. In African rural societies more than other continents are spending much time in resolution of land related issues, such as land conflicts among families, community, importance and land use effectively, as most of as the underdeveloped country.

Rwanda is a small and landlocked country, hilly and fertile. It is located in the Great Lakes region of central Africa covering roughly 26,330 square kilometers of land and it is the most densely populated, with at least 13 million of people. The vast majority of the population resides in rural areas, and nearly 82 percent of the labor force is engaged in agriculture (FAO) while it has unfertile and scarce land. (Rwanda economic outlook, 2016).

The conflicts of land in Rwanda have dated for long period but the more population grows the greater the issues become. The conflicts come from international to national even to social aspects. In the past, Rwandan society used to hire land in exchange to production or those who have large land would give those who have nothing in exchange to cultivation which called Uuhake or Ubukonde. There were no regulations guiding land, they used customary laws and some contract by convention of community member. The land factors were and still one crucial element to distinguish the wealthy from the poor and the vulnerable (Rwanda, MIFEP, 2001; UNDP 200, Fumihiko Saito, 2011). Land ownership and access to land are today the most frequent source of conflict in the rural as well as the urban parts of Rwanda. At the source of the current struggles is the country’s conflict- ridden past as well as its current social situation.

According to Moore (1996), the relationship between land tenure and politics has long been the subject of numerous studies and these problems that revolve around land tenure have been much discussed in the field of political, and social sciences. In past dictatorship leadership of Rwanda, use the land to divide people and sow hatred among Rwandan, telling some group to kill others to take their properties which led to 1994 genocide and create conflicts among Rwandans.

The extremely hierarchical systems of power, together with high levels of corruption that covered Rwanda in the past, have given rise to an arbitrary system of land acquisition and speculation by those in power. In addition, the “absence of an independent uncorrupted judicial system has meant that effective legal remedies for victims of forced evictions were considered unattainable (Land and Housing Working Group, 2009, p.8); which a burden for the current government to handle such problem as well as the social conflicts that is still missing within community.

Land-related issues in Rwanda are multiple and varied. Some originate from the morphology and physiology of the land, while others are rooted in the socio-demographic and socio-economic situations combined with inadequate land policies, laws and regulations in the past (Land and Mapping Department, 2012). Land conflicts becomes very difficult and hard to resolve after Genocide against Tutsi’s and the repatriation of refugees who left their properties during Tutsi’s oppression from Rwanda because of bad and torture leadership going to different countries leaving their homeland and taken by those who expelled them ( Shinichi Takeuchi, 2000).

As good leadership came to build country of unity and prosperity, there must be new trends in land conflicts resolutions. The more land issues the many trends on land conflicts are made at many, every year reforms are made about land conflicts resolution laws though they remain unresolved, in dealing with this issue of land conflicts the government of Rwanda has made a reform on the laws of land in many sectors which helped it to solve the problems. The land has been distributed, for those who have much land were reduced to give those who have little in order to reduce gap that were among Rwandan society. In family, gender discrimination were brought to an end, where every child are equal in land inheritance boys and girls are being treated the same whether in land inheritance, succession or in every aspects of land, but there is new land reform, parents are giving child land depending on his will.

The land use consolidation policy was implemented for the first time in 2008 by the Government of Rwanda, through the Ministry of Agriculture, as part of the Crop Intensification Program and

initiated by the same Ministry in September 2007 with a goal to increase agricultural productivity of high potential food crops and to provide Rwanda with greater food security and self-sufficiency as policy to reduce conflicts by putting people to work together.

The conflicts of land in Rwanda is the first to be taken into account, as it is the major source of wealth of the country's development and social cohesion, the reform must be fair to everybody and have good influence to the development of any individual within community. The study will cover land conflicts into three major types: exile, boundary and inheritance conflicts, and examines the determinants of each conflict type. It is going to examine the impact of land-related conflicts on agriculture productivity, and the trends in which these conflicts can be resolved; the study examines the differential impact of different land conflict types on the development of the country's economic status.

Due to high population growth and increasing land scarcity in regions and communities that started with relatively high population density, inter-community migrations ensued and land conflicts that has been for long time within the country. Land transactions, as a new mode of land acquisition, increased because emigrants and refugees had to sell off their occupied land before migrating and as productive farmers purchased land from large land owners to expand their croplands. Women and pastoralists are particularly affected as vulnerable members of society whose access to rights in practice often fall short of those enshrined in law. (Hesse et al, 2013).

In Rwanda, land conflict increase as the people also increase due different factors such as the scarcity of land to use. Many changes was and still is made by sectors that are concerned with the land conflicts resolutions that every year new trends of land related resolution are made in land laws and regulations. Land tenure security and access to land are essential prerequisites in reducing rural poverty and ensuring the realization of fundamental human rights; but the problem is that the half of the land is covered by small number of people who are rich and who use it unproductively naming pasture while other poor people suffer from hunger, due to scarcity of land.

## **I.2. Problem statement**

Land conflict appears everywhere around the world, as the world population are growing rapidly while the resources are decreasing because of human actions or natural disasters that are

affecting the environment, but also there must be some trends in resolving such conflicts. In Rwanda land conflicts were at a high level after the 1994 genocide against the Tutsi, and grew as the population's demography showed an increase.

While the notion of fair settlement over land was apparently influenced by the 1994 Genocide, much needed political legitimacy of such reform was deeply embedded in a series of complex struggles over the precious resource of land manifested differently in different historical periods mainly due to population increase in the second half of the 20th century (Sikor and Müller 2009, Fumihiko Saito, 2011).

Issue of land conflicts in Rwanda is still there despite the reform that was made, which is very problematic of knowing if the laws are followed and enforced as it was amended. The prevalence and intensity of land related disputes in rural Rwanda, particularly intra-household disputes affecting women and children, are consequential to the livelihoods of hundreds of thousands of citizens, their families, and communities in general. The government of Rwanda set a regularization process which was likely to resolve many inter-household disputes by describing boundaries and recording existing rights, the inheritance is the main means through which people acquire land in Rwanda.

According to Gillingham and Buckle (2014) find that intra-family disputes over inheritance (*izungura*) or inter vivos (*umunani*) gifts of land remains as two of the most common types of land-related disputes in Rwanda. In Rwanda the land-related legal framework are contained in the 2013 Organic Land Law, and rules governing inheritance are covered in the 1999 Succession Law. As stated by Hughes and Richardson (2014), the most problems are found in the means through which land can be transferred from one person to another; a requirement of consent from all legally-registered rights holders to transfer land; and that agricultural land may not be subdivided if the resulting parcel size is less than one hectare is all found in this organic law of land regulation. While international understanding of the relationship between land and conflict is improving, a critical gap remains in implementing systematic approaches to land grievances and land conflicts (UN, 2012), which is very critical and making every country make trends on such conflicts for resolutions.

Rwandan Succession Law recognized women's inheritance rights, and details how land can be inherited, and the treatment of property under the different marital regimes (Hughes & Richardson, 2014, World Bank, 2016), which was a great issue that day even though even today



there is some difficulties that arises within community. All these new trends are more helpful to conflicts resolution in many sectors. The government in collaboration with other organizations, exceeded in forming some regulation to help resolve different problem with land sector, though they are not known by beneficiary at extent level of defending themselves.

### **1.3. Research Questions**

#### **1.3.1. The general research question**

What are new trends of land related conflicts that are used to solve the land conflicts in Gishamvu sector?

#### **1.3.2. The specific research questions**

- What are different land conflicts that occur in Gishamvu sector and how land laws are applied to solve these conflicts?
- What are the problem associated to the current land laws and regulations that thwart peaceful land policy implementations?
- What are different ways and mechanisms in which land related conflicts are resolved in Gishamvu district?

### **1.4. Objectives of the Study**

#### **1.4.1. General objective**

The general objective of this study is to find out the new trends of land related conflicts resolution in Gishamvu sector.

#### **1.4.2. Specific objectives**

- To assess different conflicts that occur in Gishamvu sector and how land laws are applied to solve these conflicts.
- To highlights different ways and mechanisms in which land related conflicts are resolved in Gishamvu district.

- To highlight problems associated with the current land laws and regulations that thwart peaceful land policy implementations.

### **I.5. Scope of the study**

The study “*new trends of land related conflicts in Rwanda*” will be limited in timely, geographically, budgetary. The literature was limited on land conflict in Rwanda focusing on Gishamvu sector. It took place in Rwanda, Huye district, Gishamvu sector where there are many cases concerned with land conflicts and was limited on the data from 2014 to 2016, to make sure that all needed information have been used and the study is very confidential to all who used it in the future.

### **I.6. Significance of the study**

The study is very significant to all government and local leaders who have any connection with land related issues. It will help them to know the real information on how laws related conflicts are implemented on the field, how the people perceive them in their implementation; also it is helpful in decision making.

The study also is very helpful to Rwandan citizens to be aware on the trends concerned with land conflicts and how to fight for their rights when ignores. Access to land and security of tenure are necessary for people to raise and stabilize their incomes and to participate in economic growth. They are also essential prerequisites for diverse land-based livelihoods, sustainable agriculture, economic growth, and poverty elimination, for achieving power in markets, managing natural resources sustainably, and preserving a people’s culture (Oxfam, 2007).

It will be helpful also to researcher to know more about land conflicts and their relatedness so that they can help resolve such conflicts if needed. People’s conflicts are increasing as the population growth is also increasing; familiar chaos and misunderstandings are exacerbating but the resolution process of these problems is still inadequate and ineffective which requires researchers to make deep research to in order to reach to the resolution.

## **I.7. Limitation of the study**

In research of this study, the researcher met with some obstacles that can hinder his study. During the information seeking, as many adult Rwandans are illiterates, this could be the difficult for him to teach them how to respond the questionnaires related to land conflicts. Transport also was difficult to get as travelling from one household to another is problem. The researcher must know the citizens who have met with this land conflicts either with their family or with their members of community.

The local government also sometimes refuses to give the real information about the land conflicts within their sector, saying that all conflicts have already resolved which required deep research and analysis to know real information about the study.

Therefore, despite these challenges and obstacles, the researcher managed to cope with such issues to get the real information about it.

## **I.8. Structure of the Study**

The study is organized into five chapters: Chapter one is introduction which covers the background of the study, statement of the problem, purpose of the study, objectives, research questions, significance, scope and organization of the study. Chapter Two consists of literature review covering theoretical framework and conceptual framework and different views from different scholars about land conflicts resolution. Chapter Three covers Research methodologies which comprises of research design, the target population, sampling techniques, the description of research instruments, research instrument validity and reliability, data collection procedures and data analysis techniques. Chapter Four consists of data presentation, interpretation and discussion of the findings. Finally, the chapter five comprises of the summary of the study, conclusions and recommendations on areas for further research.

## **Chapter II: LITERATURE REVIEW**

### **II.0. Introduction**

This chapter is concerned with reviewing and revisiting various literatures related to land related conflicts. The background information will be found from books, journals, articles and newspapers and wherever the information can be found. Broad information is needed to describe clearly the nature and extent to which that land reform has affected Rwandan society and what those reforms are.

### **II.1. Definition of key concepts**

#### **II.1.1. Land**

Land is the surface of the earth identified by specific boundaries, including the airspace above that portion of surface, the minerals beneath it, and surrounding biodiversity, erections and developments on that surface. In legal terms, it is an immovable and permanent asset inclusive of rights associated with the surface of the earth from the centre to the infinite sky (*Official Gazette no Special of 16/06/2013*). In this surface, residents can use this land in different ways, like agriculture, commerce, livestock, and other productive activities that make community more developed.

According to United Nations (2013), Land itself can be understood to include farmland, wetland, pasture, rangeland, fishery, forest, as well as harvesting and hunting territories. This means that everywhere in this world there is land and the owners of that land either public or private institutions, governments or others.

#### **II.1.2. Land conflicts**

land conflicts is the misunderstanding between two or more persons because of disagreement about land, in terms of distributions, successions or inheritance which can even cause killings or other inhuman actions. This can happen between families, neighbors in community.

Land conflict can be defined as a social fact in which at least two parties are involved, the roots of which are different interests over the property rights to land: the right to use the land, to

manage the land, to generate an income from the land, to exclude others from the land, to transfer it and the right to compensation for it. A land conflict, therefore, can be understood as a misuse, restriction or dispute over property rights to land (Wehrmann 2005).

In many societies especially in Africa people kill each other fighting for land, child kills his mothers or fathers because of land conflicts. The case in Rwanda genocide where some people killed others for jealous of their properties they have such as land and cows, wanting to take those properties. Land is a conflict-ridden resource, and, due to its many meanings a sensitive issue in Africa. Disputes and conflicts about land occur at all levels: Conflicts between neighbors about field boundaries; between men, women, and generations about their respective land rights; between pastoralists and farmers; between states and indigenous peoples; between companies and local populations about rights to exploit mineral and other resources (Quan et al 2004). The question about rights to land and territories has also been the source of civil wars as well as wars between nations.

The problems in Rwanda highlight that international humanitarian organizations lack specialization in land policy development and land administration. They may also reflect a tendency to focus on the needs of returnees at the expense of the interests of other groups. It is suggested that development NGOs with some expertise in land issues should be drawn into the planning for refugee returns early on, especially in cases such as Rwanda where it is clear that returnee land access will be a difficult challenge (John W. Bruce, 2007). Strategies for achieving security of land tenure early in the post-conflict period should be an integral part of the planning for return, and the political leadership of all groups should receive training in this area.

### **II.1.3. Land Reform**

Land reform is a policy set by government of Rwanda to improve the security of tenure by clarifying land rights and by registering land rights. Land is a most valuable asset but also a much contested one or source of various conflicts, getting land reform right is critical to both poverty reduction and to a peaceful and secure Rwanda. Reason government of Rwanda in its vision 2020 program identified land reform as prior in its development. Land reform help improve the security of tenure by clarifying land rights and by registering land rights, this also will give equal rights to land tenure whether girls or boys without discrimination.

The Umudugudu effort for a period became a national program of compulsory relocation and villagisation, but faltered as development and then human rights NGOs noted the many problems experienced in the refugee return phase poor locations, lack of services and lack of compensation. Donor agencies have withheld support. But land-sharing continues in some localities, to accommodate late-arriving or late-claiming refugees (John W. Bruce, 2007).

The Rwandan experience demonstrates the difficulty of reestablishing stability and security in landholding which has been caused by a number of reasons

Refugee returns can be long and staggered. While Rwanda was nearly overwhelmed by two huge and sudden waves of returning refugees, the refugee returns continue and will do so for some time. The returns tend to perpetuate land sharing and other extra-legal takings of property for returnees; Rectification of past injustices, however grievous they may be, can, if delayed too long, undermine efforts to establish security in landholding. In Rwanda the gacacas, local adjudicatory bodies established by the government to judge those who participated in the genocide, have only recently handed down indictments (Gilbornet *al.*, 2000); Development programs can themselves extend insecurity. In Rwanda, there have been calls for villagisation, consolidation of fragmented landholdings and master-planning of agricultural production, which could potentially involve a degree of consolidation. All three have created uncertainty among Rwandans as to whether they will be able to keep the land they hold (John W. Bruce, 2007); Titling program, if poorly administered, can work injustices, and the implementation of the titling and registration effort will need to be pursued by the government with great care, and will need to be carefully monitored by NGOs. A number of NGOs remain concerned with land issues, notably Human Rights Watch and African Rights. CARE International/Rwanda has provided support for the establishment of a local land NGO, Land Net/Rwanda. This provides a continuing source of local expertise and potential for dialogue with the government on land issues, and there is evidence that it has been effective, at least on some issues. All these organizations help accomplishing the land organization and reduction of land conflicts that occurs within the country mostly those came after genocide.

#### **II.1.4.Land Administration**

Land administration is the process of determining, recording and dissemination of information about ownership, value and use of land, when implementing land management policies. Through land administration, citizens will have rights to land ownership; the use of land will be clear which will increase production and reduce conflicts among the land users and local government administrators.

There are some advantages that will come from good land administration guaranty of ownership and security of tenure; Reduce land disputes; Provide security for credit (mortgages); Support for land and property taxation; Contribute to develop and monitor land markets

- Protect state land
- Facilitate land reform
- Improve urban planning and infrastructure development
- Support sustainable management of land resources and environmental management

During the colonial era, there was no policy for the management of natural resources. Development strategies for the rural sector focused mostly on cash crops such as cotton and groundnuts. Traditional chefferies owned the land and distributed use rights among the local population. While independence did not radically change the existing system, each post-independent government has challenged the supremacy of traditional chefferies over land tenure management in the name of promoting fair access to land for local populations (Catholic Relief Service, 2014). In different African societies traditionally were used to manage their land through their customs and social cohesiveness; but the arrival of westerners did make changes not only in land management but also in every social interaction and dependence that characterized the African communities; thus lead to unresolved conflicts that is still wavering around different communities.

The formal land administration system needs to be decentralized to provide for local registration of land rights and transactions and compensation provisions need to be revised. Hopefully this would deter premature subdivision, improve the operation of some state-led subdivision and allocation processes, and increase the ability of governments to provide land for infrastructure or industry, and enable governments to increase the supply of serviced land for low-income housing(Rakodi and Leduka, 2004, pp.37-42). Nowadays Rwandan government is distributing

land by reducing for those who have large land to reduce to give those who have none or who have little.

### **II.1.5. Land tenure and Land Registration**

Land tenure the process through which individual have rights to possess the land and to use it as he wish depending on the regulation about the use of land.

Land tenure insecurity has been a major cause of social instability and conflict in Eastern and Southern Africa at local, regional and national levels. Disputes and conflicts over land have also had a significant impact on the level of investment in land and on agricultural yields.’ (IFAD, 2006, p.1). In the community where there is land insecurity, there is also conflicts and instability that development become impossible. While t is now recognized that security of tenure is more important for many of the urban poor than home ownership, as policies based on ownership and large scale granting of individual land titles have not always worked.’ (UN-HABITAT, 2004, p.2). It is also essential for peace, although governing bodies in the world community have been slow to acknowledge the centrality of tenure injustice in triggering conflict and civil war; this is demonstrably the case in many agrarian settings.’ (Alden Wily, 2006, p.7).

Land registration is the way in which individual go to register his land in order to be more secure that the land he or she is using belongs to him or her. It is the system by which matters concerning ownership, possession and other rights in land can be recorded to provide evidence of title, facilitate transactions and to prevent unlawful disposal. You can tenure or have land but without registering to your name as your own property, you are insecure because anyone can come and take it which can create conflict within community.

Apart from a few scattered land regulations, most of which date back to the colonial period, Rwanda has never had a proper land policy nor has it ever had a land law, a situation that enhances the existing duality between the very restrictive written law and the widely practiced customary law, giving rise to insecurity, instability and precariousness of land tenure. The Rwandan Government, therefore, found it compelling and necessary to establish a national land policy that would guarantee a safe and stable form of land tenure, and bring about a rational and planned use of land while ensuring sound land management and an efficient land administration.



## 2.2. The main aspects of land tenure

- “Ubukonde” or clan rights, held by the chief of the clan, who was the first land-clearer. The chief could own vast tracts of land on which he would resettle several families, known as “Abagererwa”. The latter enjoyed land rights, subject to some customary conditions.
- “Igikingi “ or right to grazing land, granted by the king or one of his chiefs known as “Umutware w’umukenke”, to any family that reared livestock. Right up to the advent of the colonialists, “Igikingi” was the most common land tenure system, especially in the central and southern parts of the country.
- “Inkungu” or custom, enabling and authorizing the local political authority, on his own or on others’ behalf, to own abandoned or escheated land. These lands were considered as a sort of land reserve which the ruler of the time could grant to anybody who needed one.
- “Gukeba” referred to the process of settling families onto the grazing land or fallow land. Gukeba, or Kugaba, as it was sometimes called, was an exercise within the province of the local authority.

As the socio-political and administrative structure became stronger and better organised, land resources likewise became more important. The need for good management of these resources was symbolised by the presence of a chief in charge of the land, “Umutware w’ubutaka”, and a chief in charge of livestock, “Umutware w’umukenke”, both considered to be at the same level as the chief of the army, “Umutware w’ingabo” (National Land Policy, 2004).

Land rights were respected and passed on from generation to generation according to Rwandan tradition and custom. These rights were enjoyed under the supreme protection of the King, the guarantor of the well-being of the whole population. Land ownership was more community-based than individual. This is the system that the colonial rulers found in place, and it is over this same land tenure system, which was governed by custom and officially recognized by the King, that the new written law-based land system was going to be superimposed.

### **II.2.1. The role of land rights on the economic growth and social justice**

There are strong social and economic reasons for governments to underwrite the security of property rights a public good. Many philosophers and other researchers like Aristotle, John Locke, Adam Smith and, more recently, Hernando De Soto, have all recognized that the nature and strength of property rights profoundly condition economic decision-making because of their effects on people's expectations of a return on their investment of labor and capital (Palmer R., 2007)

As Klaus Deininger of the World Bank put it 'secure property rights will increase the incentives of households and individuals to invest, something that will not only help them make such investments, but will also provide an insurance substitute in the event of shocks'. (Deininger, 2003, p.xix). Such property rights can be community-based or corporate and need not depend on formal, registered, individual ownership, but on the rights holders' confidence that society supports their entitlement to harvest the benefits of their labor and investment. Included are rental arrangements, informal as well as formal. For small farmers, recourse to the land rental market is often essential (Palmer R., 2007). The lack and mismanagement of this land security lead to social conflicts and mostly internal instability. Most social members are living in conflicts and even member families kill each other and divorced because land mismanagement that lead to social crash.

UN-HABITAT (2004, p.6) asserts that 'an estimated 924 million people are presently living without secure tenure in informal settlements in the urban areas of developing countries. But the more population increase and urbanities, the higher the number of informal dwellers and higher the conflict increases despite the policies and decisions made by the governments. This number is projected to increase to 1.5 billion by 2020 and 2 billion by 2030 unless urgent action is taken.

### **II.2.2. Land reform in Africa**

In Africa, Land was more resourceful and very productive before the coming of colonizers, people lived in peace and harmony but in nomads where for those with cattle left their homes going to search where grass are for their cows to survive during the dry season. every country had their ways of using land depending on their culture, myths and beliefs but during and after

colonization everything have been changed as the mistrust, changing environment, globalization and people's demography showed rapid increasing.

The arrival of Westerners in Africa has changed everything in African community. The world of capitalism made Africans thirsty of richness, which brought selfishness and mistrust among Africans. The improper use of land and the rapid increase of population in Africans which made soil low productive, increased land conflicts in many communities have resulted to civil wars, wars across borders for searching land to use.

Since the 1990s, Africa major land reforms to secure land tenure, which in turn enables development programs for poverty reduction and foreign land-based investments (Sentos et al. 2012). This started to escalate during the independence period, where everyone and every nation fought for gaining its property deprived during the colonial period searching for natural resources. From that period, land administrative reform was seen as an essential part of institutional reforms, accompanying political and economic liberalization by many African nations (Peters, 2004, Amanor, 2012). From this time, in many African countries the land changes increased as modernization and globalization, coming from indigenous land rights to modern, private land rights which even created conflicts among nations and even among societies and families until now despite the reform that are being made by seeking to create and enforce community land rights; protect land rights of rural people; ensure equity, access, control and use of land among different categories of populations; and reduce land grabbing by state agencies, land speculators, large scale foreign investors and local elites as stated by Amanor, (2012); Ayodele, (2014).

Market development and population growth provide an important part of the explanation for this development (Quan et al 2004). But other interrelated factors like increased competition between different land utilization patterns (e.g. cultivation, pastoralist, hunting and gathering, conservation for example); population mobility; wars; and conflicts also contribute.

The situation in most African countries today is that while customary systems of land regulation are being undermined and weakened in many places, more formal regulative mechanisms are still underdeveloped. This implies that land rights for many rural as well as urban dwellers are increasingly becoming insecure and unclear, and it is generally recognized that especially vulnerable groups like the poor, women, youth and indigenous peoples are hardest hit

by this development (Lund C, 2012). Many African countries have recently embarked on changing their land policies as well as land legislation, and land reforms of various natures are currently sweeping the African continent, greatly encouraged, and also often heavily subsidized, by the international donor community and international financial institutions. The declared overall objective of such reforms is poverty reduction and they can therefore be seen as part of the poverty reduction strategies (PRSP's), which have been developed in a number of African countries. Land issues have, as far as we know, so far not received much direct attention in these strategies.

Until recently the Bank has focused mainly on the promotion of increased land tenure security through formal registration and land titling. However in the report "Land Policies for Growth and Poverty Reduction- A World Bank Policy Research Report" (Deininger 2003) it is emphasized that much more attention should be paid to the legality and legitimacy of existing institutional arrangements, and that dealing with issues of economic efficiency will not automatically resolve equity issues, including the rights of historically disadvantaged groups such as women, herders and indigenous populations (Deininger 2003).

### **II.2.3. Land reform in Rwanda**

Rwanda is a landlocked country, most densely populated, with insufficient land. Most of 89% of the population depend on subsistence agriculture (NISR, 2015). Historically, Rwanda has not had the land regulations but from the colonial arrival the land customary laws were amended to regulate land tenure, and land possession. Land-related issues in Rwanda are multiple and varied. Some originate from the morphology and physiology of the land, while others are rooted in the socio-demographic and socio-economic situations, combined with inadequate land policies, laws and regulations in the past (Ministry of Natural Resources, 2012). Rwanda has well-documented land policy legislation and institutions to guarantee equitable land rights and resolve all issues and conflicts that were within it citizens.

Rwanda has experienced the most dramatic refugee returns of any country in Africa. Democratic elections at independence passed political control from the previously dominant, landed Tutsi minority to the Hutu majority, and massacres beginning in the late 1950s prompted Tutsis to flee to Uganda and Tanzania (John W. Bruce, 2007).

In the national land policy, the government stout a vision and the direction for land tenure, land use and land administration which can lead the fitness of world development. As stated by Ministry of Natural Resources (2013), these policies have objectives of establishment of land tenure system which guarantee tenure security for all citizens and help in land reform for better management and the rationale use of land. This helps in land use and production and management for common benefits.

Rwanda is one of the most densely populated countries in Africa, with an average family landholding below the Food and Agriculture Organization (FAO)-recommended minimum of 0.9 hectares. Pressure on land had been a contributing factor to the conflict (Musahara H., 2005). Experts differ as to the relative importance of different causes poverty, land scarcity, population growth, environmental trends, unequal land distribution but all recognize the important role played by competition for land in fuelling the conflict (John W. Bruce, 2007). The difficult situations in which Rwanda has passed through such as ethnic conflicts that led to Genocide against Tutsi, colonization has led to land conflicts and that is still unresolved though government always make policies that can help handle it(Musahara H., 2005). Rwanda is one of the smaller and most populated countries in Africa with unfertile land which is very difficult for citizens to get place for living and food security is inadequate which put land value at high level that poor people could not afford (NISR, 2005). This persuades poor people to sell their land for survival.

This period was followed by many policies as people were scattered others fled the country which was difficult for the government to know the number or the habituated place. The umudugudu effort for a period became a national program of compulsory relocation and villagisation, but faltered as development and then human rights NGOs noted the many problems experienced in the refugee return phase poor locations, lack of services and lack of compensation. Donor agencies have withheld support. But land sharing continues in some localities, to accommodate late-arriving or late-claiming refugees (Rurangwa E., 2002).

## **II.2.4. Policies and Programs of land in Rwanda**

### **II.2.4.1. Land use consolidation**

Land consolidation policy in Rwanda is the policy in the agricultural sector that comes to improve production by using little input. Land Consolidation is generally considered as putting together small plots with the aim of making them viable and more productive per unit of investment, through economies of scale. These need not change the amount of land controlled by individuals, and is therefore not necessarily an instrument for social justice (Zhou, 1999). Rwanda's economy is largely agrarian. More than 80% of the Rwanda's projected population of 10.5 million depends on farming. The total land area of the country measures 24,700 square kilometers Isaac (Ekise E. I., 2013). Thus it is better for Rwanda to make other alternative to increase the production from that area of land it have. There are many strategies that is being implemented in Vision Umurenge Program (VUP) and EDPRS1&2, that are very crucial in the improvement of production and using the modern technology is this sector for market supply and food satisfaction among its citizens. The first consolidation initiatives of Denmark in the 1750s were part of a profound social reform to free people from obligations to noble landlords by establishing privately-owned family farms (Ekise E. I., *et al*, 2013). Land consolidation helped in the transformation of society into working in groups that are more benefiting to the community as whole. From this period after seeing its production improvement, the program spread all over the World.

### **II.2.4.2. Land is a common Heritage**

The land is part of the common heritage of all the Rwandan people; the ancestors' present and future generations as it is in the official land regulations. Parents can inherit their land to their children or others in the family if they have no children.

Despite the recognized rights of people, only the State has the supreme power of management of all land situated on the national territory, which it exercises in the general interest of all with a view to ensuring rational economic and social development as defined by law(Rurangwa E., 2002).

Thus, the State is the sole authority to agree rights of occupation and use of land and has also the right to order expropriation in the public interest. Not any person who can refuse the expropriation when the land is going to be used on the general interests, the land can be taken by force. Although conflict over land is no longer taking place, there is still competition for land and many disputes over land. There are widely differing assessments of the potential for a return to conflict. One researcher spoke of tensions over land being passed down generations: ‘A father walks his son past a house he had owned, or land the family had owned. He points them out to his son, and says, “This was ours, and then they took it”. The boy will remember’ (John W. Bruce, 2007). This was the past period during the use of traditional period, but as the time changes, the traditions also changed to modern laws of discriminating one group in a given area which increased violence and discrimination among families and communities and lead to wars and displacement for searching where land security appear.

#### **II.2.4.3. Equal right on access to Land**

All individuals are equal and are entitled to their human rights relevant to access, use and control over land without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status as explained by the human rights treaty bodies (UN, 2013).

Rwanda has abolished all forms of discrimination, such as that based on sex or origin, in relation to access to land and the enjoyment of real rights shall be prohibited (Musahara H., 2002).

The right to land for a man and a woman lawfully married shall depend on the matrimonial regime they decide on. Boys and girls have the same rights to land inheritance or succession and any kind of Land enjoyment (ibid).

In order every citizens in Rwanda to have access to land or land settlements, the size of land that can be granted freehold title shall not exceed five hectares to every citizens but by exception, the Minister in charge of land, basing on a reasonable case made by the applicant, may authorize freehold rights on an area larger than five hectares (Legal Aid Forum, 2015).

Following the cessation of conflict that characterized the previous government of Rwanda which caused Genocide against Tutsis and great number of refugees that left the country, the new Government of Rwanda called for the return of all refugees and approximately 800,000 people

returned (RISD, 2003) which increased the following years. To provide housing and land for these returnees, the government de gazette portions of national parks and forests, parceled out communal lands, and implemented land-sharing arrangements between owners and returnees (MINITERE, 2004).

#### **II.2.4.4. Individual Land and Public Land**

Rwanda has stated the land regulations in every domain so that everyone can be found within without any discrimination or oppression. Here there are some regulations and rights of private land holders and public land, where public works can be implemented. Public land is that of the government and owned by it. In public land, there are most of the time social infrastructures such as schools, hospitals, and other activities of public interests (Musahara H &huggins C., 2002).

#### **II.2.4.5. Individual land and Private land**

Private individual land is the land of one or many persons for their own without any intervention of government to enforce or order them what to use that land, and it will be acquired through custom or written law (Musahara H &huggins C., 2002).

That land has been decided definitely by competent authorities or acquired by purchase, donation, inheritance, succession, ascending sharing, and exchange or through sharing. Nowadays, land is hired by individual from the government, where they give amount of money to the government for 99 years, land be rent again.

Public land consists of land in public and private domain of State, land belonging to public institutions and land that belongs to local authorities whether being in their public domain or in their private domain(USAID, 2013).

The State may donate to any public institution or local authority its land reserved for public or private domain. Public institutions or local authorities may also acquire land by purchasing it or by donation from individuals or associations.



#### **II.2.4.6. Certificate of land Allocation**

In Rwanda, every part of land should be registered to land owner to affirm that the land is belong to someone. If the land is not registered then it will belong to the government of Rwanda and that land will be used for common interests.

After land being registered, there must be a certificate or approval certifying that the land has been allocated or rent shall be evidenced by a certificate of land registration issued by the registrar of land titles. In case of loss or damage of the certificate of land registration, the registrar of land titles issued a replacing one. A Presidential Order determines the functioning and powers of the registrar of land titles. Almost all these policies and regulations that have been found in land reform have been amended in *official Gazette no Special of 16/06/2013*.

This process of land registration have better impact of the land use and community of Rwanda; it ascertains the land ownership by giving him the formal recognition which show that he is the owner of the land; the land disputes will be reduced by knowing really the owner of land and where his land finished, the recording and security of transferring and selling land will be easy by knowing who has the land certificated, the land owner have the rights to credits if he has registered land. Rwanda gained immeasurable benefits in land policy reform in all sector of life of citizens whether social, economic and geographical order which lead to development of the country.

#### **II.2.4.7. Secure land rights for Rwanda's women in families and the nation**

A recent report from Rwanda's Department of Land and Mapping found that women, either individually or jointly, own most of the registered plots of land in Rwanda (Gilbert, J. 2013).

This shows the changes that have been implemented by the national gender mainstreaming program. Previously, land titles were registered in the husband's names alone, and it was forbidden for a woman to own a plot of land (Roth M & McCarthy N., 2014).

Certainly, Rwanda has made great strides. Beginning in 2007, the government of Rwanda embarked on the "Land Tenure Regularization Program" (LTRP) a national land registration program which set out to title every plot of land in the country in order to decrease gender inequality in access to land; optimize land use and economic growth through property ownership and security; and provide a clear institutional legal framework for land ownership. By 2013,

approximately 99% of individually-held land in the country had been registered and nowadays all land in Rwanda whether either private or public (Rurangwa E., 2002).

In the past, rural women remain particularly vulnerable. Customary law often undermines their right to inherit land. Women are often pressured to relinquish their right to land to their brothers.

When women do assert their rights to land, they face the traditional restrictions on women's access to dispute resolution institutions which is different from now, where land rights have given all people the same power to land (Michael B & Ailey K. Hughes, 2017).

More secure rights for Rwanda's women are critical not just for women's economic empowerment, but also to help Rwanda achieve a host of development goals. Rwanda Vision 2020, the country's plan for economic development, is based on two pillars, one of which is the transformation of agriculture into a productive, high value, market-oriented sector.

This cannot be achieved without better supporting and protecting women's land rights. Research shows that when women have resources like land, they are more likely than men to use those resources to benefit their children and help their family climb out of poverty (MINITERE, 2001).

According to a USAID study in Nicaragua and Honduras, women with land rights contribute a greater proportion of income to the household than men. Children in households with women landowners had higher levels of educational attainment.

Likewise, a study in Nepal found that malnutrition is reduced by half when the mother owns land. A similar study in Ghana found that households in which women own land spend more of their income on food than households in which women are not landowners.

The reasons land ownership can transform women and their families are simple. Land is power. And having control over land gives a woman greater stature, gives her more of a say in making important family and community decisions, makes her less likely to tolerate abuse, and makes her more likely to take good care of the land she farms.

In Rwanda, women had the same access to land as men, women could significantly increase yields on their farms. Landesa is currently partnering with the Government of Rwanda, Search for Common Ground, Haguruka, Tetra Tech, and the National Women's Council on a project supported by USAID to create a network of Community Resource Persons to address land disputes in a gender sensitive way in their communities and improve the legal, policy, and institutional framework for land dispute management (USAID, 2013).

Closing the gap between the country's good laws and the day to day reality for women in the countryside, which is currently governed by a web of customs and traditions that leave women vulnerable, would go a long way towards unleashing rural women's potential for the benefit of all Rwandans.

### **II.2.5. Land conflict in Rwandan Community**

Rwanda is a small and landlocked country with density of population where the vast majority of the population resides in rural areas, and nearly 82 percent of the labor force is engaged in agriculture (FAO) while it has unfertile and scarce land (Rwanda economic outlook, 2016). Rwanda is well known for having the highest population density in Africa, with at the same time scarce natural resources primarily land (Alfred R. BIZOZA, 1995). For this, big numbers of families in Rwanda live in conflicts mostly land conflicts. The rate of family reproduction and the great increase of poverty in Rwandan community also is the root causes of land conflicts.

Both women and men smallholder farmers in the developing world experience insecure land rights i.e. they are missing one or more elements of strong land rights, and for a "significant portion of the poor...their poverty and productivity are intimately tied to the nature of their property rights (Toulmin & Camilla. 2009).

The conflict in Rwandan community is mostly caused by various factors such as political, economic, social, and technical. In a 'development' context, access to land is defined to include access to the benefits of land such as the income streams generated through productive land-based activities. From this perspective, land access is part of a broader context that enables agricultural or pastoral production and community development.

In case one of the family members who has deprived their rights to access land, it is the beginning of the conflicts. Politically, Rwanda leadership has been in the discrimination and marginalization situation. The social factor is the primary factor that shows how community has been damaged; culturally, Rwandan community would not allow women to access land. Women and girls were marginalized to the high extent; they were limited to land access. In Rwandan culture, girls did not inherit land except boys (Kairaba A & James D. Simons, n.d).

One of the root causes of discrimination against women in access to land and other productive resources is “a pervasive patriarchy, expressed in stereotypes, attitudes, perceptions and norms, which create legal, political and economic limitations to the advancement of women. Patriarchy and deep-rooted gender stereotypes are widespread and operate at all levels, from family to local community, from administration to broader governance, from public institutions to civil society and rural organizations.” (International Land Coalition, 2013).

Even when laws enshrine women’s equal rights to land, gaps or discrepancies in the legislation, inconsistent implementation, weak enforcement mechanisms, and entrenched gender-discriminatory cultural norms and practices may undermine these formal guarantees (USAID, 2016). Women and girls were considered as home workers who could not work the hard works, thoughtless that could not be given land to manage. But nowadays because of changing situation the women have got rights and freedom which is difficult for resistant to change and bring conflicts between men and women in some families (Ibd).a lack of land rights not only reduces women’s autonomy and voice, but also affects their self-esteem and their well-being. Women with no or insecure land rights are less equipped to participate in public life and land governance, which prevents them from enjoying full civil and political rights.

This discrimination and deprivation of women rights on land cause these women to be more vulnerable to poverty, ill-health, food shortages, and to suffer from acts of gender-based violence. These also fuel conflicts within the families between wife and husband when woman is fighting for her rights to land. Culturally, Rwandan men were the one to lead every familiar and social activity, women were not allowed to participate or even give advice her husband on the ways to develop their families; husbands were decision makers this made women to taken as properties instead of being partners, and they did not own anything except being children care takers. But through the globalization system, women’s rights were recognized and respected politically, socially and in administrative ways, but most men do not agree with such changes which called women revolution and these cause familiar conflicts (Government of Rwanda, 2006).

Women were excluded from succession of family land and only gained rights to use land through male relatives. When a woman married, she automatically gained access to her husband’s fields.

If and when he died, she was unable to inherit his property and at most was allowed usufruct rights, until their male children were mature enough to manage the family property (National Land Policy 2004). The Rwandan land conflicts are dominant on the women and children as the most vulnerable of land conflicts.

If there were no children, a widow was compelled to return to her parents. If the widow was in her reproductive years, levirate marriage (marriage to a brother of the deceased spouse) was often practiced; however, the children arising from this relationship were considered children of the deceased brother (Burnet J., and Rwanda Initiative for Sustainable Development. 2003).

The exercise of economic, political, and administrative authority to manage a country's affairs at all levels and the means by which states promote social cohesion, integration, and ensure the well-being of their populations. It embraces all methods used to distribute power and manage public resources, and the organizations that shape government and the execution of policy mostly in land conflict resolution.

### **2.3. Obstacles that hinder the efficient management of land in Rwanda**

The following are the main obstacles that hinder the efficient management of land in Rwanda, necessitating the establishment of a national land policy that would guide the essential land reforms:

- Strong pressure on the already spatially limited land resources by a rapidly growing population;
- Domination of the agricultural sector which lacks any specialization in terms of human resources and equipment, and lack of alternative concrete and realistic options that would reduce the pressure on land resource;
- A land tenure system dominated by customary law which favours land fragmentation, a practice which reduces further the size of the family farms which are already below the threshold of the average surface area that is economically viable;
- A considerable number of landless persons who have to be resettled at all costs;
- Scattered farming plots that are difficult to manage due to the scattered mode of human settlement;

- Lack of a reliable land registration system that would guarantee the security of land tenure;
- Weak and inadequate existing methods of land-use planning and land improvement (outline of land potential, land use and land development; reliable methods of soil and water conservation);
- Disorderly and fraudulent land transactions, necessitating the establishment of regulations that would enable the authorities to give to the land a recognised market value which brings considerable profit to the Government Treasury;
- Unplanned use of marshlands which, in spite of their good agricultural soil, cannot be wholly recovered for agricultural purposes, in view of the following factors:
  - Abundance of water which is necessary as a useful water reservoir;
  - The soil make-up, which does not lend itself easily to the current cultivation methods;
  - The biotic environment and biodiversity which should be protected at all costs;
  - The obvious poor coordination among various institutions which use with land to support their activities;
- Solutions to all the above-mentioned constraints require a coherent policy that directs and harmonizes land management and land administration and reduces land-related conflicts by resolving them as soon as they surface. This national land policy document develops policy statements and strategic options that would give solutions to the major challenges that have been identified.

## **CHAP III RESEARCH METHODOLOGY**

### **III.1. Introduction**

Methodology is a set methods and principles that are used when studying a particular kind of work. This chapter deals with the description of the study area , the study design, the description of the population, sample (subjects) and sampling techniques, source of data, data collection procedures and instruments, data analysis procedures (data organization and statistical procedures).

Research is the scientific and systematic search for pertinent information about the topic; it is also the application of scientific methods in solving the problems (Pandey P. and Mishra M, Pandey, 2015). The research methodology outlines the way in which the research has been conducted. This chapter explained the Rwandan trends on land conflict resolution in Gishamvu sector.

### **III.2. Description of the study Area**

The Gishamvu sector is one of the sectors that compose Huye District in the Southern Province of the Rwanda with the boundary of Ngera Sector in Nyaruguru District in West, Karama Sector in North West, Huye Sector in the North, Tumba Sector in the East and Mukura Sector in the South East. It composed of the area of 30.16 square kilometer; with 4 cells, 25 villages. Gishamvu sector has 13, 274 population whereby there are 440 density of population per square kilometer (NISR, 2012).

Compared to the other sectors of the district, Gishamvu sector is characterized by different kinds of conflicts and violence caused by land scarcity, and these mostly occur in the families between mothers, fathers and children due to misunderstanding on how to distribute the land without any discrimination.

### **III.3. Study design**

According to Churchill (1992:108) a research design is a framework or a plan for the study used as a guide in collecting and analyzing data. It is a blueprint that is followed in completing a study. He further defines a research design as a plan of action, for the purposes of this study; the researcher adopted a survey as his research design.

According to Bailey (1982:13), a study design is a stage where the researcher must decide on which group of people to get the results of the study. The study adopted a case study approach, where the researcher chose Huye water enterprises the case study.

The study design adopts the qualitative approach in carrying this study. This is because land issues and conflicts among community are often loaded with socio-cultural connotations of identity and power. Individuals' attachment to land is not only explained by economic considerations though it can be the prior one, but also by these socio-cultural implications. Therefore, the descriptive approach is deemed suitable for this study since it basically aimed at sampling the views of various stakeholders on the nature of customary land conflicts management through the formation of different laws and regulations and its implications for land disputes/conflicts in the study areas.

#### **III.4. Target population**

The issue of land conflicts is all over the world especially in Rwanda because the history that the country passed through which caused many refugees and orphans within community. The researcher targeted the population in Gishamvu sector which include those who have land, who have been in land conflicts and the officers who works in the administration of land conflicts management. These people revealed the accurate information about land conflicts and its management. The local leaders and the user groups were drawn from three traditional areas in the cells from Huye District in Gishamvu Sector. According to William (1982:118), the population of study is the totality of persons or objects with which a study is concerned.



The category of age is from 18 years and above because it considered being also in the active populations. The target population of the researcher is 2181 of the population in Gishamvu sector.

**Table 1: That illustrates target population**

<b>Category of target population</b>	<b>Frequency target population</b>
Sector staff	15
Cell staff	8
Community leaders	1358
Ordinary people	800
<b>Total</b>	<b>2181</b>

**Primary data (2018)**

### **III.5. Sample size**

The citizens that have the problem of land conflicts and policy implementers in Gishamvu sector, professionals who work as conflict resolvers have been consulted to get accurate information about land laws and how they are applied. The researcher has decided to use purposive Sampling approach by selecting the respondents who have the accurate information that can contribute to the fulfillment of the projects. The sample size of the respondents is 48 that have the close connection with land related conflicts and resolution.

The researcher decided to use 48 participants who are land owners who have ever had the land conflicts and the leaders in Gishamvu sector, community leaders and ordinary people to make the research more participative and more effective. The respondents from Gishamvu sector were selected randomly in every cell but by focusing on those who have the land issues and those who have ever been in such conflicts in order to give information with experimental evidence on the research.

### **III.5 Source of data**

A source is one of the materials that the researcher uses for collecting information during the investigation (Paige Wilson, 1989:2). The sources of data are both primary and secondary data and both have been used during the data collection of this research.

#### **III. 5. 1. Primary data**

Primary data are those data collected to the specific problem or issue under investigation. Primary data are necessary when a thorough analysis of secondary data is unable to provide satisfactory information (Evan and Barry Berman 1995: 20), according to Gilbert A. Churchill Jr (1992:182) the primary data are collected to fit precise purposes of current research problem. Data on *New Trends of Land related Conflicts resolution in Rwandan society*".

#### **III. 5. 2 Secondary data**

Extensive study and review of published and unpublished documents, reports journals, newspapers and policy reports relevant to the study was used. Secondary data is "A data gathering method that makes use of pre-existing data" (Richard M. Grinnell and Margaret Williams, 1990:228).

This technique is important because it reviews the literature and tries to canvas both global and national perspectives so that the researcher could have a comparative framework for analysis and evaluation (William, 1982:401).

### **III.6. Data collection methods**

This is the step where procedures and strategies for gathering data have been carried out in the study. Data collection refers to gathering specific information aimed at providing or refuting some facts (Tromp, 2006:99). There are several ways of collecting the appropriate data which differ considerably in context of cost, time and other resources at the disposal of the researcher. In this study the researcher used different techniques in collecting data such as Interview, Questionnaires, Documentations which are very crucial in gathering information that are needed in information collecting process.

This method implies the collection of information by way of investigator's own observation, without interviewing the respondents. The information obtained relates to what is currently happening and is not complicated by either the past behavior or future intentions or attitudes of respondents (Kothari.C.R. 2004). The information from the primary data was obtained through a structured questionnaire and an interview schedule and documentary search that were applied as to obtain secondary data.

### **III.6.1. Interview**

The interview helped the researcher in information gathering from people's point of views by asking the questions that have been planned by researcher in structured manner. Here, the researcher used guiding questions that are related on land. The local government leaders on land executions have been also asked questions on how land laws or regulations are made, and enforced. The in-depth interviews have been conducted with citizens from different social categories especially those affected by land conflicts, on the basis of the already outlined trends, the team designed the methodology for the first(qualitative) phase of the survey.

As asserted by Bailey (1978:93) an interview is an instrument that is not given directly to the respondents, but is filled in by an interviewer who reads the questions to the respondent. In case where the researcher had access to the respondents, he interviewed them and responses were filled in the interview schedule.

For better organization of the interview exercise, the researcher made appointments with the respondents in order to have access to them. During the interview process, the researcher had a list of questions that she read to the respondent's responses, the researcher prepared a separate schedule as this would later facilitate the coding process.

### **III.6.2. Questionnaires**

Questionnaires has been used where the respondents responded questions depending on the sides he/ she stands for, here the researcher guided respondents or tell them what questions to answer but he read for those who were not able to read. This was good technique that helped the

respondents to express their views without any hindrances and also helped the researcher to know the real problems met by respondents.

Kenneth D. Bailey (1987: 93) defines questionnaire as a list of questions generally mailed or handed to the respondents and filled in by her with no help to the interviewer. The questionnaire contained both open and closed ended questions were addressed to the respondents. With open-ended questions were kept to the minimum so as to enable the respondents to focus on aspect of the research. With open-ended questions, the respondents had to give personal responses or opinions in their own words whereas with close-ended questions, respondents were given different alternatives to choose from. According to Kendall (1992:135), a questionnaire is information gathering technique that gathers information about; attitudes, beliefs, behaviors and characteristics from several respondents in the enterprise, who may be affected by a given phenomenon or system.

The whole process of distributing questionnaires was as follows: the researcher first contacted the land management officer in Gishamvu sector about the issue of land before the process started. At this stage, researcher gave the manager a pre-test questionnaire to fill. This helped researcher to test the understand ability of the respondents in relation to questions asked. By the help of pre-tests, the researcher was able to identify the gaps in the questionnaire and made corrections where necessary. the questionnaires were given to the all 48 respondents who were selected to be conducted the research and these include land owners and the leaders and those land conflicts resolvers at sector level.

The questionnaire distribution protocol in Gishamvu sector was organized in a way that facilitated the process of collecting them. The advantages of close-ended questions are that the answers are standard, and can be compared from person to person. Therefore, are much easier to code and analyses; and often can be coded from the questionnaire, saving time and money.

### **III.6.3. Documentary review**

Bailey (1978:266) defines documentary study as a careful reading, understanding and analysis of written documents for some purposes other than social research. They record of past events that are written or printed. Grinnell and Williams (1990:219) noted that documentation is the analysis of data that exist in boxes, in some enterprise's basements or hidden in the core of a computer. In

this research, the researcher collected the already existing data, by finding them where they are stored or field visiting land management office at sector and district level. During the process of documentary analysis, the researcher some documents and after understanding and analyzing the relevance of texts to this study, he jotted them down on manuscripts and later typed them on a computer for compilation. The researcher reads documents such as manual procedures, newspapers, government records about land and other publications.

### **III.7. Data Analysis techniques**

The researcher used such technique for understanding the view of the respondents through structured questions related to the research, thus this helps in getting the real information on the new trends on land related conflicts in Rwanda. Here some of the selected cases and, last not least, on available time and resources are analyzed (Sayre, 2001; Patton, 2002: 7) thus it provides an answer to why things are how they are.

The qualitative technique were used to explain the information related to land conflicts and different mechanisms Rwanda used to solve them within the community from the starting point of implementation in Gishamvu Sector. This was done by hearing their views about respondents, their perception on how these conflicts affect the community. The researcher constructed questionnaires of critical thinking that make respondents be open and made them contribute in solving some questions that make the research more successful.

Qualitative research does not start with clearly specified research questions or hypotheses to be tested; instead, questions are formulated after open-ended field research has been completed (Lofland and Lofland, 1995). This method is used only for the analysis of the feelings; views of respondents drawn from the interviews. The respondents were asked many questions about land related conflicts directly in order to see their expressions in responding in order to get good information from them.

### **III.8. Data processing**

During this research, the first step of analysis plan is data processing followed by Editing, coding and tabulation.

- **Editing**

According to Daniel and Gates (1991: 387), editing is the process of going through the questionnaire to ensure that the 'skip patterns' were followed and required questions are filled out. Editing involves the inspection and if necessary, connections of each questionnaire or observation form; the basic purpose of editing is to impose some minimum quality standards on the raw data (Churchill, 1992:608).

### **III.9. Qualitative data analysis**

Kumar (2005) explained that for the purpose of this technique of analysis was applied by the researcher by referring on the views of respondents on the existing phenomena. The tools which were used are documentations, questionnaires, interviews, and the researcher analyzed qualitatively the views of different respondents through dialogue as well as the written documents given to respondents.

I used this technique to explain the information related to the problem of land related conflicts and the new trends for resolving these conflicts in Gishamvu sector. This was done by hearing the ideas of people who are land owners and leaders, their feelings and thought about land related conflicts resolution. The researcher considered also the quality of land, values; different conflicts that rose from land and how the government sets different mechanisms to solve those conflicts.

### **III.10. Ethical consideration**

The dissertation was submitted to the University of Rwanda and ethics committee for approval prior to undertake the study.

The certificate to conduct the study was requested. When this certificate was granted, I started the data collection and the study was conducted fairly.

During the interview, I proceeded by my self-introduction to each visited participants; then used to explain them that this study is voluntary, the provided information should be confidential, then after the participants can decide to participate or to leave the interview without any consequence. The researcher ensured the participants that the data collected would be destroyed

after analysis and results of the study would be published to the public through presentation and in books. The above steps were followed in order to obtain the participants' consent.

All information was recorded into the data collection form by using code rather than name of participants for proper data analysis and anonymous.

## **CHAP: IV DATA ANALYSIS AND INTERPRETATION OF THE STUDY**

### **IV.1. Introduction**

Analyzing data and relating to research questions contribute to the main objectives of this chapter which is considered to be a core of the work. This chapter discusses with data analysis and interpretation of findings that were collected according to the questions on the topic which is

to analyze *New Trends of Land related Conflicts resolution in Rwandan society*” Case Study Gishamvu Sector.

It presents research findings, analysis of data collected and interpretation of the primary data collected from the field (case of study) and draws a conclusion in tabular forms with percentage interpreted by giving suitable comments. According to Craven and Woodruff (1986) data interpretation is “the process of drawing conclusion from data analysis”. This chapter presents the findings of the study in order to achieve the objectives of the study.

## **IV.2. Demographic characteristics of respondents**

The researcher decided to select a sample of 105 respondents from Gishamvu sector including all categories of people. This section presents the distribution of respondents by sex, marital status, age, education level, occupation and household size in order to know the causes of land conflicts and there were inclusion of leaders to know how these conflicts are resolved within community. The results to respondents’ views on these aspects were tabulated and indicated by tables.

### **IV.2.1 the characteristics of respondents by ages**

**Table 2: Distribution of age**

<b>Age groups</b>	<b>Number of respondents</b>
Between 18-30	10



Between 31-43	15
Between 44-56	17
Between 57-above	6
<b>Total</b>	<b>48</b>

**Source: *Primary data 2018***

According to this table, the researcher tried to ask the question in all categories of people in order to find accurate information that are real and that are from different part of community. The highest three first groups are made up of the majority of the population which can be involved in land and family holders and these include the members from different groups such as heads of households, either men or women; family members, leaders and these groups are more knowledgeable and able to provide information. There are also local leaders who participate in all government projections which covers all land conflicts resolution policy.

#### **IV.2.2 The characteristic of respondents by sex**

**Table 3: Distribution of respondents by sex**

<b>Gender</b>	<b>Number of respondents</b>
Male	25
Female	23

<b>Total</b>	<b>48</b>
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**Source: *Primary data 2018***

From the table above shows that the study addressed to female and male gender, which shows that gender balance is prevailed in different levels where decisions are made and actively this number can influence decisions made in the sector. Most of these females are land owners as well, this implies that female gender plays a big role in community and is among the ones who meet with the land conflicts.

#### **IV.2.3 Characteristic of respondents by marital status**

In the marital status of the respondents, the researcher classified them into four categories; single, married, widow (ers) and divorced. The researcher managed to ask them questions refers to those who can provide the information. The married, divorces and widowed implies that the information given is significance since the married participants are the most part to face the problem of land related conflicts which make the researcher be more focused on them. The single population boys and girls were asked but most of them are orphans or others who have the issue of land due to the history, either where they were born, or due to the situation in which the country passed through.

#### **IV.2.4 Characteristics of respondents by employment status**

The employments status can give the full picture on why people fight against each other because of the land. The gives the details on what respondents do in their everyday life.

The above table illustrates the employment of the respondents, in the research conducted, the researcher asked the government employed including the people who work in land conflict management; the people who work by themselves; the businessman/ woman and the farmers who were conducted on the research were composed but all of them have the information on the land related conflicts within the community they are living in.

### **IV.3. The use of research techniques and results from it as stated by respondents**

Researcher used different method in this study as researcher found out that this research is more important to the community of Rwanda. The interviews were used which brought many understanding of land related conflicts and how they are in Rwandan community especially in Gishamvu sector; questionnaires, and documentations that used also brought good and sufficient information on land in Gishamvu sector. He decided to use these methods after finding out that Rwandans do not easily talk about their feelings and opinions in a group and will only voice them among family and close friends or more comfortably face to face interview with one person rather than being in group.

In conducting this research using the different techniques, according to the researcher conducted by other scholars, the researcher found out that problems related to land not only concentrated in Gishamvu sector but also in every community of Rwanda, mainly because of their different histories, such as return of refugees, genocide against Tutsi; the land registration; social and familiar conflicts which include the discrimination of some part in access to land such as women which is going to be discussed in relation to what was found from the respondents during the research conduct.

Climate change, population growth and an increase in livestock combined with poor land use practices, overgrazing and deforestation has resulted in the degradation of arable and grazing land, the land settlement; this also increased by industrialization leading to land scarcity and conflicts continue to raise until now.

### **IV.4. the general understanding of respondents about land conflicts**

Land conflicts have been discussed differently by respondents either refer to how they experienced it or how they understand it. Some respondents took land conflicts as something that cause misunderstanding about land access between two or more persons or between family members.

The woman respondent from CNF, who was interviewed on how she understands land conflicts, took land conflicts as the disadvantage to family development. On her explanation she said

*“Because its consummation during the courts through the transports, communication and fines, in accusation, land conflicts is taken as the source of poverty among the conflicting parties because those money spent in the prosecution process”.* It is also the source of death, fight and other violence against one part of the conflicting party as stated by women who said that they are mostly the victims of the land conflicts within the families in case they occur. They gave the evidence of man who killed her wife because she refused him to sell the land, as result the man killed her and man did was not punished as it should be because in seven years that man was released from the prison”(Interview with woman from CNF, 2019).

The research conducted by Gilborn *et al.*, (2000) in his research found out that land conflicts brings instability within community from the misunderstanding between community members and this is caused by land scarcity and over population which lead to land value increase. Most families and societies in Rwanda, the big problems associated within them is the problem of land conflicts. This is because the history of Rwanda and the increase of population where they exceed the land and its resources.

The views on how the land related conflicts is made, according to the interview carried out on the executive secretary of Gishamvu sector who said

*“land related conflicts is the conflicts that are caused by land, mostly because there are misunderstanding on land distribution, when the land border is violated by land neighbors, and even the family when the family members are not consent on land sharing or distribution depending on family relation such as step mother or father, orphans who were seized their properties of land registration within the families. The land related conflicts are the most cases we receive and most of them cause death or other notorious violence between two conflicting parties.”* (Interview with executive secretary of Gishamvu sector, 2019)

Land conflicts resolutions are the strategic ways stated by the government of Rwanda to solve the conflicts related to land. The government of Rwanda through these conflicts, tried to make different ways to solve these conflicts in harmonious manner. These strategies came after seeing that there are different victims such as women, children from polygamous fathers or mothers,

girls and orphans who deprived their land and other properties; there were also deaths or killings caused by land conflicts.

*Giving example on ordinary people in group discussion carried out in Nyumba cell, one of woman said that in her family where she have been born, she did not get her part of land to use it, and the family she married in also treat her as the maiden because she uses the their property without her shares. When she tried to claim her rights on the land in her family, her brothers, started hating her saying that she want to take their property to other family. This makes her the enemy of two families and being humiliated in the family she is in with no value or respects".(Focus Group Discussion with ordinary people in Nyumba cell , 2019)*

Very high population density and an extreme pressure on land, a shortage of cultivation land per household with an average of 0.6ha, when a cultivation plot economically viable per a household for Rwanda should be at least 0.90 ha, according to FAO. Land degradation particularly due to soil erosion and over exploitation by the dominated agricultural sector without restitution of nutrients and without any specialization of both human beings and equipment Disastrous effects of war and genocide of 1994 with orphans and widows who cannot manage properly the land let by their deceased parents and husbands; land system dominated by customary law which favors land partitioning through father to son inheritance (EugèneRurangwa, 2002). To the respondents asked explained different views about the land conflicts their causes within Rwandan community.

#### **IV.5 Causes of land related conflicts**

Land related conflicts have been discussed by different athours and cause different damages in different communities worldwide. Among the different causes of land related conflicts includes poverty within community, land scarcity, community conflicts when there is a need of separation but there is a land conflicts that are common in different parts of the world as stated byWehrmann (2005).

#### **Table 4: Causes of land conflicts**

Causes	Examples
Political causes	<ul style="list-style-type: none"> <li>• Change in the political and economic system, including nationalization or privatization of land.</li> <li>• Lack of political stability and continuity, lack of predictability</li> <li>• Introduction of (foreign, external) institutions that are not popularly accepted</li> <li>• Political corruption, state capture and land grabbing</li> <li>• Political (and economic) support for big farmers to the disadvantage of poorer peasants</li> </ul>
Economic causes	<ul style="list-style-type: none"> <li>• Evolution of land markets</li> <li>• Increasing land prices</li> <li>Limited capital markets</li> </ul>
Socio-economic causes	<ul style="list-style-type: none"> <li>• Poverty and poverty-related marginalization/exclusion</li> <li>• Extremely unequal distribution of power and resources (including land)</li> <li>• Lack of microfinance options for the poor</li> </ul>
Socio-cultural causes	<ul style="list-style-type: none"> <li>• Destroyed or deteriorated traditional values and structures</li> <li>• Rejection of formal institutions (new, foreign, external)</li> <li>• Low level of education and lack of information on institutions and mechanisms of land markets</li> <li>• High potential for violence</li> <li>• Abuse of power</li> <li>• Strong mistrust</li> <li>• Helplessness of those disadvantaged</li> <li>• Unregistered land transactions</li> <li>• Fraud by governmental administration and/or individuals</li> <li>• Patronage-system or clientelism</li> <li>• Strong hierarchical structure of society</li> <li>• Heterogeneous society, weak sense of community or lack of identification with society as a whole</li> </ul>

Demographic causes	<ul style="list-style-type: none"> <li>• Strong population growth and rural exodus</li> <li>New and returning refugees</li> </ul>
Legal and juridical causes	<ul style="list-style-type: none"> <li>• Legislative loopholes</li> <li>• Contradictory legislation</li> <li>• Legal pluralism</li> <li>• Traditional land law without written records or clearly defined plot and village boundaries</li> <li>• Formal law which is not sufficiently disseminated or known</li> <li>• Limited/no access to law enforcement and jurisdiction by the poor/disadvantaged</li> <li>• Insufficient establishment of rule-of-law-principles (e.g. lack of independent courts)</li> <li>• Insufficient implementation of legislation</li> <li>Missing or inactive mechanisms for sanctions</li> </ul>
Administrative causes	<ul style="list-style-type: none"> <li>• Insufficient implementation of formal regulations</li> <li>• Centralization (e.g. centralized land use planning)</li> <li>• Administrative corruption</li> <li>• Insufficient control over state land</li> <li>• Lack of communication, co-operation, and co-ordination within and between different government agencies as well as between public and private sector (if existent at all)</li> <li>• Lack of responsibility/accountability and limited access to land administration, especially for the poor and rural population (distance, illiteracy, costs etc.</li> <li>Insufficient information to the public</li> <li>• Limited/nonexistent public participation, especially in land use planning and demarcation of concession land</li> <li>• Insufficient staff and technical/financial equipment at public agencies</li> <li>• Very low wages in the public sector</li> </ul>

	<ul style="list-style-type: none"> <li>• Low qualifications of public employees</li> <li>• Missing code of conduct</li> <li>• Lack of transparency</li> </ul>
Technical causes	<ul style="list-style-type: none"> <li>• Missing or inaccurate surveying</li> <li>• Missing land register (e.g. destroyed) or one that does not meet modern requirements</li> <li>• Missing, outdated or only sporadic land use planning or planning not adapted to local conditions</li> <li>• Insufficient provision of construction land</li> <li>• Missing housing programs</li> </ul>
Ecological causes	<ul style="list-style-type: none"> <li>• Erosion/drought/floods leading to urban migration</li> <li>• Floods and storms in squatter settlements</li> </ul>
Psychological causes	<ul style="list-style-type: none"> <li>• Fear for one's existence</li> <li>• Lack of self-esteem</li> <li>• Loss of identity</li> <li>• Collective suffering</li> <li>• Desire for revenge</li> </ul>

*Source: Wehrmann (2005)*

In addition to these causes stated by the Wehrmann, there are also causes from respondents in Gishamvu sector, and those causes were grouped in familiar, social, historical and registration causes.

#### **IV.6. the sources of land related conflicts in Gishamvu sector**

Land conflicts has become more popular because the historical and scarcity in Rwandan community. Poor households bear the heaviest burdens of land-related conflicts for the simple reason that their daily needs and future livelihoods are directly tied to their property rights. Their land dependency ratio is high. Poor households face a high risk of becoming victims of conflict if their fragile access to land is threatened further (ALEGRE P., 2006).



The roots of conflicts are numerous, including: structural or historically-based inequalities; economic and social policies and patterns of growth and development; political or territorial disputes; communities in competition with commercial interests, particularly extractive industries; overlapping jurisdictions among government ministries; former landlords and land reform beneficiaries; intrusions onto pastoralist lands; and, contradictory regulations, such as differences in legal and customary ways of managing or mediating land rights.

In developing countries, the livelihoods of most of the human population depend almost entirely on natural resources (Mbau S Judith, 2013). According to UN/ECE, (2002); MEA, (2005b), the land conflicts occur mainly from direct effects of population growth such as agricultural expansion, grazing and land for settlement as well as indirect effects of pollution which make the land low yield production with many consumers and settlers. Land conflicts especially occurs when there is a chance to obtain land for free no matter if this land is state, common or someone's private property. Inheritance conflicts and disputes between neighbors are most often about land and other immobile property (Wehrmann B., 2008).

There is a relationship between land use change, human population growth dynamics and land related conflicts in Rwandan country particularly in Gishamvu sector. The time period coinciding with the highest population increase also coincides with the highest decrease of agricultural and settlement with human dominated activities of agriculture as the country also was dominated by ethnic conflicts with many refugees leaving their properties going outside the country searching asylum. There are different causes of land related conflicts that have been stated by Babette Wehrmann in his research in 2005.

#### **IV.6.1. Family land related conflicts in Gishamvu sector**

Through the participants' views about land related conflicts most of the land conflicts are from families. In the research and interviews made at a least great number of the respondents has agreed that most land related cases are from families where the family members fought among themselves for land. The scarce of land in Rwanda has given the land high value that even household members fought for it. In different families, as stated by respondents, there still discrimination among children. The girl children are still oppressed mostly in rural areas.

They are not given the equal land as the boys who cause some conflicts in case girls start claiming their rights. The woman respondent from land committee at the cell level who was interviewed said that:

*“Here in Gishamvu sector we are still being oppressed, in our home husband take decision in the land we bought together and that we have given from our parents. When we talk about land access rights, our parents replied us that it is how it used to be, that we women have no rights to land, as women we found out that if we don’t do something to change this behavior our daughters will face the same problem as we do.”*(Interview with land committee member at cell level, 2019)

This raise conflicts in the community because the husbands need status quo while women need changes to protect their future daughters. On the other hand, men claimed to lose their power over their wives as the government changed the laws and give the equal rights to both men and women on the access and enjoyment of land when they asked by researcher about the access to land rights. The interview conducted to the land manager in Gishamvu sector said

*“A son would receive Umunani land when he became an adult and was preparing to get married and this would enable him to provide a house for his family and to feed them. If a family did not have sons, Umunani land would be granted to grandsons. After the death of both parents, any remaining family land, now called Ingarigari, would be divided among the sons. Women were not able to inherit land but they could receive it as a gift, regardless of whether they were married or not. Which made man the head of the family and be responsible for all to make the family development, but nowadays things are changing and women are being given more value than men which create conflicts between them.”*(Interview with land manager, 2019)

This is conflicting not only to between families but also even between man and government because the husbands fight for their power they used to have over their wives while the government are abolishing all form of discrimination over women mostly those discrimination against land access.

The women claims their properties especially land when they left their homes. In most parts of Gishamvu sector, there still beliefs that girls deserved to extend the families where they marry which reduce their respect and concerns to the community they come from. According to the interview conducted on respondent from the ombudsman at the Gishamvu sector said:

*“Gishamvu sector there are women who left their homes even ask separations from their husbands which is a big problem not only to themselves but also to their children even community in general. Most families who divorced become difficult in separation of their properties where the husbands claim to have many properties before marrying the divorced wives while on the other hand women claim to bring or work hard to reach where they are that she must take big part. Here the family of women and the family of men become enemies as it is known that the land is the qualification of richness in Gishamvu sector.”* (Interview with the ombudsman, 2019)

One of respondents (man) claimed that the government also can sometimes bring this conflicts by favoring one part; where he said that he had had wife married regally but in the divorce, half of the properties were given to his wife including house they used to live in, which made him to leave it and go to take a lent house and that house were built by that man even the parcel where that house are built. He said

*“I married my wife when I had the house and big land in different area but after marrying her we bought other land, in our marriage she didn't bring anything apart from some few materials to use at home, we had one children but after two years, we divorced as the government gave her half of my property including the house and now I live in the lent house. This hurts me so much because the government did not use the justice in our separation.”*(Interview with man at cell level, 2019)

Through this testimony, the conflict is not only between the spouses but also even among their families but because the laws are not know in by people in the community. The children who are born by illegal married partners when they die before getting the heritage, their children become difficult for them to get the heritage of their parents. As stated on the interview by one young child who is orphan but her properties left by her parents were taken by herrelatives said:

*“our parents were illegally married and they died before going to ask for heritage, but when we try to ask their heritage we pushed out by their brothers and sisters saying that they do not know us, we are unknown, that we came from the prostitution, this make me hate their families at the level of death because they did not give me value as their family members but they throw me away.”(Interview with orphan, 2019)*

The reach conducted in Gishamvu sector the great number of them have highlighted the problems of the succession, inheritance and distribution of land property have raised the conflicts among the community. In the familiar level, as stated by the member of CNJ at sector level on the interview carried out at Gishamvu sector said:

*“When the marriage is done legally with total share of property, they already share the properties after signing their marriage certificate, from that time their properties are shared equally, no one is allowed to do anything such as selling or lending them without the consent of bot. Nowadays, the Rwandan laws of marriage states that giving children heritage (umunani) is willing, there is no force or regulations to punish the parents who refused to give their children umunani; when one of the parents dies, the rest one is not allowed to sell the land except of there is consents or agreement of the children, or he or she may give everychildren his or her parts in order to sell her orhis own property.”(Interview with CNJ member, 2019)*

This is a big problem that brings conflicts among the family members mostly those families which have diseased person where there are one people who want to sell one part of the land for family benefits. In the familiar land conflicts, there are different causes of land conflicts which are illustrated in the table below.

**Table 5: Some causes of family land conflicts as stated by respondents**

	<b>Illegal marriage</b>	Conflicts within descendants; problem in land distribution; land registration problem; lack of trust between spouses( <i>interview with land manager Gishamvu sector, 2019</i> )
	<b>Legal marriage</b>	Conflicts when one of couple lose fidelity and have child

<b>Family land Related conflicts</b>		outside the household bring conflicts within the children and within the couple; conflict in land separation; conflicts in inheritance; conflicts on the current law of giving parents freedom of inheritance which cause many parents sell all the properties including land when they are alive and leave their children with nothing. <i>(interview with Social Affairs at Gish VCBBCamvu sector, 2019)</i>
	<b>Inheritance</b>	Problem when all parents are dead and there is misunderstanding on the inheritance; nepotism of parents during the inheritance period where women or girls are disregarded as men or boys, this imbalance cause conflicts which is hard to the family and even at legal level. <i>(interview with SEDO, at Nyumba cell, 2019)</i>
	<b>Within household</b>	During the selling of land most of the time women refuse their husbands to sell land which cause conflicts within the household. The imbalance also between boys and girls rise conflicts within the family. <i>(interview with Administrative and Good governance officer at Gishamvu sector, 2019)</i>

*Source: primary data*

#### **IV.6.2 Social related land conflicts in Gishamvu sector**

The social land related conflicts, as stated by respondents, is the land conflicts from the members within a given community. These are caused mostly by little land, land boundaries and social conflicts. In this sector most the cases showed that the social conflicts are from the community members where one person want to take the others land due to different reasons. For instance, in the interview held with one person said that there happen some community member left the community and go to live in other location far from where he used to live but left his properties (land) where he come to use it in distance. His family or other community members start to take over the property thinking that he will never come back or will be unable to manage the property in distance. In this case conflicts will be raised and even got fights if not going to the courts.

There is also what is called “kurengera” where one of the people who share the same field boundaries tries to change the “urubibi” trying to take the land of the neighbor. This is the common problem in Rwandan community and even so challenging. The interview of the farmer respondent who is the member of cooperative carried out at Nyumba cell said:

*“I had the land near my neighbor but because I was far from that land, I used to come there rarely. My neighbor started to add some part of my land to his slowly by slowly I found it later. After I asked him to make things as they used to be but he refused and we fought which put us on the courts where we become enemies even today because I was claiming my land that he stolen.”*(Interview with farmer in Nyumba cell, 2019)

There are also land conflicts where a person mostly in rural areas culture is that non girls who have equal rights as boys on land access. In Gishamvu sector, the people’s living conditions are difficult, there is scarcity of land, and different conflicts related to land. There are also people who sell their land twice or three times on different person. As stated by member of committee at village level at Gishamvu sector said:

*“One of my neighbors sold his land twice on different persons. In the time of cultivation, they both met there when all come to cultivation. They fought about to kill each other, but because of good government, they were taken to the court and they decided to use receipt as the evidence which show the person to buy that land. One of the two was victimized and loses his money.”*(Interview with member committee at village level, 2019)

The corruption and nepotism also were considered as the source of land conflicts where the riches took the property of the poorer. According to Wehrmann B., (2008) it is found out that where there are many land conflicts, social stability within society is affected, as land conflicts undermine trust and increase fear and suspicion often between formerly close people such as neighbors and family members. In the Gishamvu sector, land conflicts also are the one that make the community instable, insecure and even lead to underdevelopment of the community.

### **IV.6.3 Historical land related conflicts in Gishamvu sector**

The history also can be the source of land related conflicts on Rwandan community particularly in Gishamvu sector. Refer to Rwandan history the problem of land related conflicts as have been stated above, come from different corners of living conditions including the history. The Rwandan social conflicts and the ethnicity started to take other image and exacerbate in the colonization where the use of “*divide and rule*” system start being applied in Rwanda. From this time the ethnic group of Tutsi started being oppressed, burning their homes and killings; here some Rwandan people started leaving their homes, properties including land and go to Tanzania, Burundi, DRC and Uganda.

In June 2006, more than 23,000 people fled their homes in Southern Ethiopia and have been displaced following clashes triggered by disputes over land ownership between neighboring ethnic groups in that area. Between 100 and 150 people had been killed in these clashes that started when land formerly belonging to Borenas was awarded to Guhis by the government (Oxfam, 2006).

This has also happened in Rwanda where great number of Rwandan people fled the country because of how they were born (being called Tutsi as ethnic group) to the neighboring countries such as Uganda, Tanzania, Burundi, Kenya and other countries. The dictatorial government started taking their land and give them to other people most of them were Hutus, this raised the conflicts among the people who took the properties from government or who took them because the owners were fled and the owners after the refugees come back. The testimony of the member from private sector committee in Gishamvu sector said:

*“I was born in Burundi, my parent said that they left Rwanda in 1957 and told me all land they had in Rwanda and the location so that I could recognize them in case there appears the chance to come back; but for bad lucky my parents died before we return in our country. When I arrive in Rwanda, I went to see where my parents told that there is our land, arriving there; there were people who lived there. I asked those people and showed me the receipt that showed whom they bought the land from. That man also told me that the land was inherited by his grandpa but did not tell him exactly where he found it. From that time I become the enemy of every people who bought the land there*

*saying that I am going to take over their land which was the time of conflicts between me and them.*”(Interview with Private sector member, 2019)

Here, some people in support with the government took over the properties of the people who left the country and start using them as theirs. The land were occupied by others mostly those who caused them to flee the country. This oppression continued until in 1994 genocide against Tutsi and some moderate Hutu. In this time, many people also left the country including the genocide perpetrators and some genocide survivals.

Either those who left in 1957, and those who left in 1994 want their land they left during that time while most of the people who occupied them have died and land already inherited the children of their children who know nothing about land, while at the same time those in refugees where told where their land is located and sometimes know who occupied it. But due to decades of the decades that passed through those families will be in conflicts because of that problem of land and it becomes difficult for the government to solve such problem without anyone to be hurt.

#### **IV.6.4 Land registration conflicts in Gishamvu sector**

The land registration is one of the factors that caused conflicts within Rwandan community either familiar or within the community. The law says that the land owner is the one in which that land is registered on.

In most cases, registration caused big challenges mostly in the spouses who married illegally because if the people live in such manner everyone register his or her own properties even land. This is so difficult for those who passed many years living illegally without civil marriage and who searched many properties together, it became problematic to know who to register that property and what other would do in case of separation. The government would be so challenged and even the family members would be in conflicts which at the end of the day one of the family members became victim. The interview of women member of Ikimina in Ryakibogo cell said:

*“I married my husband when we had nothing and we lived in lent house after three years we bought houses and land for cultivation together. When the land registration*



*law came and starts being implemented, my husband registers all properties we bought together on his name, and when I asked why he started beating and abusing me that he bought them on himself that I was there eating only which resulted in legal separation between me and him.*”(Interview with women member from Ikimina in Ryakibogo cell)

Land registration conflicts family members also, in the case for instance the children who left alone with their parents passed away, during the registration the oldest one registered all the properties to him/ her and those properties are taken as his or hers. If those young brothers need also to use that land, it would be difficult unless their old brother want to. This requires the legal intervention and we know that is there is accusation within the family, there is also no peace except conflicts. There is the problem of land registration charges, in registration process there are some charges that required from the owners. As stated by the member of opinion leaders at Gishamvu sector who were interviewed said:

*“when the land are sold, the money charged in land registration changing certificate from seller to the buyer is not favorable because the money are equal to any quantity of land, which means that those who have large land and those of small land pay the same amount of money which is not fair.”*(Interview with opinion leaders’ member, in Gishamvu sector 2019)

this also creates conflicts among within community members and government officials because when person with small land are paying amount of money which are the same as the persons with large land raise misunderstanding within the community.

#### **IV.7.The consequences of land conflict on community development**

In many communities the causes, consequences and control of land use conflicts have been discussed. The Policy makers and citizens are starting to realize that many social and economic problems have the question of land use at their very core.

All land conflicts, no matter how peaceful or violent they are, produce negative consequences for individual people as well as for the entire society. Many families across the world have seen their shelters their homes being bulldozed out of existence. (Wehrmann B., 2008).The community

development is the process through which a given community come from to a given stage of living conditions of its citizens to the other one which is better than the first.

According to the respondents, community development is the changing of the community in all aspects of life: economic, social, political and even cultural to the best way of enjoying these changes. In the community, land related conflicts affect the living condition of citizens to the way in which their living conditions become worse. The women from the committee of old people who was interviewed said:

*“When I was young I lived peacefully with my family without any complications, but when I started claiming my heritage, my brothers started hating me and refused giving mine which made me put them in the prosecutions. This created hate and even vendetta within our family between me with those who were in my sides and those who were in their sides. Until now they hate me and the sense of belongingness and relationship has vanished even today.”* (Interview with women from old people, 2019)

In many countries, indigenous people have been dispossessed or live at risk of being dispossessed due to either failure to recognize their rights to land or invalidation of those rights by the state, or through expropriation or privatization of their lands by the state (UN-HABITAT/OHCHR 2005).

When in the community there is conflicts among the community members, the security also of the community is shacked which lead to instability of the community instead of looking what can be more productive, they become busy searching how to solve those conflicts which took much time and sometimes with money for reconciling those who were conflicting.

Whenever there is a land conflict, someone suffers economic consequences. In extreme but not rare situations, people find themselves landless and/or without shelter. In the case of a farmer, this often includes the loss of his/her production base. But that's not all. Where there are many land conflicts, social stability within society is affected, as land conflicts undermine trust and increase fear and suspicion often between formerly close people such as neighbors and family members (Wehrmann B., 2008). The statement from the interview carried out on the JAF leader in Gishamvu sector said:

*“The economy of the country and households reduce when there are many cases of land related conflicts. there is money spent on cases of land conflicts in transports, and in communicating through telephone; when the court have finished the victim receives money from the guilt those money should be used in household developmental activities. The days also spent on going from and to courts should be more productive on the family’s activities.”* (Interview with JAF leader, 2019)

The respondent said. Through this statement from the respondent, the land related conflict kills slowly but fiercely the economy of the country and the household in Gishamvu sector despite different mechanisms that are being taken by the government. The interview with the young man who was left by his parents when he was child said:

*I lived in miserable life while my family was living well in my parents’ properties, where he lived in wondering on street, getting what to eat was problem to him; the family did not want him to get his parents’ land as treated him harshly which made him hated them so badly and put his issue in the court; he decided to be alone and said they are no longer his family.”*(Interview with the left child at Shori cell, 2019)

The social conflicts within the family that are caused by land resulted in the deaths in some point when the way of resolution is late or when those who should resolve it go to one side of the conflicting part instead of looking on both sides. They respondent whose father is in prison said:

*“My father used to tell my mother that she brought nothing except head, that he has no rights in his land or any other property. My father sold all production planted by my mother saying that they come from his land but after that he planned to sell the land that my mother used for us to survive, my mother stand up and fight against it then my father came late in the night and killed my mother because she refused him to sell our land. Now I with my young brother lost our mother and our father is in prison. For sure we are ashamed of our father because everywhere we pass they said that look those children whose father killed their mother which chock us.”* (Interview with children whose father in prison, 2019)

This is social consequences of land related conflicts that separate the family from being one and become fragmented because misunderstanding and hates from land seizure from one of the members to another.

#### **IV.8. Land conflicts resolution strategies in Gishamvu sector**

In every community, the acceleration of land conflicts depend on the above situations that does not going well. Gishamvu sector is among the most sectors that compose Huye district which have many land conflicts cases. Huye district in the collaboration with government of Rwanda and RURA, have stated the strategic ways, regulations, policies and laws to eradicate those conflicts within the community.

Among the land resolution strategies is the stating the “equal land rights” this law gives the equal access to land to all individuals. All persons are equal in accessing land. In the past period women had no access to land as men and even the children “girls and boys” were not equal in accessing the land even all properties and rights. In the past women were used to be taken as invaluable either in the family where they have born or where they have married. The land was deserved to the men and boys. The women had no rights to inheritance or to the succession which caused the conflicts and victimization in Gishamvu sector. The law that gives the equal rights to land either in succession, inheritance was the primary and most important in land conflicts resolution in Gishamvu sector.

This was followed by the stating the rights to access and usage the production from the land of the women. After women to have the right to have land, they had no rights on the productions from that land. Onewoman from women committee at sector level who was interviewed said:

*“Women were able to have land but by name, the production from that land was managed by their husbands. Women were able to cultivate beans, banana, and potatoes and even to work on cash crops in their field such as coffee, cotton, and tea but production from that plantation did not have effect on their lives nor did they have the right on the management and use of that money.”(Interview with member of women committee, 2019)*

The productions were managed by their husbands. The government of Rwanda stated the policy and strategies to give the full rights to land and the use of that land to avoid this violence against women. There is also the strategy of land registration, despite the challenges occurred during the registration of land but this came as solution in the land conflicts. In most cases one person could sell land twice on different people, because there is no land registration, these caused the conflicts, prosecutions and even killings.

The government made the registration to ensure land owners' security and stability on the usage and production on that land. According to the people from Gishamvu sector, the registration of land increased land security and the value of land because before buying land there must be the exchange of land registration certificate that show the land owners. The production has increased because they use their land with on fear of being deprived but as the source of income. This decreased also the land conflicts among the land owners in their community.

There are many land policies, rights and land laws and reforms that reduced the land conflicts among the community members in Gishamvu sector and Rwanda in general. Most community have been in land conflicts due to overpopulation and land scarcity which caused families and community members fight for land access. The history of Rwanda of having many refugees from Rwanda to other countries, oppression of bad leadership which resulted in the Genocide against Tutsis in 1994 also was the main cause of the land conflicts where some people who stayed in the country during the above waves refused to give up the land to the land owners.

All these government of Rwanda resolved them in harmonious ways through the creation of the sector called ombudsman (abunzi) which the wide men in reconciling and resolving the familiar or community conflicts within Rwandan community. The interview of the orphan of Genocide against Tutsi said:

*“I was treated violently by the people who took my property; my inheritance was taken by my brothers saying that I am a woman, ‘a woman should not have rights to have land from her family but from the family she married in’. The leaders also helped them because of corruption and nepotism, every level of leadership I was corrupted but when the ombudsman came my problem have been resolved properly and I got my deserved*

*land as my brothers. Thanks to ombudsman who helped me to get my properties while leaders did not.”* (Interview with one of the orphan of Genocide against Tutsi, 2019)

Abunzi are more responsive and are better prepared with skills, information and confidence to help people resolve their land-related and other conflicts. Abunzi confirmed that they are using the Common Ground Approach to resolve conflicts. Respondents are better able to understand these land conflict approaches and strategies for collaboration and conflict resolution in general.

Abunzi praised the Common Ground Training for making them feel better prepared to work with citizens. The training gave Abunzi (in order of importance) skills or tools, information and confidence in themselves. Focus group participants said the training Abunzi received was a success factor in their improved opinion about Abunzi and Key Informants confirmed that the training was useful and successful. The interview with the leader of ombudsman committee at Gishamvu sector said

*“Our job is to help people in better, fair and transparent way without any discrimination, nepotism or any other aspect other than transparency. The thing we hate most in our job is seeing someone who is being judged unfairly, corruption is a crime in our career. For me I like seeing someone who is pleased on how we judge, reconcile and help people’s problems and conflicts being resolve peacefully and I think that this is the wish of everyone who do the job as I do.”* (Interview with ombudsman leader, 2019)

Respondents and Abunzi are very aware of the challenges facing youth and can identify those that apply to young women only. In this evaluation study respondents identified issues around safety (rape/GBV/violence) most frequently. Poverty increased dramatically as an issue for girls due to increased awareness and/or increased poverty. The respondents asked on how can land conflicts be eradicated said that it not so easy to eradicate land conflicts within community because always where there is more than one person cannot miss conflicts.

According to ZARTMAN (1991: 299); Wehrmann B., (2008)

*“Conflict is an inevitable aspect of human interaction, an unavoidable concomitant of choices and decisions. Conflict can be prevented on some occasions and managed on others, but resolved only if the term is taken to mean the satisfaction of apparent demands rather than the total eradication of underlying sentiments, memories, and interests. Only time really resolves conflicts, and even the wounds it heals leave their scars for future reference. But short of such ultimate healing, much can be done to reduce conflict and thereby release needed energies for more productive tasks.”*  
(Wehrmann B., 2008)

The land conflict within community cannot be eradicated as they increase as the time pass by and as the population increase which leads to increase land value in the market place.

#### **IV.9. Results and discussions**

The research conducted on the new trends of land related conflicts has find out many regulations and laws that are confusing and conflicting to the community. The research that conducted among the respondents from Gishamvu sector, they said that they do not know their laws and rights of land. This is more challenging which cause many people especially rural women and illegal children where they are victims of what they are or they have born.

In rural area, women are still victimized, where they are not allowed to ask the land at the place of birth saying that they went to enrich the other families which disgrace them in the families where they got married. They are taken as slaves because of consuming what come from the family’s property. The children who were born illegally also live in misery life because of not knowing their rights where they are treated as useless, which make them live hopelessly, unconfident and even become dangerous by taking everyone in the society as enemy because no one who advocate for them. The problem of policy formulation and keeping these laws and regulations on the books only without sensitizing them within the community so that they can defend themselves and lack the effective management of land causes the big conflicts. Women and children should be taught not to be silent rather defend themselves if they know the laws and rights.

Other problem is concerned to the laws of inheritance or land distribution within the family (gutangaIminani) the new law says that parents give their children land or other property willingly at any time they want and give any children they want depending on how they love, care about those children. This is very challenging where the young children who are about to acquire land looked down on that laws and also parents criticized it of not to be fair because it could cause conflicts among families in case parents give one children bigger land than others or in case one children are given land while other are rejected.

On the other hand, the parents also supported it saying that this law can awaken children to know how to work, search by themselves by reducing their laziness by thinking that they have no rights on the property of their parents; but they also say that this can at the same time cause conflicts between children and their parents which can lead to killings where children can think that the only option to get to their parents' properties is to kill them and take them freely.

The most challenging is that the laws and regulations are concerned only for those who are legally married which is still challenging within the community of Rwanda where at least 45% of the families are living illegally without legal consent. In this respect, the children who born in this situation will be considered as the one who are unconcerned even by the government because there are not official laws and regulations that have been provided to save and protect her. In Rwanda there are great numbers of children who were born illegally and who are suffering because there are no laws to protect them. There should be the laws and regulations that protect children and families whether they live legally or illegally as long as they have descendents from their marriage.

According to the research conducted, most of the conflicts and deaths found in the families are caused by land related conflicts. Historically and culturally in Rwanda community it was prestige for one man to have many wives, and was considered as richness and family protection but because of the historical and life changes, nowadays to have many children is considered as the one of the risks of falling into extreme poverty and living in vicious circle of poverty. Many people are dying because of land conflicts; there is scarcity of land and population growth within the community of Rwanda and unemployment which increase the land value in the market place.



These complexities and conflicting laws and regulations mixed with the land scarcity make people consider land rather than familiar relationship.

## **CHAPTER V: SUMMARY, CONCLUSION AND RECOMMENDATIONS**

### **V.1 Introduction**

This chapter summarizes the findings or the arguments that have been presented in the previous section by reflecting on the new land laws and regulations and rights for all Rwandans. It summarizes the study, draws the conclusions and point out the areas of further research.

### **V.2 The summary**

This study sought to examine the new trends of land related conflicts in Gishamvu sector. It is an attempt to the questions whether marital status, age and sex of household head, historical background could be the effective on these land conflicts. Based on the research made and the results found, the new trends of land related conflicts have been made in Rwanda and have had the great impacts on the living conditions on the citizens. Among the land policies and laws that have played the crucial roles as stated by the respondents are land registration, equal rights to land access, land use and decision making to the production from that land.

In the interviews, discussions and questionnaires held by respondents on the land conflicts, the respondents have agreed that there are some policies and laws of land that reduced conflicts among the community members. The women also have enjoyed the land reforms that took place in Rwanda, which was the equal land rights; this land gave women full access to land. It gave them the full access to land and increased their production, households' development and their wellbeing. Among the respondents who were asked have been in land conflicts with their neighbors in community and agreed that their living in conflicts have reduced their economy in transports, prosecution and they lived in instability with vendetta and also their conflicts with their neighbors increased at high.

The land reforms have been agreed to have been made the changes on the living condition of the community members in Gushamvu sector. Most people have got their chances to regain their properties including land moreover it increased the security from the time the land registrations have started to be implemented.

### **V.3 Conclusion**

This study explores the new trends of land related conflicts in Rwandan community. The study was explanatory to the extent that the researcher got the results that lead to answering the research questions and match the hypothesis of the study.

In relation to the research questions that compose the study, the research found out that there are new trends that are related to land conflicts resolution that were aimed at resolving the conflicts that were causing many problems like deaths, hunger, mistrust and poverty in Rwandan community. These trends have contributed greatly in Rwandan reconciliation, Rwandan development and land security which also make the land more productive and valuable in market place.

The objectives of this study were to assess the problem associated with trends made on land laws and implementers that make land conflicts unresolved and assess different conflicts that occur in Gishamvu sector and how land laws are applied to solve these conflicts. Basing on the findings from the research conducted in Gishamvu sector, the results have shown that the Rwanda government has stated new trends on land related conflicts in order to fight against land

insecurity; land related conflicts and ensure the production of land in good manner. These new trends have resulted to human capital increase, social harmony restoration and the creation of other laws and regulations that made the land sector sounds good.

#### **V.4 Recommendation**

Refer to the study's objectives, the recommendations below are go to the government of Rwanda, the RURA, the citizens in Gishamvu sector and their leaders.

##### **The recommendation to Rwandan government**

Through the laws and regulations made by the government about land, there should be follow up on how they are implemented because most of the time the laws are clear but the implementation process is not good as it should be.

The government of Rwanda should take care for women and children about land rights and usage because despite all these rights and laws, they are still being oppressed and deprived their rights within the family.

The government of Rwanda should provide different mechanisms of fighting against corruption and stating strategies for land production in order to reduce hunger.

In the registration process, there should be the consideration of the location of the land, the square of land, the use of land in order to state the land registration charges.

##### **The recommendation to Gishamvu sector**

The leaders in Gishamvu sector should put great efforts in training and sensitizing the proper use, separation and distribution of land within the community in order to avoid the conflicts from the mismanagement of the land.

There should not be a corruption and nepotism in the issue of land in Gishamvu leaders because this can lead to crimes among the conflicting parties.

The leaders should know how to resolve the problem peacefully without any sense of discrimination or imbalance.

##### **To the citizens**

The citizens in Gishamvu sector should know their rights but without forgetting their responsibilities on the use and management of land.

The land is not for one person or group of persons but is for all family members and every one must have equal land rights as others. No one is above the laws, therefore, women, girls, men, boys all are the same before the laws in the use and access to land.

The citizens should avoid tradition beliefs that men are the owners, managers and decision makers of everything rather they should know that in order to avoid the conflicts and quarrel with the community, they must be equal in everything.

The citizens should learn how to read and there must be the sensitization of the culture of reading on the Rwandan community, this would increase the number of people who know their rights and responsibilities and avoid the victimization of people.

### **The recommendation for further studies**

In the sense of the peace and development, the recommendations should not remain to the local level only; there must be the intervention of many stakeholders and other non-governmental organizations, and civil societies that fight for equal rights on land.

The civil societies should be promoted to avoid discrimination and victimization of the land cases such as Transparent International Rwanda which helps the vulnerable people mostly poor, orphans, widows on the problem of land. There could be many strategic ways of explaining and resolving the land conflicts within community without anyone to be a victim. Establish different mechanisms aiming at facilitating the tracking and reporting of corruption cases by the citizens (example of introducing suggestion boxes at both the sector and cell level). Ensure that any village leaders who are found to engage in corrupt practices are immediately relieved of their functions. Establish different mechanisms aiming at facilitating the tracking and reporting of corruption cases by the citizens.

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[http://www.oxfam.org/ni/what we do/issues/livelihoods/landrights/downloads/oxfam and land in post conflict situations.rtf](http://www.oxfam.org/ni/what%20we%20do/issues/livelihoods/landrights/downloads/oxfam%20and%20land%20in%20post%20conflict%20situations.rtf)

Category	Staff	Frequency
<b>SECTOR STAFF</b>	Executive secretary of sector	1
	Administrative and good governance	1
	Civil status and Notary	1
	Social affairs	1
	Education officer	1
	Customer care	1
	Agronomist	1
	Veterinary	1
<b>Category</b>	<b>Staff</b>	
	ICT	1
	Executive secretary of sector	
	Accountant	1
	Administrative and good Security governance	5
<b>Total SECTOR STAFF</b>		15
	Civil status and Notary	
	Social affairs	
	Education officer	
	Customer care	
	Agronomist	
	Veterinary	

**APENDICES**

**TARGET  
POPULATION  
SELECTION**

**SECTOR STAFF**



	ICT	
	Accountant	
	Security (DASSO)	
<b>Total</b>		

**CELL STAFF**

<b>Category</b>	<b>Staff</b>	<b>Frequency</b>
<b>Nyakibanda</b>	Executive secretary of cell	1
	SEDO	1
<b>Nyumba</b>	Executive secretary of cell	1

	SEDO	1
<b>Ryakibogo</b>	Executive secretary of cell	1
	SEDO	1
<b>Shori</b>	Executive secretary of cell	1
	SEDO	1
<b>Total</b>		<b>8</b>

## COMMUNITY LEADERS

<b>Category</b>	<b>Frequency</b>
CNF (Sector & Cell),7x5	35
CNJ (Sector & Cell),7x5	35
Komite y'Abunzi ku murenge	7
Komite y'Abunzi mutugari(4x7)	28
Komite y'Abafite ubumuga (Sector&Cell) 7x5	35
Komite y'abafite ubumuga mu midugudu(5x25)	125
Komite y'Abana under 20,8x5	40
Komite z'abakobwa babyariye iwabo mu tugari(fille mere) 7x4	28
Abajyanama b'ubuzima mu tugari(4x3)	12
Abajyanama b'ubuzima mu midugudu(25x5)	125
Komite y'Abasheshe akanguhe	35
Reserve force (committee) 5x5	25
Komite nyobozi y'umudugudu(25x5)	125
Njyanama y'umurenge	24
Nyanama z'utugari (15x4)	60
Komite ya JAF ku murenge	7
Community policing mu midugudu (5x25)	125
Community policing mu kagari (5x4)	20
Inshuti z'umuryango mu midugudu (1x25)	25

Inshuti z'umuryango ku kagari (1x4)	4
Abafashamyumvire b'ubuhinzi kugari (2x4)	8
Isibo mu midugudu (3x25)	75
Komite ngishwanama kukagari(12x4)	48
Komite y'ubutaka ku kagari n'umurenge(5x5)	25
Private sector committee(Sector & cell),7x5	35
Komite z'intore kukagari no kumurenge (7x5)	35
Komite y'abacitse ku icumu rya Jenoside yakorewe abatutsi ku murenge,akagari n'imidugudu(30x7)	210
<b>Total</b>	<b>1358</b>

## INTERESTS GROUP (ORDINARY PEOPLE)

<b>Category</b>	<b>Frequency</b>
Abanyamuryango (30) b'ikimuna kimwe muri buri mudugudu	750
Komite y'abantu (5) ya koperative ebyiri muri buri kagali	40
Abantu 10 bahoze ari abayobozi mu nzego zitandukanye batuye m'umurenge	10

TO WHOM IT MAY CONCERN

This is to testify that **BIZIMANA RUTI Emmanuel**, Registration number **216367557** is a Student in Masters of Development Studies, School of Social, Political and Administrative Sciences, College of Arts and Social Sciences. He is currently in the process of gathering data for his research work entitled:

**"New Trends of Land related Conflicts resolution in Rwandan society. Case Study Gishamvu Sector".**

He will be approaching you with the aim of collecting relevant information to complete this assignment. We are humbly requesting you to kindly extend the necessary cooperation in providing the needed data.

We thank you very much in anticipation of your kind cooperation and please do not hesitate to contact us should you be in need of further information.

Sincerely,

Assist.Prof.Ismael Buchanan, PhD

Dean

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# HUYE ADMINISTRATIVE MAP



Gishamvu Sector →



**Legend**

- Market
- District office
- Assembly sector
- Health center
- River
- District boundary
- Cell boundary

**Road**

- 1
- 2
- 3
- 4
- 5

**Sector Names:**

- KINARI
- RWANISO
- RWANIRA
- KIGOMA
- SUMBI
- RUHUHYA
- MARABA
- MURU
- HUYE
- NGOMA
- KARAGA
- GISHAMVU
- TUMBI
- MUKUU

# Administrative Map



# Gishamvu Sector

4/5/2019

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