

NATIONAL LAND POLICY, 1995

(2023 EDITION)

Table of Contents

<i>LIST OF ABBREVIATIONS AND ACRONYMS</i>	<i>vi</i>
<i>1.1 DEFINITION OF TERMS</i>	<i>vii</i>
<i>FOREWORD</i>	<i>xii</i>
CHAPTER ONE	1
INTRODUCTION.....	1
<i>1.1 Background</i>	<i>1</i>
<i>1.2 Current Situation.....</i>	<i>7</i>
<i>1.2.1 Promote an Equitable Distribution of and Access to Land by all Citizens</i>	<i>8</i>
<i>1.2.2 Ensure that Existing Rights in Land especially Customary Rights of Small Holders (i.e. Peasants and Herdsmen who are the Majority of the Population in the Country) are Recognized, Clarified and Secured in Law.....</i>	<i>15</i>
<i>1.2.3 Set Ceilings on Land Ownership which will later be Translated into Statutory: Ceilings to prevent or avoid the phenomenon of land concentration (i.e., land grabbing)</i>	<i>16</i>
<i>1.2.4 Ensure that Land is put to its most Productive Use to Promote Rapid Social and Economic Development in the Country..</i>	<i>17</i>
<i>1.2.5 Modify and Streamline the Existing Land Management Systems and Improve Efficiency of Land Delivery Systems</i>	<i>26</i>
<i>1.2.6 Streamline Institutional Arrangements in Land Administration and Land Dispute Adjudication and also make them more Transparent</i>	<i>29</i>
<i>1.2.7 Promote Sound Land Information Management.....</i>	<i>31</i>
<i>1.2.8 Protect Land Resources from Degradation for Sustainable Development</i>	<i>33</i>

CHAPTER TWO	37
RATIONALE, VISION, MISSION AND OBJECTIVES.....	37
2.1 <i>Rationale</i>	37
2.2 <i>Vision and Mission</i>	43
2.2.1 Vision.....	43
2.2.2 Mission	43
2.3 <i>Policy Objectives</i>	43
2.3.1 General Objective	43
2.3.2 Specific Objectives	43
CHAPTER THREE	46
POLICY ISSUES, OBJECTIVES AND STATEMENTS	46
3.1 <i>Issue: Land Ownership and Administration</i>	46
3.1.1 Objective	48
3.1.2 Policy Statements.....	48
3.2 <i>Revocation of Land Rights, Land Acquisition and Compensation</i>	49
3.2.1 Objective	50
3.2.2 Policy Statements.....	50
3.3 <i>Issue: Registration of Land and Land Transactions</i>	51
3.3.1 Objective	52
3.3.2 Policy Statements.....	52
3.4 <i>Issue: Land for Agriculture and Livestock Keeping</i>	52
3.4.1 Objective	53

3.4.2	Policy Statements.....	53
3.5	<i>Issue: Land for Investment.....</i>	<i>54</i>
3.5.1	Objective	55
3.5.2	Policy Statements.....	55
3.6	<i>Issue: Preparation and Implementation of Village Land Use Plans ..</i>	<i>56</i>
3.6.1	Objective	57
3.6.2	Policy Statements.....	57
3.7	<i>Issue: Preparation, Management and Control of Urban Land Use Plans.....</i>	<i>57</i>
3.7.1	Objective	58
3.7.2	Policy Statements.....	58
3.8	<i>Issue: Land Information System and Geospatial Data Coordination</i>	<i>59</i>
3.8.1	Objective	60
3.8.2	Policy Statements.....	60
3.9	<i>Issue: Sensitive Areas</i>	<i>61</i>
3.9.1	Objective	62
3.9.2	Policy Statements.....	62
3.10	<i>Issue: Land Disputes.....</i>	<i>62</i>
3.10.1	Objective	63
3.10.2	Policy Statements.....	63
3.11	<i>Issue: Land Surveying and Mapping</i>	<i>64</i>
3.11.1	Objective	65
3.11.2	Policy Statements.....	66

3.12	<i>Issue: Strengthening International Boundaries</i>	66
3.12.1	Objective	67
3.12.2	Policy Statements	67
3.13	<i>Issue: Land Values and Land Market</i>	67
3.13.1	Objective	69
3.13.2	Policy Statements	69
Cross-Cutting Issues:		69
3.14	<i>Issue: Environment and Climate Change</i>	69
3.14.1	Objective	70
3.14.2	Policy Statements	70
3.15	<i>Issue: Gender</i>	71
3.15.1	Objective	71
3.15.2	Policy Statements	71
3.16	<i>Issue: Good Governance</i>	72
3.16.1	Objective	72
3.16.2	Policy Statements	72
CHAPTER FOUR		73
LEGAL FRAMEWORK		73
4.1	<i>Land Laws</i>	73
4.2	<i>Other Sectoral Laws</i>	74
4.3	<i>Efficiency. and Contradictions of Land Laws</i>	75
4.4	<i>General Legal Issues</i>	76

4.4.4. Amending regulations of the Land Survey Act, Cap 324, to enhance efficiency in land surveying processes	78
--	----

CHAPTER FIVE..... 79

INSTITUTIONAL FRAMEWORK, MONITORING AND EVALUATION..... 79

5.1 <i>Institutional Framework</i>	79
5.1.1 Sectoral Ministries and Local Government Authorities	80
5.1.2 Non-Sectoral Ministries.....	87
5.1.2.1 Other Ministries.....	87
5.1.2.2 External Public Institutions and Agencies	88
5.1.2.3 Academic and Research Institutions	89
5.1.2.4 Private Sector.....	89
5.1.2.5 Non-State Actors	89
5.1.2.6 Other Stakeholders	89
5.1.2.7 Development Partners	90
5.1.3 Citizens	90
5.1.4 Institutional Collaboration and Coordination.....	90
5.2 <i>Human Resource Needs, Management and Development</i>	92
5.3 <i>Monitoring and Evaluation System</i>	93
5.4 <i>Conclusion</i>	95

LIST OF ABBREVIATIONS AND ACRONYMS

BRELA	Business Registrations and Licensing Agency
CORS	Continuously Operating Reference Station(s)
GePG	Government Electronic Payment Gateway
GN	Government Notice
ILMIS	Integrated Land Management Information System
LGAs	Local Government Authorities
MOLIS	Management of Land Information System
NIDA	National Identification Authority
PORALG	President's Office, Regional Administration and Local Government
PDRF	Plot Development Revolving Fund
PPP	Public-Private Partnership
SAGCOT	Southern Agricultural Growth Corridor of Tanzania
SRS	Survey Registration System
TAREF 11	The New Tanzania Geodetic Reference Frame
ICT	Information and Communication Technology
TIC	Tanzania Investment Centre
AIDS	Acquired Immunodeficiency Syndrome
HIV	Human Immunodeficiency Virus

1.1 DEFINITION OF TERMS

Certificate of Occupancy	A legal document confirming land ownership issued under General or Reserved Land.
Customary Certificate of Occupancy	A legal document confirming land rights under customary rights in Village Land.
Customary Right of Occupancy	The right of a Tanzanian citizen or a community of Tanzanian citizens to occupy and use land according to customary laws.
Derivative Right	A right derived from a Right of Occupancy, including leasing, subleasing, licensing, joint ownership and similar rights.
Detailed Plan	A land use plan showing various uses for a specific urban block.
Foreign Company	A company in which the majority of shares are owned by non-Tanzanian citizens.
General Land	Public land that is neither village land nor reserved land.
Government Land	Public land used by the Central Government, Government Institutions and Local Government Authorities for non-commercial public services.
Hazardous Land	A land whose development may cause harm to human life, environmental destruction, or adjacent land, as declared

legally by the Minister responsible for land.

Heritage Sites	Tangible and intangible, movable and immovable resources, both on land and in water, that are 100 years old or more or designated under the Antiquities Act No. 22 of 1979.
Investment Land	Land designated, set aside or used for investment purposes.
Land	The earth's surface, extending downwards to the center of the earth and upwards as long as it does not infringe on other national or international rights; natural resources found on the surface, including soil, rocks and moisture contained in the soil; land beneath the sea; trees and natural vegetation, buildings, immovable structures and the air layer, except for water bodies such as rivers, lakes, oceans, minerals, gemstones, gas and oil.
Land Administration	The process of enabling land ownership and usage to achieve set objectives and goals.
Land Bank	Land set aside for future use, including investment.
Land Governance	The framework that facilitates land development using laws on land use, management, conservation, revenue collection and dispute resolution concerning land ownership, boundaries and usage.

Land Rights	Include rights to own, use, sell, lease, mortgage, invest, transfer, inherit, subdivide, exchange and surrender land.
Land Transactions	Include sales, mortgages, transfers, subdivisions, apportionments, exchanges, leases, surrenders, or granting of any other rights under a Right of Occupancy or lease.
Land Transfer	Changing land administration from one authority to another.
Land Value	The assessed value of land, including any developments made on it.
Market Value	The price agreed upon by a buyer and seller in an open competitive market.
Master Plan	A long-term land use plan guiding urban development and growth control.
Minister	The Minister responsible for land matters.
Non-Citizen	A person who is not a citizen of Tanzania.
Planning Authority	A City, Municipal, Town, District, Village Council, Township Authority or any other authority declared by the Minister as a Planning Authority or a Joint Planning Authority.
Public Land	All land within Tanzania Mainland, including General Land, Village Land and Reserved Land.

Regularization	The formalization of informally developed settlements by providing infrastructure and public services.
Reserved Land	Land designated for forests, National Parks, Wildlife Reserves, the Ngorongoro Conservation Area, Game Controlled Areas, Wetlands, Road Reserves, Open Spaces, Natural Water Source Systems, Public Utilities, Marine Reserves, Heritage Sites and Hazardous Land.
Right of Occupancy	The legal right to own and use land under General or Reserved Land.
Sensitive Areas	Areas that are strategically significant for national security, water sources, public open spaces, small islands, border areas, beaches, coastal zones, mountains, steep slopes, mangrove forests, national parks, rivers, river valleys, waste disposal sites, mining waste areas, wetlands, wildlife migration corridors, national heritage sites and fragile ecosystems.
Sustainable Development	Development that meets present and future needs by efficiently utilizing available resources without harming the environment.
Sustainable Land Management	A knowledge-based approach integrating land, water, biodiversity and environmental resource management to meet human needs without compromising ecological integrity.

Urban Area	An area within the jurisdiction of a town as defined under the Local Government (Urban Authorities) Act, Cap. 288 and the Town Planning Act, Cap. 355.
Village	Local Government Administrative entity under Ward registered under the Local Government (District Authorities) Act, Cap. 287.
Village Land	Public land that is neither general land nor reserved land.
Water-Based Land Rights	Include rights to own portions of land within water bodies or adjacent to watercourses for economic and tourism activities.
Wildlife Management Area (WMA)	A designated community land area set aside adjacent to villages to support wildlife conservation and regulate hunting, fishing and other recreational activities.

FOREWORD

Land is a fundamental resource for economic and social development and the well-being of all people. The land sector plays a crucial role in facilitating other sectors including industry, agriculture, livestock, construction, communication, natural resources, tourism and energy to implement national plans. This sector is governed by various policies and laws to ensure effective land resource management that brings sustainable benefits to all Tanzanians. Key policies guiding the sector include the National Land Policy, 1995 and the National Human Settlements Development Policy, 2000. Implementation of these policies has yielded achievements, challenges and policy gaps in certain areas. Key achievements include establishing a transparent system that enables all citizens to have equal rights in accessing and owning land while protecting the land rights of various groups; enabling other sectors to implement national plans; improving urban and rural settlements through land use planning; reforming and simplifying land access processes; resolving land disputes; and establishing mechanisms to protect sensitive areas.

Despite notable achievements, several challenges and policy gaps have emerged, including absence of a policy framework requiring all landowners to register their land; lack of a policy system that ensure every land parcel contributes to government revenue; lack of a geospatial data coordination system among government institutions and stakeholders; absence of a framework allowing foreign real estate developers to sell houses to institutions and individuals in need; lack of a system enabling Tanzania Non-Citizen Diaspora to benefit from land rights; absence of a policy framework to strengthen and protect international borders; lack of a sustainable coordination and economic utilization system for sensitive areas; absence of coordination, management and development frameworks for sensitive areas; and failure to integrate cross-cutting issues such as gender, environment and good governance into the Policy.

In response to these challenges and gaps, the Government has reviewed the National Land Policy, 1995 through a participatory process involving various stakeholders in the land sector, culminating to formulation of National Land Policy, 1995 (2023 Edition). The stakeholders involved include Ministries, Government Departments and Agencies, Public Institutions, the Private Sector, Civil Society Organizations, Development Partners, Higher Learning Institutions, Non-Governmental Organizations and the general public. The review process involved collection, analysis and use of data and information covering the period ending 2023.

The revised policy aim to enhance land ownership and management systems to ensure equal access to land for all citizens and safeguard government land; promote transparency and fairness in land acquisition and revocation processes; strengthen land registration and land transaction systems; improve security of tenure for agricultural and pastoral land to ensure sustainable land use; enhance security of tenure for fisheries land; and facilitate sustainable use of land allocated for investment purposes. Additionally, the Policy seeks to accelerate land use planning and implementation and establish a unified and sustainable system for land records and geospatial data management.

Other key objectives of the revised Policy include enhancing participatory management of sensitive areas to promote sustainable development; strengthening land dispute resolution mechanisms; improving surveying and mapping systems; ensuring secure and well-defined international boundaries; establishing a land market management system and improving compensation procedures; promoting environmentally sound land management and climate change adaptation; ensuring gender equality in land rights; strengthening good governance in land administration; and continuing public education on land matters.

Overall, the Policy aims to lay foundation for industrial economic growth, promote good governance, reduce poverty and contribute

significantly to national income. Furthermore, the review considers the unfulfilled objectives of the 1995 National Land Policy while incorporating new goals and cross-cutting issues to enhance governance and efficiency in the land sector.

The Policy aligns with National, Regional and International Development Frameworks in both medium and long term. The National Development Vision recognizes land as a foundational element for economic growth, social equality and environmental sustainability. The effective management and utilization of land resources significantly influence various sectors, including production and services sector. For instance, approximately 65 percent of Tanzanians rely on agriculture for their livelihoods, making land essential for economic stability and growth. Also, the sector has huge potential for Government revenue generation and jobs creation and therefore, enhancing the land sector is critical for Economic, Social and Environmental Sustainability.

Additionally, it will facilitate the formulation and implementation of new national development plans and strategies. I take this opportunity to express my gratitude to all stakeholders who actively participated in the preparation of this Policy. I am confident that its implementation will be effective in achieving the intended objectives through collaboration with stakeholders at all levels. This will help establish a robust land ownership system, ensure equitable access to land, promote efficient land management and use and facilitate investment and competitive economic growth for sustainable development.



Deogratius J. Ndejembu (MP.)
**MINISTER FOR LANDS, HOUSING AND HUMAN
SETTLEMENTS DEVELOPMENT**

CHAPTER ONE

INTRODUCTION

1.1 Background

Tanzania shares boundaries with Kenya and Uganda to the north, Rwanda, Burundi and the Democratic Republic of Congo to the West, Zambia and Malawi to the Southwest, Mozambique to the South and the Indian Ocean, Comoros Islands and Seychelles to the East. The country covers an estimated area of 948,740 square kilometers, of which 886,990 square kilometers is land area, with Tanzania Mainland covering 946,270 square kilometers and Zanzibar 2,470 square kilometers. Additionally, 59,280 square kilometers constitute water bodies, including 200 nautical miles of ocean. The country has over 32 mountain ranges, including Mount Kilimanjaro, the tallest in Africa, standing at 5,895 meters above sea level. Apart from mountainous regions, most of the country consists of highland plains ranging between 120 to 1,650 meters above sea level.

The water bodies in Tanzania include the Great Lakes, namely Lake Victoria covering 34,900 square kilometers, Lake Tanganyika covering 13,400 square kilometers, Lake Nyasa covering 5,600 square kilometers, Lake Rukwa covering 2,800 square kilometers and Lake Eyasi covering 1,000 square kilometers. Other water bodies include small lakes, reservoirs and rivers, covering a total area of 3,800 square kilometers. Mainland Tanzania has two major islands, namely Mafia Island covering 518 square kilometers and Ukerewe Island covering 647 square kilometers. Additionally, the country has a total of 22

National Parks and several wildlife reserves, covering an area of 57,365 square kilometers. The largest National Parks are Ruaha, covering 20,300 square kilometers and Serengeti, covering 14,763 square kilometers. For administration purposes, public land in Tanzania is categorized into three, namely Village Land constitutes approximately 57 percent, Reserved Land covers approximately 33 percent, while General Land accounts for approximately 10 percent. According to the 2022 Population and Housing Census, Mainland Tanzania has a population of 59,851,347, with an annual population growth rate of 3.2 percent and an average population density of 68 people per square kilometer.

The land sector in Tanzania is governed by various policies and laws, including the National Land Policy, 1995 and the National Human Settlements Development Policy of 2000; the Land Act, Cap. 113, the Village Land Act, Cap. 114, the Valuation and Valuers Registration Act, Cap. 138, the Land Disputes Courts Act, Cap. 216, the Land Survey Act, Cap. 324, the Registration of Land Surveyors Act, Cap. 270, the Land Acquisition Act, Cap. 118, the Land Use Planning Act, Cap. 116, the Registration of Town Planners Act, Cap. 426, the Urban Planning Act, Cap. 355, the Land Registration Act, Cap. 334, the Registration of Documents Act, Cap. 117, the Unit Titles Act, Cap. 416 and the Movable Property Security Rights Act, Cap. 210.

The main objective of the National Land Policy, 1995 was to promote and ensure a secure land tenure system, encourage optimal land resource utilization and facilitate social and economic development without

compromising the environment. Additionally, the Policy aimed to achieve eight (8) specific objectives as follows:

- i) Promote an equitable distribution of and access to land by all citizens;
- ii) Ensure that existing rights in land especially customary rights of small holders (i.e. peasants and herdsmen who are the majority of the population in the country) are recognized, clarified and secured in law;
- iii) Set ceilings on land ownership which will later be translated into statutory: ceilings to prevent or avoid phenomenon of land concentration (i.e., land grabbing);
- iv) Ensure that land is put to its most productive use to promote rapid social and economic development of the country;
- v) Modify and streamline the existing land management systems and improve efficiency of land delivery systems;
- vi) Streamline the institutional arrangements in land administration and land dispute adjudication and also make them more transparent;
- vii) Promote sound land information management; and
- viii) Protect land resources from degradation for sustainable development.

In implementing the National Land Policy, 1995, several measures were taken, including establishing a system that enables equal land access and ownership for all Tanzanians, through which various laws were enacted. These laws limited the discretionary powers of land administration officials. Additionally, they facilitated the establishment of institutions and procedures for land dispute resolution, ranging from village-level to the Court of Appeal. In line with that, land governance responsibilities were decentralized, delegating powers to Village Executive Officers, Authorized Officers within Local Government Authorities and Assistant Land Commissioners at the regional level under the Commissioner for Lands. To effectively regulate land use planning and development, Village, District, Town, Municipal and City Councils, up to the national level, were granted Planning Authority status. Furthermore, Regional and District Commissioners were tasked with monitoring and overseeing land-related issues, particularly land use conflicts within their respective administrative jurisdictions.

The National Land Policy, 1995 stated that all citizens have equal to access and own land through either a Granted Right of Occupancy or a Customary Right of Occupancy. Ever since the laws came into force in 2001, a total of 2,720,571 land rights have been issued, including 1,615,365 Granted Rights of Occupancy under General Land, 11,744 Village Land Certificates and 962,370 Customary Rights of Occupancy. Additionally, 130,850 Residential Licenses were issued to residents living in unplanned urban settlements.

Further, Government revenue collection from the land sector has increased significantly, from TZS 12 billion in

2005/06 to TZS 147.6 billion in 2022/23. According to the Land Act, Cap. 113 and the Village Land Act, Cap. 114, foreign nationals and foreign-owned companies are prohibited from owning land in Tanzania except for investment purposes, in which case they must register their investment activities under relevant investment authorities.

The 2018 evaluation of the implementation of the National Land Policy, 1995 identified successes, challenges and policy gaps in certain areas. The successes achieved included land governance and administration improvements, land ownership and tenure security, increased accessibility and utilization of land, protection of national land resources and safeguarding village land. Despite these achievements, various challenges and gaps in the implementation process necessitated the revision of the Policy. The key challenges and gaps identified were:

- i) Absence of a policy framework requiring all landowners in planned areas to register their land;
- ii) Lack of a coordinated system for the production, storage and utilization of geospatial data among various stakeholders;
- iii) Absence of a mechanism to allow foreign property developers investing in the housing sector to sell houses to institutions and individuals in need;

- iv) Lack of a structured framework to enable Tanzanian diaspora holding foreign citizenship to benefit from land rights;
- v) Absence of a dedicated policy and legal framework for managing land along Tanzania's borders with neighbouring countries, leading to unregulated development and encroachments;
- vi) Lack of a sustainable system for coordinating and economically utilizing certain critical areas without compromising environmental integrity and national security;
- vii) Absence of a clear policy framework for surveying, ownership and development of land for economic activities within water bodies;
- viii) Increasing impacts of climate change on land; and
- ix) Inheritance-based land ownership practices that adhere to customs and traditions, which in some cases discriminate based on gender.

In the same vein, the global advancement in technology has significantly influenced management and development of the land sector in Tanzania, particularly in land information storage, accessibility and surveying of land within water bodies. Alongside these technological advancements, another key driving force behind the policy revision is the need for an updated policy framework that aligns with various national, regional and international development plans. These plans emphasize economic empowerment of citizens and establishment of an industrial-based

economy by ensuring accessible land for stakeholders. The overarching goal of the Land National Policy, 1995 (2023 Edition) is to establish a robust land tenure system, ensure equitable access to land and promote efficient land management and utilization for sustainable development.

The Policy is structured into five chapters. Chapter One covers Introduction and Current State of Land Sector. Chapter Two discusses Fundamentals and Importance of the Policy, including its Mission, Vision and Objectives. Chapter Three outlines Policy Issues and Statements, while Chapter Four describes Legal Framework. Chapter Five focuses on Institutional Framework, Monitoring and Evaluation Mechanisms and Conclusion.

1.2 Current Situation

Over 28 years of implementing the National Land Policy, 1995, Tanzania has made significant progress in strengthening land governance and administration. The Policy was designed to enhance and ensure a secure land access, ownership and management system while providing equal opportunities for Tanzanians to acquire and own land. Despite notable achievements, several challenges and gaps have emerged, necessitating policy revision. The key achievements, challenges and gaps encountered during the implementation of the Policy are outlined as follows:

1.2.1 Promote an Equitable Distribution of and Access to Land by all Citizens

The achievement of implementation of this objective has led to the enactment of laws that grant all Tanzanian citizens equal opportunities to access and use land. These include legal recognition of tenure systems such as granted rights of occupancy and customary rights of occupancy. A framework has also been established to allow non-citizens to acquire derivative rights for investment purposes through investment authorities. The Land Act, Cap. 113 and the Valuation and Valuers Registration Act, Cap. 138, were enacted to recognize land as a valuable asset, ensuring its value is considered in all land-related transactions. Measures have also been taken to regulate land ownership, including revocation of ownership for titleholders who violate land right of occupancy conditions. The key achievements, challenges and gaps are as follows:

1.2.1.1. Land Ownership

The National Land Policy, 1995 enabled all Tanzanians to have equal rights to access land through granted rights of occupancy and customary rights of occupancy. However, non-citizens are only allowed to acquire derivative rights of occupancy for investment purposes through investment authorities. This framework was established under the Land Act, Cap. 113 and the Village Land Act, Cap. 114. Before the enactment of these laws, the colonial land tenure system in Mainland Tanzania included customary ownership, freehold ownership,

leasehold and rights of occupancy for 33, 66, or 99 years, introduced by British colonial rule in 1923 under the Land Ordinance (Cap. 113). In this system, non-citizens had equal land ownership rights as citizens. The Policy and laws have established various levels of land administration and governance. Granted rights of occupancy are under the jurisdiction of the Commissioner for Lands, while Village Councils manage customary rights of occupancy. This structure ensures that customary tenure is legally recognized, thereby protecting equal land access. Additionally, the framework provides for non-citizens to acquire derivative rights for investment through investment authorities. The implementation of this Policy has facilitated the surveying and titling of approximately 31,564 farms and 3,114,977 plots across the country.

1.2.1.2. Land Allocation Authorities

The process of land allocation is overseen by designated bodies at various levels to prevent overlaps in jurisdiction. Land allocation committees have been established at national, municipal and district levels, each assigned to allocate specific type or use of land. These committees review applications and provide recommendations to the Commissioner for Lands for approval or rejection. Additionally, Village Councils have been given a limited mandate to allocate village land, subject to the size limitations set forth in the Village Land Regulations of 2001.

1.2.1.3. Land and Land Transactions Registration

The National Land Policy, 1995 directed that land and rights transactions be registered. Land registration and transactions are governed by the Land Registration Act, Cap. 334. Granted rights of occupancy and related transactions are registered at regional land registries, while customary rights of occupancy are registered at village and district land registries. Before the Land Policy and land laws were enacted, only granted rights of occupancy were registered and there was no system for issuing and registering customary rights of occupancy. The implementation of the Policy has led to the registration of 1,615,365 granted rights of occupancy and 962,370 customary rights of occupancy. Despite this progress, no policy framework mandates landowners to register their land. Additionally, although land laws restrict non-citizens from direct land ownership except for investment purposes through investment authorities, loopholes exist where non-citizens can acquire land ownership through inheritance and share purchases in companies.

1.2.1.4. Transfer of Land Rights

The Land Act, Cap. 113, has created an enabling environment for transferring land rights from one owner to another. Such transfers may occur through sales, assignments, mortgages, donations, partitions, exchanges, leases, surrenders, or reversion. The Commissioner for Lands has the authority to approve transfer of land rights. Additionally, the law has established a structured mechanism for regulating land development and ownership transfers, where

various fees and charges apply during transactions. These fees and charges contribute to increased government revenue.

1.2.1.5. Access to and Utilization of Land

All Tanzanian citizens have equal rights to acquire, own and use land. These rights are categorized into granted rights of occupancy and customary rights of occupancy, which are legally recognized through certificates of title issuance. A granted right of occupancy may be issued for up to 99 years, while a customary right of occupancy is granted for an indefinite period. Non-citizens are only allowed to acquire derivative rights of occupancy for investment purposes through investment authorities. Approximately 600 derivative rights of occupancy, with various sizes and uses, have been issued to investors and foreign nationals in Tanzania through investment authorities.

1.2.1.6. Women's Access to Land

Land policies and laws provide equal opportunities for all individuals to access, own and use land, regardless of gender or social group. The law explicitly grants women equal rights with men to acquire and own land. However, rights for women to inherit land continue to be subject to customs and traditions that often discriminate against them.

1.2.1.7. Land Acquisition and Revocation of Land Rights

The National Land Policy, 1995 emphasized the land acquisition process to facilitate land availability for public use. The President has the sole authority to

acquire land for public purposes. Additionally, the President may revoke land rights in cases of non-compliance with conditions of the rights. These legal provisions have enabled the Government to regulate land development, implement urban planning and facilitate various development projects for public benefit. Furthermore, the Government has established mechanisms to assess and verify development status of allocated farms and plots. Where development conditions are not met, right has been revoked and land reallocated. Despite these efforts, concerns about transparency in the revocation process persist, particularly in the early stages of issuing notices. The current three-year legal requirement for landowners to develop their land is considered short compared to the time required for infrastructure development and the financial capacity of landowners.

1.2.1.8. Land Values and Compensation

The National Land Policy, 1995 and land laws recognize land as a valuable asset. Periodic land value assessments are conducted to establish actual market value of land, considering factors such as land use, location, level of development and availability of infrastructure. Land valuation informs the determination of fees and charges applicable to land and transactions. The Policy also stipulates that land acquired for public purposes must be compensated fairly, adequately and promptly. This provision has been implemented through land laws that provides compensation entitlements for affected landowners. However, delays in compensation payments have caused grievances among affected persons.

Additionally, absence of a coordination mechanism for mobilizing compensation funds hinders land acquisition for investment, leading to shortage of land bank, expanding informal settlements and limited land availability for public use.

1.2.1.9. Settlement on Land Previously Owned by Foreigners

The National Land Policy, 1995 directed revocation of land rights for large farms previously owned by foreigners during the colonial period, which were nationalized under the Arusha Declaration of 1967. These farms have since been occupied and developed by unauthorized indigenous citizens without formal land rights. Ownership of these farms, along with other underutilized farms, have been revoked, with land surveyed, planned and allocated to existing occupants, while other portions have been set aside as land bank for investment.

1.2.1.10. The Real Estate Sector

The National Land Policy, 1995 did not include provisions for the real estate sector. Over time, the sector has expanded significantly, involving increased transactions and government revenue generation. However, no formal policy or legal framework regulates real estate activities. Additionally, there is a significant demand for affordable housing, with an estimated housing deficit of approximately 390,981 units annually. This situation has been exacerbated by inadequate financial resources among individuals, private companies and

public institutions to enable availability of houses that meets public needs and planning standards.

Further, many houses are self-built in an uncoordinated manner, causing town to expand haphazardly consuming large amounts of land that could have been used for other economic activities and exacerbating the cost of infrastructure development. This issue could be addressed through increased private sector investment in real estate, where developers construct planned housing units and sell them to institutions and persons in need.

Despite the achievements made, there are still gaps and challenges, including land ownership procedures and rights continuing to be influenced by cultural traditions that discriminate based on gender. There is no structured system to enable foreign investors to fully participate in the real estate sector, as the current policy and legal framework do not allow them to sell of building units.

Additionally, there is no specific mechanism established to regulate the land market and government revenues generated from the real estate sector. The legal timeframe of three (3) years for land development is relatively short compared to availability of infrastructure and the capacity of landowners to develop the land. Moreover, although the law prohibits non-citizens from owning land as citizens, company registration and shareholding procedures create

loopholes that allow land to be transferred to non-citizens.

1.2.2 Ensure that Existing Rights in Land especially Customary Rights of Small Holders (i.e. Peasants and Herdsmen who are the Majority of the Population in the Country) are Recognized, Clarified and Secured in Law

The achievements in implementing this objective include the enactment of the Land Act, Chapter 113, which defines three categories of land: General Land, Village Land and Reserved Land. Additionally, a specific law, the Village Land Act, Chapter 114, was enacted to govern land used by many people. Through this law, the rights of owners and users of Village Land are protected through recognition and registration. However, a significant portion of Village Land in the country remains unregistered and certain provisions in the law limit the status of Customary Right of Occupancy compared to Granted Right of Occupancy. These limitations restrict sale or transfer of customary land to non-villagers. Such provisions were specifically introduced to protect Village Land from being acquired in large portions by economically advantaged individuals, which could leave villagers without land for their livelihoods. The policy analysis on this objective, highlighting successes, gaps and challenges, is as follows:

1.2.2.1 Village Land Certificates

The National Land Policy, 1995 directed conversion of Village Title Deeds to Certificates of Village Land.

The Village Land Act, Chapter 114, grants authority to the Commissioner for Lands to issue a Certificate of Village Land to a Village Council for registered village boundaries. This certificate replaces previously issued village title deeds. This system allows individual landowners within Village Land to obtain Customary Certificates of Right of Occupancy. A total of 11,744 villages have been issued Certificates of Village Land.

1.2.2.2 Village Boundary Surveying

The Land Survey Act, Chapter 324, provides procedures for land surveying and record-keeping, enabling recognition, demarcation and preparation of village boundary maps. As a result, 11,744 villages out of 12,318 in the country have been surveyed. Despite these achievements, boundary conflicts persist between villages, villages and Conservation Authorities and villages and other land users. This is primarily due to insufficient clarification of boundary delineation procedures during village establishment.

1.2.3 Set Ceilings on Land Ownership which will later be Translated into Statutory: Ceilings to prevent or avoid the phenomenon of land concentration (i.e., land grabbing)

To implement this objective, the Land Act, Chapter 113 and the 2001 Land Act Regulations were enacted to establish a limit on the amount of land that can be owned by an individual. Implementation has been carried out by including a requirement in the land application form for applicants to disclose

the amount of land they already own. Additionally, efforts to develop land ownership information management systems have begun, which, among other things, will help determine the amount of land owned by each individual. Despite these measures, the implementation of this goal has faced challenges, as the amount of land an individual can own is not solely determined by size limits but also depends on the intended use and the owner's capacity to develop it efficiently and productively.

1.2.4 Ensure that Land is put to its most Productive Use to Promote Rapid Social and Economic Development in the Country

The National Land Policy, 1995 provided the procedures for land use planning to enhance production and socio-economic development. Achievements include the preparation of General and Detailed Land-Use Plans in urban areas, facilitating land allocation. Additionally, village land-use plans have been developed, improving productivity and mitigating land-use conflicts. The policy analysis on this objective, highlighting successes, gaps and challenges, is as follows:

1.2.4.1 Urban Planning

To address the rapid growth of towns and ensure proper planning and orderly urban development, the Urban Planning Act, Cap 355, was enacted to promote sustainable urban land use and stakeholder participation in town planning. Alongside this law, the Environmental Management Act was enacted to control environmental

degradation. The concept of Urban Planning and Environmental Management has been applied in the preparation of General Planning Schemes and has been incorporated into the Guidelines for the Preparation of such Plans. As a result of these efforts, 27 General Planning Schemes have been approved in the Cities of Dodoma, Tanga, Arusha, Mwanza, Dar es Salaam and Mbeya; the Municipalities of Mpanda, Kigoma (Ujiji), Morogoro, Lindi, Shinyanga, Musoma, Iringa, Mtwara (Mikindani), Singida, Songea, Tabora, Sumbawanga, Bukoba and Moshi; and the Towns of Babati, Njombe, Geita, Tunduma, Bariadi, Kibaha and Korogwe. Additionally, 35,972 detailed planning schemes have been prepared in all urban areas across the country. To accelerate planning and surveying activities, the Government has engaged the private sector, registering 98 town planning firms and 95 land surveying firms.

1.2.4.2 Village Land-Use Planning

To facilitate preparation of land use plans for villages, districts and national project areas, relevant laws and guidelines have been enacted. The Land Use Planning Act, Cap 116, was enacted to promote public and private sector participation in land use planning to ensure balanced and beneficial land use for all stakeholders. Additionally, guidelines were developed and disseminated to enable stakeholders at regional, district and village levels to actively participate in the preparation and implementation of land use plans. Furthermore, the National Land Use Framework Plan (2013–2033) was prepared, providing guidelines for land use

planning at regional and district levels. This framework includes 12 implementation programs and is being executed in phases across various sectors nationwide. These efforts have facilitated the preparation of village land use plans for 2,944 villages out of 12,318 villages in the country. The availability of these plans has significantly contributed to reducing land use conflicts and village boundary disputes.

1.2.4.3 Land Use Management and Coordination

Land policies and laws provide procedures for management and coordination of various land uses, including residential, agricultural, livestock keeping and investment purposes. Additionally, policies governing the mining, forestry, wildlife and environmental sectors provide procedures for recognizing the rights of local communities residing in areas rich in natural resources to prevent conflicts between communities and relevant authorities. Furthermore, land ownership rights are recognized and taken into account when granting access to natural resources under participatory land use frameworks. Similarly, land use plans take into account the allocation of land for essential infrastructure, including roads, electricity and water supply.

1.2.4.4 Urban Sprawl Boundaries

The National Human Settlement Policy, 2000 and the Urban Planning Act, Chapter 355, direct Cities, Municipalities, Towns and Townships to develop General Plans to manage urban expansion, control

sprawl and encourage vertical development, especially in city centers. In implementing these policies and laws, 27 out of 47 townships, municipalities and towns have developed General Plans providing guidelines for high-density construction, ranging from 2 to 35 storey in city centers. Additionally, the Government issued Announcement No. 93/2018, reducing urban plot sizes from 4,000 to 2,500 square meters for low-density plots and from 600 to 300 square meters for high-density plots. In regularized areas, the size requirement was reduced from 150 to 90 square meters. To reduce traffic congestion, overcrowding and facilitate service delivery in major urban centers, selected areas have been designated for satellite city development. All General Plans developed in the country incorporate this concept to enhance service efficiency for expected urban populations and their social service needs.

1.2.4.5 Informal Settlements in Urban Areas

Informal settlements account for approximately 73.4 percent of all urban housing in the country. These settlements lack adequate social services and economic infrastructure. To control growth of informal settlements, several measures have been implemented, including accelerating urban planning in peripheral areas, land surveying and plot allocation and regularizing settlements by improving social services and essential infrastructure. During the policy implementation period, a total of 2,474,329 parcels in informal settlements have been regularized in various Local Government Authorities (LGAs) across the country.

1.2.4.6 Redevelopment of City Centers and Dilapidated Areas

Redevelopment initiatives have been carried out in various urban centers by identifying and preparing redevelopment plans for major cities, auctioning and selling land in city centers, selling dilapidated government and public institution buildings through bidding and private individuals selling their properties. During the policy implementation period, a total of 37 redevelopment plans for major cities have been prepared and are in various stages of implementation. More efforts are ongoing to enable Urban Planning Authorities to develop redevelopment plans for city centers. Despite these achievements, many city centers are still underutilized and inefficiently developed.

1.2.4.7 Agricultural Land Use

Majority of Tanzanians rely on land for agricultural activities. Tanzania has 44 million hectares of arable land, of which 16 million hectares (36.4 percent) are currently under production. The agricultural sector employs about 65 percent of Tanzanians and contributes 26.5 percent to the GDP, 30 percent of national exports and 65 percent of raw materials for the industrial sector. To promote sustainable agricultural land use, village land-use plans continue to be prepared and implemented through participatory approaches. A total of 2,944 out of 12,318 villages have land-use plans.

1.2.4.8 Urban Growth

Many urban areas in Tanzania are expanding in a sprawling manner without proper urban planning. Urban sprawl requires significant investment in economic and social infrastructure. In the preparation of General Planning Schemes, assessments of actual land use needs have been conducted to determine the extent of urban sprawl. The Urban Planning Act, Chapter 355 and its regulations guide Planning Authorities to encourage vertical development and compact urban development to reduce service delivery and infrastructure costs. Urban growth control efforts continue, with General Planning Schemes completed and approved for regional capitals, including Mtwara, Mara, Iringa, Singida, Mwanza, Arusha, Geita, Tabora, Ruvuma, Dar es Salaam, Tanga, Kigoma, Shinyanga, Katavi, Rukwa, Mbeya, Dodoma, Singida, Manyara, Lindi, Njombe, Morogoro, Kagera, Simiyu, Pwani and Moshi. The implementation and further preparation of General Planning Schemes for other cities are at different stages of implementation.

1.2.4.9 Urban Farming

The Government continues to regulate urban farming by preparing General and Detailed Land-Use Plans to ensure agricultural activities do not negatively impact the environment. Urban farming contributes to food security within cities, reducing dependence on external food sources. To manage and control urban farming regulations have been developed to set land size limits for farming

activities in urban areas. However, despite these efforts, designated farmlands are sometimes changed for other uses, reducing available land for farming.

1.2.4.10 Livestock Keeping and Grazing Areas

Tanzania ranks second in Africa in livestock population, with an estimated 36.6 million cattle, 26.5 million goats and 9.1 million sheep requiring approximately 113.8 million acres (460,329 square kilometres) of grazing land. Livestock contributes about 7 percent to GDP. To ensure availability of grazing land, several measures have been undertaken, including preparing village land-use plans that designate grazing areas. Additionally, villages primarily engaged in livestock activities are encouraged to collaborate with neighbouring villages to create joint land-use plans, securing year-round access to pasture and water for livestock to enhance productivity. Some Councils experiencing land-use conflicts have started implementing this approach.

1.2.4.11 Multiple Land Use

Multiple land use occurs where land is utilized for different purposes by various users, such as wildlife conservation and community settlements. Various policies and laws have been enacted to mitigate conflicting land-use in these areas. In implementing these policies, the National Land Use Planning Commission, in collaboration with Tanzania Wildlife Conservation Authorities and the Tanzania Forest Services Agency, have entered agreements to

develop land-use plans for villages surrounding conservation areas and forests. The agreements aim to regulate and manage land use to eliminate existing conflicting land uses.

1.2.4.12 Urban Development Planning

Urban development planning in the country continues through the preparation of General and Detailed Land-Use Plans. As part of this initiative, 27 General Plans have been prepared and approved for implementation to guide urban development. To ensure effective execution, the Urban Planning Act, Chapter 355, mandates community participation in various stages of land-use planning and implementation. Additionally, the Government continues to develop strategies to enforce these plans, including issuing special guidelines for building permit approvals under planning authorities.

1.2.4.13 Medium-Sized Settlements Development

The Government continues to identify and designate all emerging urban areas under planning authorities, with a total of 644 medium-sized settlements recognized and declared as planning areas. To promote sustainable future urban development from village level, Guideline for Planning and Construction of Decent Houses in Rural areas 2023 has been prepared.

1.2.4.14 Densely Populated Areas and New Settlements

Population movement from one area to another has been a continuous trend across many parts of the

country. To address population congestion, the Government has prepared District Land Use Plans for 48 districts and six (6) Regional Land Use Plans. The District Land Use Plans have been developed for Ulanga, Kilombero, Malinyi, Mvomero, Morogoro, Kilosa, Nzega, Geita, Tarime, Rorya, Serengeti, Muleba, Muheza, Mkinga, Pangani, Bagamoyo, Kisarawe, Mkuranga, Rufiji, Mafia, Mpanda, Lindi, Newala, Nachingwea, Kilwa, Iringa, Kilolo, Longido, Babati, Njombe, Ludewa, Makete, Mbarali, Mbeya Rural, Chunya, Ngorongoro, Monduli, Mtwara, Bariadi, Namtumbo, Uvinza, Chamwino, Maswa, Mbinga, Mufindi, Songwe and Tanganyika. Regional Land Use Plans have been developed for the Southern Corridor (Mtwara Development Corridor), Ruvu River Basin Plan, Lake Zone Plan, Uhuru Railway Corridor Plan, Sanya Plains Plan and the Northern Zone Plan. Implementation of these plans has reduced land use pressure, particularly for agriculture and livestock activities, ensuring that designated land is effectively utilized for its intended purpose. Additionally, these plans considers allocation of special areas for emergency use.

1.2.4.15 Fisheries

Traditionally, fishing activities have been carried out in oceans, lakes and rivers. However, inland areas with no water bodies have seen limited benefits from this sector. Recognizing this potential, the Government has continued to promote and educate the public on aquaculture. This initiative has resulted in the construction of 32,878 fishponds, 993 fish cages and 39 hatcheries, increasing

aquatic production to an average of 33,525 metric tons per year. The fisheries sector contributes 1.8 percent to GDP and provides direct employment to approximately 197,763 fishers.

Despite the achievements outlined in sections 1.2.4.1–1.2.4.15, several challenges remain, including; Slow pace in the preparation of district and village land use plans, Inadequate supervision and control over urban and village development, Continued existence of conflicts among various land users, Limited resources for land use planning and implementation, improvement of central urban areas and degraded sites and preparation of base maps to facilitate land surveying, Increased effects of climate change affecting settlements, grazing areas, water resources and overall land use safety in the country, High-value urban areas continue to be underutilized and inefficiently used.

Other challenges include lack of essential infrastructure such as roads, energy and water in designated land use areas, Uncontrolled urban sprawl, Rapid expansion of informal settlements and Inadequate consideration of land for aquaculture in land use planning.

1.2.5 Modify and Streamline the Existing Land Management Systems and Improve Efficiency of Land Delivery Systems

Several achievements have been made in implementing this objective, including streamlining land service procedures and establishing land information systems that reduce processing time

and costs. The Land Act, Chapter 113 and the Village Land Act, Chapter 114, define various levels of land management for General Land and Village Land. Decentralization of land administration responsibilities has taken place at different governance levels, from the Ministry to Regional and Local Government Authorities. Responsibilities have been delegated to various officials, including Village Executive Officers, Village Councils, Authorized Land Officers and other officials within City, Municipal, Town and District Councils. Furthermore, the Commissioner for Lands has delegated land management duties to Assistant Commissioners for Lands at regional level. Additionally, the management of Reserved Land has been assigned to relevant Conservation Authorities. The policy analysis on this objective, highlighting successes, gaps and challenges, is as follows:

1.2.5.1 Land Survey

Land surveying is a critical function in land administration, facilitating infrastructure development for roads, railways, airports, ports and mineral resources. The objective of land surveying is to identify and subdivide land for ownership, taxation and administrative purposes. Additionally, hydrographic surveys support preparation of maps for different uses. Effective land surveying requires modern infrastructure, including satellite-based and ICT-enabled mapping systems. It is also essential to establish land survey infrastructure, Continuously Operating Reference Stations (CORS) and control points. A network of more than

1,041 geodetic control points has been installed nationwide using the national reference system (TAREF 11), along with the establishment of three (3) electronic survey stations.

The objective of introducing a new geodetic reference system is to unify land surveying across the country, replacing previous fragmented approaches and enabling shared access to survey and geospatial information. However, despite establishment of the new system, older survey data remains in use. During the policy implementation period, approximately 25 percent of land in the country has been surveyed, covering 3,114,977 plots and 31,564 farms.

Despite these achievements, challenges include large distance between survey control points causing increasing cost of surveying. Also, there is no policy framework for engineering surveys, such as those for roads, railways, power lines and mining activities. Additionally, slow survey implementation has been caused by shortage of equipment, surveyors, financial resources and insufficient electronic survey stations. Moreover, boundary disputes persist between surveyed villages, villages and Conservation Authorities and villages and other land users. This situation arises from inadequate clarification of boundary demarcation procedures during village establishment. Hydrographic surveying has also been minimal due to lack of primary data needed to facilitate such surveys.

1.2.6 Streamline Institutional Arrangements in Land Administration and Land Dispute Adjudication and also make them more Transparent

Achievements in implementing this objective include establishment of a judicial and administrative system for resolving land disputes. Additionally, Land Disputes Courts Act, Chapter 216, was enacted, establishing institutions responsible for land dispute resolution, their authorities and their interrelations. The institutions include the Court of Appeal, the High Court - Land Division, District Land and Housing Tribunals, Ward Tribunals and Village Land Councils. Policy analysis of this objective, identifying achievements, gaps and challenges, is as follows:

1.2.6.1 Land Dispute Resolution Mechanism

The institutional framework for resolving land disputes includes entities designated to handle land-related conflicts across the country. To safeguard land ownership rights, dispute resolution framework was established through enactment of the Land Disputes Courts Act, Chapter 216, which defines roles, mandates and interconnections of the responsible institutions.

The institutions involved in land dispute resolution consist of quasi-judicial bodies and formal courts. These include Village Land Councils and Ward Tribunals under the supervision of the President's Office – Regional Administration and Local Government (PORALG), District Land and Housing Tribunals managed by the Ministry of Lands,

Housing and Human Settlements Development (MLHHSD) and the High Court and Court of Appeal under the Ministry of Constitutional and Legal Affairs. A total of 139 District Land and Housing Tribunals have been established, of which 93 are operational, with some serving multiple districts. Since their establishment in 2003, these tribunals have resolved 211,030 cases out of 253,710 filed, equivalent to 83 percent resolution.

Despite these achievements, challenges remain, including inadequate human resources, lack of coordination among land dispute resolution bodies and low awareness of land policies, laws, regulations and guidelines. Also, some dispute resolution institutions are either non-existent in certain areas or are inactive.

1.2.6.2 Conflict Between Government and Customary Land Ownership

The National Land Policy, 1995 explicitly stated that the declaration of areas for urban development does not nullify customary land ownership rights. Therefore, land development in newly designated urban areas must take in account protection of existing customary land rights. Existing policies and laws establish mechanisms to ensure that customary rights in newly declared urban zones are legally recognized within General Land classifications. However, conflicts have always arisen between village authorities and urban administrative bodies over land governance and jurisdiction.

1.2.7 Promote Sound Land Information Management

Achievements in implementing this objective include establishment of various electronic land record-keeping and service delivery systems, such as the Ministry of Lands Information System (MOLIS) and Survey Registration (SRS) Systems. However, these systems serve only some departments. To ensure that all departments utilize ICT-based systems, the Integrated Land Management Information System (ILMIS) was developed. Moreover, there is a plan to establish a collaborative system for accessing, storing and utilizing geographic information to enhance communication among institutions involved in geographic data management. The policy analysis on this objective, highlighting successes, gaps and challenges, is as follows:

1.2.7.1 Land Information Systems

The National Land Policy, 1995 emphasized establishment of an electronic land information system to improve land ownership, record-keeping and enable shared use of land-related data. To achieve this goal, several systems have been introduced, including the Land Ownership Management System (MOLIS) and the Integrated Land Management Information System (ILMIS). The MOLIS system is used in 179 councils, while ILMIS is operational in six (6) councils within Dar es Salaam and Dodoma City, with plans for expansion to all councils and Regional Land Offices across the country.

These systems have been integrated with the Government Revenue Collection System (GePG) and deployed in 184 councils nationwide to facilitate payment of Government land-related fees. ILMIS also supports management of both spatial and non-spatial data. Additionally, ILMIS has been integrated with the National Identification System (NIDA) to verify landowners' identities and prevent ownership registration for non-citizens.

However, despite use of these systems, many land records have not been converted from physical documents to digital formats. Continued existence of hardcopy records hampers data accessibility, prolongs service delivery time and increases risk of document loss or damage.

1.2.7.2 Mapping

The National Land Policy, 1995 directed the Government to prepare base maps at scales of 1:50,000 and 1:2,500 and regulate the production of other thematic maps, such as tourism and designated-area maps, to ensure compliance with legal and regulatory standards.

For many years, base maps have not been updated and land mapping has continued using outdated maps that do not accurately reflect current land information. The base maps, that originally were produced at a scale of 1:50,000, are still in use in urban and rural areas. To address this challenge, the Government has developed a Land Data Infrastructure (LDI) Project, which aims to produce

updated base maps at a scale of 1:25,000 for rural areas and 1:2,500 for urban areas.

The Land Survey Act, Chapter 324, mandates that the Director of Surveys and Mapping approve all cadastral plans and other maps produced by the private sector to ensure quality of produced maps. Additionally, however several challenges persist, including lack of coordination among institutions and private individuals in producing, storing and using geographic information.

1.2.8 Protect Land Resources from Degradation for Sustainable Development

In implementing this objective, a system has been established to identify and protect sensitive areas, open spaces, other urban areas, wetlands, coastal land and hazardous areas. Additionally, institutions for management and development have been established to enhance use, protection and regulation of these areas. The policy analysis related to this objective, highlighting achievements, gaps and challenges is as follows:

1.2.8.1 Protection of Open Spaces and Other Urban Areas

To ensure that all urban areas designated for public use are utilized as intended and remain protected, the Open Spaces Protection and Management Regulations, announced through Government Notice No. 88 of March 9, 2018, provide guidelines for Planning Authorities to manage, protect and enable communities to develop open spaces under

specific regulations. Additionally, the Land Use Regulations published in Government Gazette No. 91 of 2018 provide the procedures for land-use changes, including restrictions on modifying open spaces.

1.2.8.2 Sensitive Areas

Sensitive areas include strategic national security locations, water sources, waste disposal sites, small islands, mountains, steep slopes, mangroves, wetlands, river basins, mining waste areas, forests, rivers, wildlife corridors, national heritage sites, biodiversity zones, fragile ecological systems and national reserves. Sensitive areas also include approximately 1,424 kilometers of natural coastal beaches from Mtwara to Tanga. To safeguard these areas, various laws have been enacted to prevent individual ownership. Additionally, the Urban Planning Regulations on Coastal and Beach Management, announced under Government Notice No. 85 of March 9, 2018, establish guidelines for land use and development to ensure minimal environmental impact while allowing public access.

1.2.8.3 Wetlands

In the preparation of General and Detailed Land Use Plans, wetlands are specifically designated for protection of water sources, reduction of flood risks and improvement of urban climate conditions. These areas continue to play key role in preserving urban ecology and expanding green spaces, thus enhancing the urban landscape. Planning

Authorities are responsible for safeguarding these areas against encroachment or activities that contradict their intended purpose.

1.2.8.4 Coastal Areas

The coastal areas, including ocean and lake shorelines, have continued to be utilized for various economic and social purposes, such as tourism, hotel construction, residential areas and recreational spaces. The Government has maintained protection of these areas through the Environmental Management Act No. 20 of 2004, the Land Act Cap. 113 and the Urban Planning Act Cap 355. Any development within these areas must comply with environmental conservation principles.

1.2.8.5 Protection of Hazardous Areas

Encroachment into hazardous urban areas has increased despite the presence of planning authorities responsible for managing urban expansion in Tanzania. To address this challenge, the Government has directed Planning Authorities to engage local government leaders at grassroots level in preventing construction in hazardous areas. Additionally, preparation of Detailed Land Use Plans and General Land Use Plans includes identifying and protecting hazardous areas for public benefit and environmental conservation.

Challenges and shortcomings identified in this area include encroachment and development of some critical areas, such as mountains, beaches and islands, which are unsafe for human settlement and

should be preserved; the economic value of coastal and lakefront areas, where some regions remain undeveloped due to lack of effective management; increased impacts of climate change, including flooding; encroachment on international border zones, which may pose national security risks; urban encroachment into designated public-use areas; and absence of a coordinated system to regulate management and utilization of economically significant areas for sustainable development while ensuring environmental conservation.

CHAPTER TWO

RATIONALE, VISION, MISSION AND OBJECTIVES

2.1 Rationale

Land is the cornerstone of economic and social activities and a fundamental resource for national development. The country's land tenure system has continued to significantly contribute to economic and social development by facilitating industrial development, housing, agriculture and livestock keeping. Therefore, the Government is responsible for ensuring equal rights for all citizens in accessing, using and benefiting from land for sustainable development.

The National Land Policy, 1995 aimed to promote and ensure a secure land tenure system, encourage optimal use of land resources and enable social and economic development without harming the environment. The objectives outlined in this Policy were implemented by establishing land tenure systems, providing equal opportunities for land ownership, developing land use plans, enhancing land record management and protecting land resources. Other objectives included ensuring that existing land rights, especially customary rights used by the majority of people in the country, is legally recognized, setting limits on the amount of land that an individual can own to prevent land accumulation beyond one's development capacity and improving coordination between institutions involved in land administration and land dispute resolution to increase transparency in executing their mandates.

Despite implementation of these objectives in ensuring equal access to land, Women still face discrimination in accessing land through inheritance due to customary practices. Additionally, the goal of sustainable land use has not been fully realized due to lack of resources to facilitate preparation and implementation of land use plans. Although land management and access to land services have been simplified, there is no policy framework that requires all landowners in urban planning areas to register their land. Establishing specialized bodies has enhanced the institutional framework for land dispute resolution. However, the objective has not been adequately achieved due to lack of expertise, integrity, resources and coordination challenges among dispute resolution bodies. Moreover, there are complaints that these bodies, particularly at the ward level, have shifted from mediation to adjudication. To ensure sustainable use of land resources for development, implementation of this objective lacked a coordination framework for management and development of areas with economic potential.

Land use conflicts have continued to emerge in various parts of the country due to various reasons including land scarcity. At the time of independence in 1961, Tanzania Mainland had an estimated population of 10,346,694, with an average land allocation of 8.4 hectares per person. The population increased to 17,036,499 in 1978, reducing the land allocation to 5.2 hectares per person. According to the 2012 census, the population reached 43,625,354, lowering the average land allocation to 2.0 hectares per person and in 2022, the population was 59,851,347, further reducing the land allocation to 1.5 hectares per person.

Additionally, Tanzania is among the African countries with the highest number of livestock, with the livestock population growing faster than the available land. The number of livestock increased from 21.1 million in 1978 to 72.3 million in 2023, reducing the average land allocation per livestock unit from 4.2 hectares to 1.3 hectares. Given this situation, there is a need to establish a policy framework to ensure efficient and productive land use.

Furthermore, emerging issues have necessitated the review of the National Land Policy, 1995. These issues include establishing a framework to allow and facilitate foreign investors in the housing sector to obtain land titles to sell houses to institutions or individuals in need; creating a framework to enable Tanzanian Diaspora in foreign countries to benefit from land rights; designating portions of coastal land, lake shores and border areas as General Land under the Commissioner for Lands to ensure a unified management authority; developing an institutional framework for coordinating access to and use of geographic information to enhance information sharing among stakeholders; establishing a system for granting land rights within water bodies to improve regulation of activities conducted in these areas; setting up a framework for demarcating and verifying international boundaries to ensure security and stability; creating a robust management and coordination system for development of islands and coastal areas; extending time required for landowners to develop their land before enforcement measures are taken for non-compliance; and closing loopholes in some laws that allow land transfer to foreigners.

The identified policy gaps and emerging issues have prompted the review of the National Land Policy, 1995 to enhance implementation of national plans efficiently and achieve the intended objectives. These plans include the Tanzania Development Vision, the Sustainable Development Goals 2030 and the National Development Plans, which, among other things, focus on industrialization, job creation and poverty reduction.

National and international plans emphasize building a competitive and industrial economy for human development. In the land sector, this objective aims to promote planning, surveying and titling of land for housing, business, investment and public services, thereby enhancing land tenure security and increasing national revenue. Additionally, urban planning, housing development and settlement expansion prioritize adequate housing, enabling infrastructure and availability of essential social services based on community needs. These plans emphasize the following:

- i) Facilitating availability of surveyed land as a reliable and sustainable source of government revenue by identifying, planning, surveying, titling all land and issuing title deeds;
- ii) Preparing general land use plans, urban development plans, designated areas and island and coastal development plans, while setting aside sufficient land reserves for investment;
- iii) Strengthening investment in affordable housing;
- iv) Promoting use of ICT in land sector;

- v) Aligning land management systems with development plans of other sectors;
- vi) Enabling Local Government Authorities to allocate land bank for investment;
- vii) The Central Government and Local Government Authorities collaborate to provide basic infrastructure in land reserves; and
- viii) Strengthening the Land Compensation Fund to facilitate efficient land compensation.

Additionally, these plans emphasize improving land governance and tenure security by enhancing electronic land service delivery. They also direct decentralization of land services to make them more accessible to citizens by strengthening Regional Land Offices, equipping Local Government Authorities with training, equipment, funds and personnel to enable them provide land services efficiently and affordably.

Moreover, the plans call for completion of general urban land use plans, preparation of detailed development plans for urban areas, settlements and island and coastal regions, encouraging development of satellite cities around major cities and municipalities and continuing implementation of the National Regularization Program for Unplanned Settlements. Furthermore, they aim to survey land along the country's borders and build capacity of Local Government Authorities by providing financial resources, personnel, modern land surveying equipment and cartographic tools while offering specialized training to land experts.

The National Development Vision recognizes land as a foundational element for economic growth, social equality and environmental sustainability. The effective management and utilization of land resources significantly influence various sectors, including production and services sector. For instance, approximately 65 percent of Tanzanians rely on agriculture for their livelihoods, making land essential for economic stability and growth. Also, the sector has huge potential for Government revenue generation and jobs creation and therefore, enhancing the land sector is critical for Economic, Social and Environmental Sustainability.

Similarly, the Sustainable Development Goals 2030 aim to ensure that, by 2030, cities and settlements are inclusive, safe, resilient and sustainable.

Despite the review, the Policy continues to uphold the six (6) fundamental principles of the National Land Policy, 1995 which are:

- i) All land is public land and is vested in the President as a trustee on behalf of all citizens;
- ii) Right of Occupancy whether statutory or customary are and will continue to be the only recognized type of tenure;
- iii) The Commissioner for Lands shall remain the country's sole authority in land administration;
- iv) For management purposes, public land shall be categorized into three types: Reserved, Village and General lands;

- v) Only Tanzanian citizens shall have the right to own land, while non-citizens may acquire land solely for investment purposes; and
- vi) Land has value and such value shall be recognized in land transactions.

2.1.1 Vision and Mission

2.1.2 Vision

Ensured secure land tenure, decent housing and sustainable settlements for economic and social development.

2.1.3 Mission

To create an enabling environment for efficient delivery of land, housing and human settlements services.

2.2 Policy Objectives

2.2.1 General Objective

A robust land tenure system, equitable access to land and effective land management for sustainable development.

2.2.2 Specific Objectives

- i) Strengthened land ownership and administration system to ensure that all citizens have equal rights to access land and to safeguard Government land;

- ii) Ensured transparency and fairness in acquisition, revocation of land rights and compensation;
- iii) Strengthened land and transactions registration systems;
- iv) Strengthened security of tenure for land for agriculture and livestock keeping for promoting sustainable utilization;
- v) Enabling sustainable use of land allocated for investment purposes;
- vi) Enhanced system for preparation and implementation of village land use plans;
- vii) Strengthened system for preparation, implementation, management and control of urban land use plans;
- viii) Integrated and sustainable system for land records and geospatial data management;
- ix) Efficient management of sensitive areas for sustainable development;
- x) Strengthened dispute resolution mechanisms;
- xi) Strengthened system for land surveying and availability of maps;
- xii) Strengthened and secured international boundaries;
- xiii) Established system for efficient management of land values and land market;

- xiv) Land management that adhere to environmental conservation and climate change promoted;
- xv) Gender equality in access to land rights; and
- xvi) Good governance in land administration and management enhanced.

CHAPTER THREE

POLICY ISSUES, OBJECTIVES AND STATEMENTS

3.1 Issue: Land Ownership and Administration

The National Land Policy, 1995 established a clear framework to enable all citizens to have equal rights in accessing and owning land. To ensure equal opportunities for citizens to acquire land and receive land-related services, various land laws were enacted. In line with these laws, the authority for land administration has been decentralized to regional, district and village levels. Additionally, to effectively manage planning and land development, Village, District, Towns, Municipal, City Councils and Township authorities have been vested with power of Planning Authorities within their respective jurisdictions.

All citizens have equal rights to access land through issuance of certificate of rights of occupancy as prescribed by law. These include a Granted Right of Occupancy, which is issued for a period of up to 99 years and a Customary Right of Occupancy, which is granted for an indefinite period. However, approximately 75 percent of land in the country remains unregistered, posing ownership challenges in these areas. Furthermore, there are some concerns regarding land tenure security notably the discussions being that Certificate of Customary Right of Occupancy and Granted Rights of Occupancy do not hold the same legal status. Additionally, certain customary practices continue to discriminate against women in land inheritance, particularly for family land.

Moreover, the National Land Policy, 1995 did not permit non-citizens, including Tanzanian Non-Citizen Diaspora, to own land in the country except for investment purposes through Investment Authorities under a Derivative Right framework. As a result, Tanzanian Non-Citizen Diaspora are denied the right to purchase, own, inherit, or bequeath land based on their Tanzanian origin, unlike citizens.

Despite the existence of a robust institutional framework for governance of Village Land, Reserved Land and General Land, land administration services remain inefficient and land encroachment remains a challenge. Additionally, occupation and management of government land face several issues, such as being administered by different authorities depending on its classification, being trespassed upon and fragmented, lacking clear procedures for allocation and involving high costs of land registration.

To address the challenge of land hoarding by individuals, the National Land Policy, 1995 directed the establishment of ceiling on the amount of land a person can occupy in different areas. However, implementation of this directive has faced challenges because amount of land one can occupy is not solely determined by size but also by its intended use and the owner's capacity to develop it efficiently and productively. Furthermore, a significant portion of land in the country remains undocumented and unregistered in the formal systems, resulting in management challenges, increased land disputes and limited contributions of land to national economy.

3.1.1 Objective

Strengthened land ownership and administration system to ensure that all citizens have equal rights to access land and to safeguard Government land.

3.1.2 Policy Statements

The Government will:

- i) Ensure that all land continue to be public land under the President as the trustee on behalf of all citizens and the Commissioner for Lands shall continue to be the sole authority for land administration in the country;
- ii) Ensure that granted rights of occupancy and customary rights of occupancy continue to be the only recognized forms of land tenure;
- iii) Ensure that the duration of granted land tenure by the Government does not exceed 99 years, while customary land tenure may be granted for an indefinite period;
- iv) Ensure that Village Councils continue to oversee Village Land and that any allocation or distribution of land is approved by the Village Assembly;
- v) Ensure that any allocation of Village Land for investment purposes by Village Councils is conducted under the supervision of the Commissioner for Lands;
- vi) Ensure that land use planning, surveying and titling processes are simplified to facilitate land

ownership among citizens and that land allocation is based on a cost-recovery principle;

- vii) Put in place a framework for the allocation, administration and development of government land;
- viii) Put in place a mechanism to ensure that every landowner is recognized and that all land holdings are registered;
- ix) Strengthen mechanisms to protect land rights against unlawful interference; and
- x) Develop a framework to enable Tanzanian Non-Citizen Diaspora to access land rights.

3.2 Revocation of Land Rights, Land Acquisition and Compensation

Land acquisition and revocation of land rights were emphasized in the National Land Policy, 1995. Generally, any person or institution granted the right to occupy land is expected to utilize it throughout the tenure period. Key requirement is that land occupier must develop the land in accordance with specified terms of the grant. The law grants the President authority to revoke land rights if the occupier violates these terms. Additionally, revocation of land rights may occur for public interest purposes. However, revocation procedures have been criticized for lacking transparency, particularly during issuance of notices and short legal timeframe for land development before revocation.

Regarding land acquisition, the President has the sole authority to acquire land ownership rights for public purposes. However, there have been challenges related to delays in compensation, leading to grievances from affected persons. Furthermore, concerns have been raised about fate of affected persons when a project is postponed or cancelled.

3.2.1 Objective

Ensured transparency and fairness in acquisition, revocation of land rights and compensation.

3.2.2 Policy Statements

The Government will:

- i) Ensure land allocation institution continue to have authority to recommend revocation of land rights when conditions are breached;
- ii) Ensure landowners are given adequate awareness, information and sufficient time to develop their land before rights revocation or land acquisition; and
- iii) Put in place a mechanism to ensure that sufficient financial resources are available for compensation before initiating land acquisition processes and that the compensation paid restores the affected persons to their previous status or a better position.

3.3 Issue: Registration of Land and Land Transactions

Under the current land administration system, land registration and property transactions depend on the type of land in question. Approximately 75 percent of land in Tanzania remains unregistered, resulting in a lack of accurate records on land occupations and land transactions. Additionally, land registration is voluntary, making it difficult to register all land. Given this situation, it is crucial to register all land and establish accurate records to enhance tenure security and determine the available land for other development activities.

In Village Land, there are numerous unauthorized land transactions that have neither been approved by relevant authorities nor registered. This situation allows some persons to accumulate large tracts of land, denying others access and causing land disputes. Proper land records are essential for development planning and protecting existing land rights. However, establishing and managing Village Land registries in 12,333 villages across the country has been difficult due to financial resource constraints. Another challenge is lack of integration between land information systems and other government institutions. Furthermore, an increasing number of registered land transactions are still recorded in analogy system, which makes proper storage and management inefficient.

On the other hand, the transfer of land ownership involves multiple documents that must be signed and authenticated by approved witnesses. However, this process does not always guarantee legality of transactions. Some land transfers are approved

without verifying whether the conditions specified in the title deeds have been met. Additionally, loopholes still exist, allowing non-citizens to register as landowners through various means, such as inheritance and the sale of company shares.

3.3.1 Objective

Strengthened land and transactions registration systems.

3.3.2 Policy Statements

The Government will:

- i) Establish a system for compulsory registration of all parcels of land;
- ii) Establish a system for compulsory registration of all land transactions in both urban and rural areas; and
- iii) Ensure all loopholes that allow non-citizens to acquire land contrary to legal provisions are eliminated.

3.4 Issue: Land for Agriculture and Livestock Keeping

Large proportion of agricultural and livestock activities takes place on land that has not been planned. As a result, in some areas, these activities overlap, leading to conflicts over land use. The lack of tenure security, land encroachment, overlapping land uses and unsustainable land practices have contributed to a decline in productive land use. Additionally, the number of livestock exceeds the available grazing land, forcing

livestock activities to encroach on farmlands, fragile ecosystems, protected areas and wetlands. Moreover, climate change has affected grazing land, water resources and increased risks to livelihoods and land use across the country. Uncontrolled livestock movements have also led to conflicts between pastoralists and settled communities, encroachment on conservation areas and land degradation along livestock migration routes.

In addition to the demand for land for agriculture and livestock keeping, there is also a need for land designated for fish farming. However, suitable areas for these activities have not been identified, designated, or regulated to facilitate grant of land rights.

3.4.1 Objective

Strengthened security of tenure for land for agriculture and livestock keeping for promoting sustainable utilization.

3.4.2 Policy Statements

The Government will:

- i) Ensure that suitable areas for agriculture and livestock keeping are identified, designated and protected;
- ii) Put in place mechanisms to safeguard communal agricultural and livestock keeping shared between villages;

- iii) Ensure designated livestock corridors are established to prevent land use conflicts; and
- iv) Guarantee security of land rights for aquaculture activities.

3.4.3 Issue: Land for Investment

The existing system allows non-citizens to acquire land for investment purposes. However, challenges remain as non-citizens sometimes acquire land through loopholes such as inheritance and sale of company shares. Also, large tracts of land have been allocated to individuals or private institutions, including foreign investors, for activities such as agriculture and industrial development without considering their capacity to develop the land. As a result, some of these areas remain undeveloped and turn into unutilized land. Furthermore, some investors use farmland as collateral for loans from financial institutions, but these loans are not always used for the intended land development. Additionally, despite government efforts to attract investment in various parts of the country, there have been some complaints from individuals about benefits derived from such investments.

The government has continued to attract both local and foreign investment across various sectors. However, the land set aside for investment does not meet demand and lacks essential infrastructure. The lack of coordinated funding to facilitate land acquisition for investment purposes has led to shortage of land bank. Furthermore, there is significant shortage of adequate and affordable housing due to lack of financial resources among citizens, private companies and

public institutions to provide houses that meet planning standards. Many houses are self-built, causing towns to expand haphazardly utilizing large amounts of land that could have been used for other economic activities, hence increasing cost of infrastructure development. This challenge could be addressed by attracting real estate investors to develop planned housing projects that would facilitate sale of houses to institutions and individuals in need. Despite this opportunity, foreign investors in the housing sector are unable to fully participate because the existing legal and policy framework does not allow them to sell housing units.

3.4.4 Objective

Enabling sustainable use of land allocated for investment purposes.

3.4.5 Policy Statements

The Government will:

- i) Ensure non-citizens and foreign institutions do not access or be allocated land in any manner except for investment purposes;
- ii) Ensure investors are allocated land based on their capacity to develop it sustainably while safeguarding interests of citizens in those areas;
- iii) Put in place a mechanism to ensure sustainable benefits for landowners whose land is used for investment purposes, except for Government projects;

- iv) Put in place a framework to allow non-citizens and foreign institutions to fully participate in the real estate sector by constructing houses for sale to institutions and individuals in need;
- v) Put in place a system that enables non-citizens and foreign institutions to purchase houses in the Country;
- vi) Put in place a mechanism to ensure funds obtained from land used as collateral for investment purposes are reinvested in that land or part of that land;
- vii) Designate land bank for investment and identify key enabling infrastructure in those areas; and
- viii) Put in place a mechanism to enforce compliance of development conditions of land granted for investment purposes.

3.5 Issue: Preparation and Implementation of Village Land Use Plans

Village land use plans are prepared to allocate land for various uses, including residential areas, agriculture, livestock keeping, industries and social services. A total of 48 out of 139 districts have prepared land use plans. Further, 2,944 out of 12,318 villages in the country have land use plans. The slow pace of preparation of village and district land use plans has been caused by lack of resources, failure of Planning Authorities to allocate funds for land use planning and limited engagement of the private sector and other stakeholders in the process. Additionally, the slow

pace is due to the absence of a specific coordination framework and stakeholder engagement mechanisms.

Unplanned and unmanaged land use leads to environmental degradation and land-use conflicts between farmers, livestock keepers, herders, forests, game reserves, wildlife, investors and other users. Moreover, approximately 90 percent of customary land remains unregistered and landowners have not been issued customary certificate of occupancy due to the lack of village land use plans.

3.5.1 Objective

Enhanced system for preparation and implementation of village land use plans.

3.5.2 Policy Statements

The Government will:

- i) Ensure village land use plans are prepared and implemented; and
- ii) Put in place a mechanism to facilitate stakeholders' engagement in preparation and implementation of land use plans at all levels.

3.6 Issue: Preparation, Management and Control of Urban Land Use Plans

The preparation and implementation of urban land use plans are the responsibility of Planning Authorities, which are City, Municipal, Town Councils and Townships. Sustainable urban development and growth are guided by General and Detailed Planning schemes.

The preparation of General Plans has been progressing at a slow pace compared to the rapid urban expansion, leading to an increase in unplanned settlements. Additionally, efforts have mainly focused on planning legally designated urban areas, neglecting rapidly growing town centers and emerging urban villages. If this situation persists, these commercial hubs and villages risk turning into unplanned urban settlements. Moreover, in some areas designated for urban development, village authorities continue to exist, leading to governance and administrative challenges.

Central urban areas and critical urban spaces are underutilized and some buildings have deteriorated, requiring redevelopment. Furthermore, preparation of renewal plans for dilapidated towns has been hindered by shortage of resources and outdated base maps. Most urban areas in the country are expanding horizontally, requiring significant investment in economic and social infrastructure. Approximately 73.4 percent of urban residents live in unplanned settlements. These settlements emerge due to lack of adherence to legal procedures for regulating land subdivision, sales and development in unplanned areas.

3.6.1 Objective

Strengthened system for preparation, implementation, management and control of urban land use plans.

3.6.2 Policy Statements

The Government will:

- i) Ensure urban land use plans are prepared, implemented and controlled in line with the concept of sustainable cities;
- ii) Ensure centre of cities, municipalities and towns are redeveloped;
- iii) Put in place a mechanism for declaring areas ripe for urban development based on city expansion and demand for land;
- iv) Put in place a framework for disestablishment of village authorities in areas declared ripe for urban development;
- v) Promote compact and vertical development instead of horizontal expansion to ensure efficient and well-planned urban growth; and
- vi) Ensure unplanned settlements are identified and formalized.

3.7 Issue: Land Information System and Geospatial Data Coordination

Some land records are still stored in paper files, reducing efficiency in service delivery and revenue collection from the land sector. Efforts have been made to establish electronic land information systems. However, these systems do not fully meet the needs, as they are not fully integrated nationwide and are not interoperable with other government institutions' systems. Additionally, there is a lack of resources to establish land offices equipped with electronic record-keeping systems and public awareness about using digital land services remains low.

For a long time, there have been challenges in access, storage, exchange and use of geospatial data among institutions involved in the land sector. The situation has been caused by absence of a dedicated system to coordinate participation of key stakeholders in accessing and utilizing geospatial data. Geospatial information is used for various purposes, including environmental assessments, transportation planning, land use planning, land management and emergency response services. Access and exchange of geospatial data involves multiple disciplines and institutions. However, such information is stored separately in digital and physical formats, making it difficult to retrieve and lacking centralized coordination.

3.7.1 Objective

Integrated and sustainable system for land records and geospatial data management.

3.7.2 Policy Statements

The Government will:

- i) Ensure that land record management and service delivery are conducted electronically;
- ii) Promote public awareness of digital land services; and
- iii) Put in place a system to coordinate access, storage, management, shared use and exchange of geospatial data among stakeholders.

3.8 Issue: Sensitive Areas

Sensitive areas are managed by various authorities including water, environment, natural resources and security agencies, governed by different laws. These areas include strategic security and defence locations, water sources, waste disposal sites, small islands, mountains, steep slopes, mangrove forests, wetlands, river basins and shorelines. Other sensitive areas include mining waste sites, national forest and wildlife reserves, rivers, cultural heritage sites, biodiversity conservation areas and ecologically fragile zones. Additionally, they include open spaces, cultural heritage conservation areas and buffer zones for infrastructure such as roads, railways, water pipelines, gas lines, telecommunication networks and social services.

Some of these areas have been encroached upon and developed. For example, settlements in mountainous areas, beaches and islands that pose risks to human habitation and should be preserved. Additionally, coastal areas along seas and lakes hold significant economic potential, but some remain undeveloped and lack proper management. Climate change, including rising sea levels and increased flooding, has caused significant damage to people and properties in coastal regions.

Moreover, urban areas designated for public use, including open spaces, infrastructure corridors and public service areas, are often misused or encroached upon by private developers due to weak enforcement, depriving public of their intended benefits.

3.8.1 Objective

Efficient management of sensitive areas for sustainable development.

3.8.2 Policy Statements

The Government will:

- i) Put in place a participatory framework to coordinate, manage, develop and protect sensitive areas;
- ii) Develop a system to allocate land rights for specific sensitive areas that can be utilized for economic purposes without compromising national security and environmental conservation; and
- iii) Put in place a mechanism to ensure part of shoreline of oceans, lakes and major rivers located on village land is designated as General Land to facilitate proper planning, surveying and management.

3.8.3 Issue: Land Disputes

Land dispute resolution mechanisms consist of both quasi-judicial and judicial bodies. These include Village Land Councils and Ward Tribunals under the President's Office – Regional Administration and Local Government; District Land and Housing Tribunals under the Ministry of Lands, Housing and Human Settlements Development; and the High Court and Court of Appeal under the Ministry of Constitution and Legal Affairs. The establishment of this system aimed

to provide a simple, amicable and community-friendly approach to resolving land disputes. However, the intended objectives have been hindered by a lack of integrity, inadequate resources and challenges in coordinating these dispute resolution bodies. Additionally, in some areas, land dispute resolution bodies are either non-existent or inactive.

Furthermore, low public awareness of land policies, laws, regulations and guidelines, as well as widespread land encroachments, contribute to the increased land disputes.

3.8.4 Objective

Strengthened dispute resolution mechanisms..

3.8.5 Policy Statements

The Government will:

- i) Strengthen mechanisms to control the causes of land disputes;
- ii) Enhance management system of existing land dispute resolution bodies to improve efficiency and effectiveness;
- iii) Encourage land dispute resolution bodies to prioritize mediation before proceeding with adjudication; and
- iv) Create public awareness on land policies, laws, regulations and guidelines.

3.8.6 Issue: Land Surveying and Mapping

Land survey is a crucial component of land management. Currently, land surveying in Tanzania is predominantly conducted using analogy methods, with only about 25 percent of the country's land having been surveyed. Most urban areas have been surveyed with involvement of the private sector, utilizing outdated geometric measurements that now require updating to align with the new 2011 Tanzania Geodetic Reference Framework (TAREF11).

Updating base maps involves integrating new topographic data collected through various methods, such as aerial surveys, laser scanning, hydrographic surveys and satellite imagery. Base map information is essential for planning and implementing infrastructure projects, including General Urban Plans, Land Use Plans, land registration and infrastructure development, such as railways, roads, water supply, oil and gas pipelines and electricity grids. However, the preparation and periodic updating of these maps are not conducted efficiently due to the lack of an institutional framework that facilitates their creation, accessibility, utilization and management.

Additionally, many villages in Tanzania have been surveyed, but boundary disputes persist between villages, between villages and conservation authorities and between villages and other land users. These conflicts arise due to lack of clear guidelines on how village boundaries should be determined during village establishment process. Submerged land (land beneath water bodies) is designated for public use and is currently underutilized, with private individuals

prohibited from using certain distances from shorelines and coastal areas. However, new uses of land in water by private entities include aquaculture, fish farms and docks for maritime transport. Furthermore, economic activities taking place in water bodies, such as fishing, mineral exploration and extraction, oil and gas drilling, renewable energy projects, tourism, transportation and maritime construction, lack clear policy framework. The National Water Policy of 2002 recommended establishment of water rights allocation system that distinguishes water use rights from land ownership. However, there is a need to develop a policy framework to govern the blue economy, ensuring proper surveying and allocation of submerged land for effective and sustainable economic and social benefits.

Hydrographic surveying provides essential data on seabed and lakebed structures for navigation safety, construction, fishing, research, oil and gas exploration, tourism activities and marine environmental conservation. However, most of Tanzania's underwater land remains surveyed due to the high costs of survey services, a shortage of skilled professionals and a lack of modern equipment. This has limited the Government's ability to effectively manage hydrographic resources and fully develop the blue economy.

3.8.7 Objective

Strengthened system for land surveying and availability of maps.

3.8.8 Policy Statements

The Government will:

- i) Put in place a framework to ensure that all land in the country is surveyed;
- ii) Enhance private sector participation in land surveying;
- iii) Put in place a mechanism for conducting land surveys in water bodies;
- iv) Develop a sustainable system for providing maps for various uses;
- v) Put in place clear guidelines on how village boundaries should be determined; and
- vi) Ensure administrative boundaries of villages, districts and regions are verified, surveyed, secured and properly maintained.

3.8.9 Issue: Strengthening International Boundaries

Some boundaries in African countries, including Tanzania, were established by colonial powers during the Berlin Conference of 1884-1885 under the 1890 Treaty. These boundaries were marked using boundary pillars that were placed at significant distances from each other. The United Republic of Tanzania has ten international boundaries, covering 1,703 kilometres of land boundaries and 2,834.36 kilometres of boundaries in water.

Approximately only 22 percent of Tanzania's international boundaries have been affirmed and strengthened. Additionally, some boundary pillars have been destroyed and buffer zones along the boundaries are being used contrary to regulations. This situation has led to unauthorized cross-border resource usage, increasing the risk of security threats in boundaries areas.

3.8.10 Objective

Strengthened and secured international boundaries.

3.8.11 Policy Statements

The Government will:

- i) Ensure International Boundaries are affirmed, strengthened, maintained and ratified through treaties;
- ii) Establish and maintain comprehensive system for international boundary records; and
- iii) Ensure a designated strip of land along the international land borders, extending into village land, is classified as General Land to facilitate planning, surveying and proper management.

3.8.11.1 Issue: Land Values and Land Market

Awareness of land values has increased and the land market has expanded, making the real estate sector a significant contributor to the national economy. Growth in this sector has led to an increase in stakeholders, including

financial institutions, real estate agents, real estate developers, tenants and buyers. The increasing number of real estate actors has expanded market activities and generated more market information, which is essential for assessing land values and promoting an efficient and transparent land market. However, no structured system has been established to regulate land market transactions and Government revenue generated from the real estate sector. As a result, the sector lacks adequate transparency and market information, limiting its full contribution to the national revenue despite its vast potential.

Land values vary depending on location and specific characteristics, influencing transactions such as compensation payments and revenue assessments from land-related activities. Land valuation depends on market-based pricing, professional valuation standards and legal frameworks. However, updation of land value rates has been infrequent due to resource constraints, including limited human and financial capacity. Additionally, since land has economic value, it serves as one of the Government's revenue sources. However, land rent and other fees are primarily imposed only on surveyed land, leaving the unsurveyed land which constitutes the majority of land in the country.

3.8.11.2 Objective

Established system for efficient management of land values and land market.

3.8.11.3 Policy Statements

The Government will:

- i) Ensure land continues to have value and the value is recognized in all land transactions;
- ii) Put in place a system to manage and develop land market and land value rates;
- iii) Put in place a framework to oversee, develop and control the real estate sector; and
- iv) Ensure every parcel of land contributes to Government revenue.

Cross-Cutting Issues:

3.9 Issue: Environment and Climate Change

Tanzania is among the countries ratified to various international and regional treaties on environmental conservation and protection. These agreements have been incorporated into national environmental policies, development plans and programs. On the other hand, land demand for various economic activities such as agriculture, livestock keeping, mining, energy production and construction has increased due to rapid population growth. As a result, natural ecological

systems are facing threats, including land degradation and biodiversity loss.

In recent years, the country has experienced floods, droughts, unpredictable weather patterns and coastal and riverbank erosion. These challenges, among other factors, are caused by environmental degradation, which results from unsustainable farming practices, overgrazing, deforestation, wildfires and encroachment on sensitive ecosystems.

Natural disasters such as earthquakes, volcanic eruptions, floods, landslides and explosions occur and cause severe damage to communities. However, disaster response and management has not been effectively handled due to gaps in policy, legal frameworks and institutional mechanisms for land access and management during such events.

3.9.1 Objective

Land management that adhere to environmental conservation and climate change promoted.

3.9.2 Policy Statements

The Government will:

- i) Develop and implement land-use plans that integrate environmental conservation and climate change adaptation measures to minimize land degradation; and
- ii) Put in place a framework to ensure that public land is designated as temporary shelters for people affected by climate-induced disasters.

3.10 Issue: Gender

Land policies and laws do not discriminate people based on gender or social group in access, ownership, or use of land. However, cultural, customs and traditions continue to influence inheritance of clan land, with some customs favouring men over women in land ownership, particularly through inheritance. Efforts to eliminate discriminatory customs, traditions and cultural practices in land ownership and usage through legal frameworks have not been fully successful due to low awareness of existing land policies and laws among some communities.

3.10.1 Objective

Gender equality in access to land rights.

3.10.2 Policy Statements

The Government will:

- i) Put in place a mechanism to ensure equal gender rights in access of land rights;
- ii) Guarantee that women have equal opportunities to access land rights;
- iii) Ensure continuous public awareness on gender equality in land rights and land use; and
- iv) Promote balanced representation of men and women in land governance and administration bodies.

3.11 Issue: Good Governance

Land affects almost all sectors, making it essential for land administration and management to uphold accountability, transparency, rule of law, integrity, equality, efficiency and stakeholder participation in decision-making. Efforts have been made to establish a governance system that ensures quality land services for citizens and minimizes land disputes. Despite progress in some areas, challenges persist, particularly in integrity, accountability and efficiency within land governance.

3.11.1 Objective

Good governance in land administration and management enhanced.

3.11.2 Policy Statements

The Government will:

- i) Ensure that decision-making and land sector management adhere to the principles of rule of law, accountability, transparency, integrity, efficiency and equity; and
- ii) Strengthen the management, coordination and development framework of the land sector, including further decentralization of essential land services to villages, streets and ward levels.

CHAPTER FOUR

LEGAL FRAMEWORK

The government has established a legal framework that enables management, coordination and implementation of the National Land Policy, 1995 (2023 Edition). This framework serves as an implementation tool aimed at ensuring robust land ownership system, equitable access to land and effective land management and utilization to reduce poverty, generate wealth and promote sustainable development. To sustain the progress achieved, the implementation of this policy will be guided by a legal framework that enables stakeholders to effectively fulfil their responsibilities.

4.1 Land Laws

The land sector is governed by various laws, including the Land Act, Cap 113, the Village Land Act, Cap 114, the Land Acquisition Act, Cap 118, the Land Disputes Courts Act, Cap 216, the Land Survey Act, Cap 324, the Registration of Surveyors Act, Cap 270, the Land Registration Act, Cap 334, the Registration of Documents Act, Cap 117, the Unit Titles Act, Cap 416, the Public Recreation Grounds Act, Cap 320 and the Movable Property Security Rights Act, Cap 210. Other related laws include the Urban Planning Act, Cap 355, the Land Use Planning Act, Cap 116, the Registration of Town Planners Act, Cap 426 and the Valuation and Valuers Registration Act, Cap 138.

These laws regulate management of General Land, Reserved Land and Village Land, land acquisition procedures, land dispute resolution mechanisms, land surveying, land use planning, property development

control, land registration and transactions and the registration of land professionals. The objective of these laws is to facilitate land allocation, ensure security of tenure, promote efficient land use and resource management and support sustainable socio-economic development.

Following enactment of these laws, regulations were introduced to facilitate the implementation of the policy. Institutions established under these land laws and regulations are operational. However, some institutions are not fully functional, while others are still being formed. For example, District Land and Housing Tribunals have not been established in all districts as required by law.

4.2 Other Sectoral Laws

Various operational objectives and functions stipulated in the land laws are implemented through Local Government Authorities. Therefore, these laws must be applied alongside the Local Government (District Authorities) Act, Cap 287 and the Local Government (Urban Authorities) Act, Cap 288. Additionally, there are other laws linked to land sector operations that contribute to policy implementation. These include the Mining Act, Cap 123, the National Parks Act, Cap 282, the Marine Parks and Reserves Act, Cap 146, the Wildlife Conservation Act, Cap 5, the Antiquities Act, Cap 333, the Forest Act, Cap 323, the Rangelands and Animal Feeds Resources Act, Cap 180, the Environmental Management Act, Cap 191, the Tanzania Investment Act, Cap 38, the Urban Authorities (Property Tax) Act, Cap 289, the Companies Act, Cap 212 and the Roads Act, Cap 245.

Effective implementation of the revised policy will necessitate amendment or the enactment of new legislations.

4.3 Efficiency. and Contradictions of Land Laws

The legal framework plays a crucial role in enforcing standards, regulations and procedures to achieve policy objectives. While the existing legal framework is effective, there are implementation challenges. Enforcement of land laws has been hampered by institutional structures, given that local government authorities are the primary implementers, while Ministry of Lands is responsible for coordinating their activities. Moreover, challenges such as limited public awareness of land matters, inadequate financial and human resources and lack of integrity in the land sector have affected law enforcement.

Some of these laws are outdated and do not adequately address emerging challenges. Certain provisions in land laws are conflicting. For instance, the definition of "General Land" in the Land Act, Cap 113, contradicts the Village Land Act, Cap 114, which classifies unoccupied and unused Village Land as General Land. The Village Land Act, Cap 114, continues to uphold customary practices in the management of Village Land, some of which conflict with the Land Act, Cap 113, thereby restricting women's access to land. Furthermore, the Village Land Act, Cap 114, prohibits land transactions involving non-villagers, making it difficult for customary land titleholders to obtain loans from financial institutions.

There are also coordination challenges between land laws and other sectoral laws related to land matters. For example, establishment of villages is regulated under the Local Government (District Authorities) Act, Cap 287, where many villages were established without clear boundary demarcation, leading to boundary conflicts. Additionally, urban expansion occurs without formal de-registration of existing villages, causing conflicts between urban authorities and villages.

4.4 General Legal Issues

The following areas have been identified as priority actions for improving legal framework in the land sector:

4.4.1 Establishing a legal framework to regulate real estate and land brokerage. Other key areas include enacting laws to regulate allocation and management of land rights in water bodies, reviewing land laws to support electronic land administration, establishing a legal framework for granting land rights to Tanzania Non-Citizen Diaspora, enabling non-citizens and foreign investors in the real estate sector to acquire land rights and allowing non-citizens to own houses.

4.4.2 Reviewing the Land Act, Cap 113 and the Village Land Act, Cap 114, so that, among other things to:

- i) Ensure that Customary Rights of Occupancy and Granted Rights of Occupancy have equal legal status;
- ii) Consolidate all land rights allocated by land authorities into a single framework;

- iii) Ensure presence of land sector professionals at ward and village levels while strengthening capacity of Village Councils;
- iv) Enforce compliance with land ownership conditions before transactions are approved; and
- v) Regulate land allocation for investment purposes, including property development, project assessment, investor qualifications, legal procedures and measures to prevent land speculation.

Other areas of legal review include:

- i) Reviewing the Land Registration Act, Cap 334, to enable electronic registration of land and transactions;
- ii) Reviewing the Land Disputes Settlement Act, Cap 216, to enhance efficiency and coordination of land dispute resolution institutions;
- iii) Reviewing the Land Survey Act, Cap 324, to facilitate policy implementation; and
- iv) Reviewing the Land Use Planning Act, Cap 116 and the Urban Planning Act, Cap 355, to empower wards and streets to regulate land development.

4.4.3 Aligning land laws with other laws governing urban expansion, mining, environmental management and the administration of Reserved Land. Other necessary alignments include the registration of Customary Rights of Occupancy under the Land Registration Act, Cap 334 and the Village Land Act, Cap 114.

Additionally, harmonizing the Land Act, Cap 113 and the Village Land Act, Cap 114, in defining General Land and Village Land.

- 4.4.4.** Amending regulations of the Land Survey Act, Cap 324, to enhance efficiency in land surveying processes.

CHAPTER FIVE

INSTITUTIONAL FRAMEWORK, MONITORING AND EVALUATION

5.1 Institutional Framework

Implementation of the National Land Policy, 1995 (2023 Edition) requires a structured institutional framework at different levels, from the national level to wards and villages. The implementation will be carried out through collaboration between the Ministry responsible for land management in Tanzania and other Ministries, Independent Departments, Government Agencies, the Private Sector and other stakeholders. To ensure land governance is transparent, fair and sustainable, the institutional framework will involve reviewing existing laws, building capacity in relevant areas to avoid overlaps in authority and adhering to policy implementation guidelines and regulations.

Key institutional objectives of the policy include improving land governance and management systems, enhancing legal framework of the land sector, strengthening operational relationships between the Government and other stakeholders and promoting good governance. The goal is to ensure that governance structures adhere to the rule of law, transparency, efficiency, accountability, predictability, inclusivity and anti-corruption measures at all levels, while improving service delivery to the public, especially for low-income citizens and those in vulnerable environments.

The Institutional Framework for Policy implementation will consist of two (2) interdependent coordination structures: Sectoral Ministries and Local Government Authorities and Non-Sectoral Ministries. Their arrangements and functions are as follows;

5.1.1 Sectoral Ministries and Local Government Authorities

5.1.1.1 Ministry Responsible for the Land Sector

The Ministry responsible for land matters will undertake the following functions:

- i) Formulating and overseeing implementation of the Policy, Laws, Regulations, Guidelines and Strategies for the development of the Land Sector;
- ii) Coordinating policy implementation and managing land sector development, decentralizing governance and resources for land management and providing public education on land policies and laws;
- iii) Facilitating preparation, implementation and management of land use plans for both urban and rural areas for various uses;
- iv) Managing and facilitating land surveying and mapping, land ownership and registration, issuance of land titles and legal documents, property valuation and strengthening land records management;

- v) Facilitating negotiations and agreements between investors and relevant Ministries to ensure that intended investments generate sustainable benefits for communities; and
- vi) Promoting and enhancing private sector participation in land planning and surveying.

5.1.1.2 Ministries Related to the Land Sector

These include the Ministries responsible for Regional Administration and Local Government, Agriculture, Irrigation, Livestock, Fisheries, Forestry, Tourism, Wildlife, Water, Environment, Construction, Transport, Investment, Defence, Industry, Health, Energy, Minerals, Community Development, Gender and Special Groups. These Ministries will have the following general responsibilities:

- i) Coordinating implementation of the policy in their respective sectors and overseeing land sector development;
- ii) Protecting land allocated for various uses;
- iii) Decentralizing land administration and management services;
- iv) Reviewing or formulating policies, laws and strategies related to sustainable land management;
- v) Establishing enabling infrastructure on land designated for various uses, including investment;

- vi) Raising public awareness on land-related issues; and
- vii) Providing reports on implementation of the National Land Policy within their respective sectors.

5.1.1.3 Specific Responsibilities of Ministries Related to the Land Sector

- a) The Ministry responsible for Agriculture will:
 - i) Identify land suitable for agriculture and promote productive farming; and
 - ii) Protect land designated for agriculture from encroachment.
- b) The Ministry responsible for Livestock and Fisheries will:
 - i) Identify land for livestock keeping and ensure its sustainable and productive use; and
 - ii) Protect grazing land from encroachment.
- c) The Ministry responsible for Natural Resources and Conservation will:
 - i) Identify land for conservation purposes; and
 - ii) Ensure that conservation land is protected from encroachment.
- d) The Ministry responsible for Health, Community Development, Gender and Special Groups will:

- i) Identify areas for health services and special community groups; and
 - ii) Protect land designated for health services from encroachment.
- e) The Ministry responsible for Defence will:
 - i) Protect land under its ownership; and
 - ii) Safeguard land along national borders.
- f) The Ministry responsible for Construction and Transport will:
 - i) Ensure that land allocated for infrastructure, such as roads, railways, water transport and air transport, is identified and protected from encroachment.
- g) The Ministry responsible for Energy will:
 - i) Identify land suitable for energy infrastructure; and
 - ii) Protect land allocated for energy infrastructure from encroachment.
- h) The Ministry responsible for Minerals will:
 - i) Ensure that land allocated for mineral exploration and extraction is identified and protected; and
 - ii) Ensure that before mining activities commence, land rights affected by exploration or mining are compensated.
 - iii) Ensure land used for mining activities is restored after extraction.
- i) The Ministry responsible for Water will protect land around water sources and water infrastructure from encroachment.

- j) The Ministry responsible for Industry and Investment will facilitate investment and coordinate infrastructure development in designated investment areas.
- k) The Ministry responsible for Constitutional and Legal Affairs will:
 - i) Ensure that laws governing land administration and management are aligned and do not conflict.
 - ii) Provide public awareness of land-related laws; and
 - iii) Ensure that legal decisions on land matters are made according to legal principles and guidelines.

5.1.1.4 Regional Secretariats and Local Government Authorities

Regional Secretariats will create a conducive environment for Local Government Authorities (LGAs) to operate efficiently and monitor the performance of the land sector. LGAs are responsible for land development within their jurisdictions, making them integral to decision-making processes in the sector. The operational objectives and responsibilities of LGAs in land sector development include:

- i) Collaborating with experts in identifying and approving decisions related to land development in their areas for economic and social well-being;
- ii) Enhancing institutional capacity and streamlining procedures for land-based revenue assessment and collection, as well as dispute resolution among land users;

- iii) Managing Village Land by ensuring that Village Councils continue to oversee Village Land and that laws and regulations define the powers of Village Executives and Village Councils;
- iv) Enforcing laws and regulations related to the land sector; and
- v) Implementing other duties as stipulated by law.

5.1.1.5 Institutions and Agencies in the Land Sector

Government institutions and agencies responsible for implementing this policy are tasked with overseeing and advancing the real estate sector, including housing construction, research on affordable building materials, preparation of district and village land use plans and training and development of land sector professionals. These institutions and agencies will be fully engaged in implementing this policy.

5.1.1.6 Professional Boards and Institutions

Professional boards and institutions are responsible for advancing expertise to ensure high professional standards and ethics. The professions regulated by these boards and institutions include Land Surveying, Urban Planning, Architecture, Quantity Surveying, Engineering, Valuation and Real Estate Agency.

5.1.1.7 Land Bank and Land Compensation Fund

Regarding land for investment, the Government has improved the investment climate by

identifying and designating land for investment and various economic and social activities. Land for investment is prioritized in the preparation of General and Detailed Plans undertaken by Planning Authorities. To facilitate the availability of land for public use and investment, the Government has established the Land Compensation Fund. The Fund is managed by a Board that, among other responsibilities, oversee all compensation matters paid by the Ministry, Public institutions and investors.

5.1.1.8 Land Sector Facilitation Fund

The Government established the Land Sector Facilitation Fund to support land use planning, surveying and land titling through a cost-recovery mechanism (Plot Development Revolving Fund – PDRF). The Fund’s activities were successfully implemented, with its financial sources derived from upfront fees charged during land allocation, as well as surveying fees and charges. However, in 2016, the Fund was discontinued, leading to challenges in implementing its intended objectives. The land sector is financially supported by the government budget, which has been insufficient to cover all activities required for policy implementation. Therefore, there is a need to establish a sustainable Land Sector Facilitation Fund for implementation of land sector functions.

5.1.2 Non-Sectoral Ministries

5.1.2.1 Other Ministries

Other Government Ministries will ensure that the objectives of the policy are effectively achieved by carrying out their respective mandates related to the land sector. These ministries include the Prime Minister's Office, the ministries responsible for Public Service and Good Governance, Regional Administration and Local Government, Environment, Finance and Planning, Home Affairs, Constitution and Legal Affairs and Foreign Affairs. Their responsibilities relating to the land sector are as follows:

- i) The Prime Minister's Office will coordinate cross-cutting government activities related to the land sector, including policies and issues that involve multiple ministries and institutions;
- ii) The Ministry responsible for Public Service and Good Governance will ensure human resource availability at all land administration and management levels;
- iii) The Ministry responsible for Regional Administration and Local Government will ensure that Local Government Authorities (LGAs) implement their responsibilities in accordance with the laws that govern them;
- iv) The Ministry responsible for the Environment will oversee environmental matters in alignment with the implementation of the National Land Policy;

- v) The Ministry responsible for Finance and Planning will mobilize and allocate financial resources to support activities in the land sector;
- vi) The Ministry responsible for Home Affairs will enforce legal measures against land law violations;
- vii) The Ministry responsible for Constitution and Legal Affairs will ensure provision of justice where required, safeguard lives and property and mediate conflicts and disputes related to land; and
- viii) The Ministry responsible for Foreign Affairs will ensure economic diplomacy and coordinate diaspora and matters related to international boundaries on both land and water.

5.1.2.2 External Public Institutions and Agencies

The other institutional framework includes formal and informal stakeholders and civil society organisations involved in policy management. The relevant agencies and institutions engage in investment, environment, industries, agriculture, mining, livestock, wildlife conservation, infrastructure, energy, marine resources and forestry.

To prevent land governance and management conflicts, the Minister responsible for land will have authority over all land-related matters. Where necessary, power delegation will follow a clear public accountability structure.

5.1.2.3 Academic and Research Institutions

Academic and research institutions directly involved in policy implementation are authorized to offer long-term and short-term training to meet the professional needs of the land sector. These includes specialized training programs, conducting research, consultancies and disseminating findings, implementing external programs and providing land advisory services to the Government and the private sector.

5.1.2.4 Private Sector

The private sector will be encouraged to participate in resource mobilization for land development, including planning, surveying, real estate development, investment and creating public awareness through public-private partnerships.

5.1.2.5 Non-State Actors

Non-governmental organizations (NGOs), Community Based Organizations (CBOs), Faith-Based Organizations (FBOs) and civil society organizations play a role in advocacy, lobbying and public education while adhering to government policies, laws, regulations and guidelines to achieve policy objectives.

5.1.2.6 Other Stakeholders

Other key stakeholders in both the public and private sectors providing essential services in the land sector include:

- i) Media organisations, which are vital in disseminating information and educating the public on land-related policies and laws; and

5.2 Legal service providers who play a crucial role in handling land-related matters in legal forums, including drafting and enforcing land rights and contracts.

5.2.1.1 Development Partners

Recognizing the significance of development partners in the land sector, they will be engaged to support funding, equipment, technology and training for policy implementation. However, the primary responsibility for policy implementation remains with the Government.

5.2.2 Citizens

Citizens are key stakeholders in land development and will be actively involved in land management and development. Additionally, they have a responsibility to protect and develop the land they own in accordance with ownership conditions.

5.2.3 Institutional Collaboration and Coordination

Tanzania has various forms of collaboration across different sectors and institutions, including agriculture, livestock, forestry, fisheries, wildlife, tourism, water, biotechnology, mining, health, energy, industry, statistics, housing, employment, investment, construction, communication, infrastructure, international relations and education. Several national development policies governing these areas are closely linked to the land sector. A well-structured and

coordinated institutional framework is critical in defining roles of all stakeholders involved in policy implementation.

Some national, regional and international stakeholders play a crucial role in strengthening institutional linkages and fostering close collaboration to promote sustainable land management at the regional level. Therefore, a strong institutional network and coordination system is necessary.

The government will align this policy with other sectoral policies to ensure that it serves as the guiding framework for land-related matters. To facilitate policy coordination, a sectoral technical committee comprising representatives from sectoral ministries will be established to provide advisory support on land-related issues. Strengthening integrated institutions will be crucial in ensuring legal security. These institutions include land markets, tenure security systems, land registration, customary land governance and legal administration.

Additionally, the government will create a conducive environment for internal and external consultations and negotiations while expanding partnerships with national, regional and international organizations. The government will also clarify and define roles of Institutions, Ministries, Departments and Government Agencies in land governance to minimize overlaps and land conflicts. Furthermore, the government will establish mechanisms to engage non-governmental organizations in land service delivery and deploy land experts at the ward and village levels to monitor,

regulate and oversee land-related matters in compliance with acceptable standards.

5.3 Human Resource Needs, Management and Development

The institutional framework for the land sector must be well-coordinated and efficiently managed, ensuring proper control and human resource management across all levels of central and local government. To achieve this objective, the government will strengthen human resource management and development systems, improve recruitment processes, enhance institutional training programs, infrastructure and curricula and ensure service delivery aligns with professional expertise and work regulations.

The government will also promote collaboration between ministries and training institutions related to the land sector, enhance systems and engage experts from academic institutions in policy implementation. The private sector will also be encouraged to participate in land sector activities through public-private partnerships. The success of land policy implementation will depend on close collaboration among all stakeholders, including ministries, public institutions, the private sector, non-governmental organisations and other relevant organisations. Therefore, all entities involved in land development will be required to work closely with the ministry responsible for land affairs to implement this policy.

5.4 Monitoring and Evaluation System

Monitoring and evaluation are essential to ensure efficient and effective policy implementation. Monitoring involves collecting, analyzing and disseminating information to stakeholders to track policy implementation progress against established indicators. On the other hand, evaluation is an episodic activity for measuring implementation outcomes to identify successes, challenges and lessons learnt.

The objectives of monitoring and evaluation include:

- i) Assessing effectiveness of policy implementation in relation to resource utilization, processes and short- and long-term outcomes based on statistical indicators and reports. This involves regular reviews and consultations at the national, ministerial, regional, district, ward and village levels;
- ii) Establishing feedback mechanism to enhance policy management, monitoring and implementation. The nation will continuously receive updated and comprehensive information on land service delivery, priorities, challenges and achievements; and
- iii) Providing statistical and narrative reports and other critical insights to all stakeholders to inform decision-making processes at various levels and across different government and non-government institutions, including international bodies.

The overall responsibility of monitoring and evaluating implementation of the national land policy lies with the ministry responsible for land, housing and human settlements development. Monitoring and evaluation will align with national systems and integrate with other tracking mechanisms to ensure consistency across different levels of governance. Practically, emphasis will be placed on collecting, utilizing and integrating relevant data to fulfil stakeholders information needs and enhance accurate application of available data and information in planning and decision-making.

Additionally, the policy promotes participatory monitoring and evaluation approach, involving various stakeholders, including the government, civil society organizations, the private sector, communities and development partners. Monitoring will be conducted using measurable indicators at national, sectoral and local government levels, including international benchmarks to which Tanzania is a signatory. In terms of evaluation, the ministry, in collaboration with other stakeholders, will establish indicators, criteria and evaluation timelines, develop and implement monitoring and evaluation plans and provide annual reports to the public.

Monitoring and evaluation will be integrated into national implementation strategies to assess economic, social and political impacts of the policy in national development. The Ministry's responsibilities will include collecting, consolidating and analyzing policy implementation data across different areas. Other stakeholders will be responsible for providing accurate reports to facilitate this process and ensure achievement of policy objectives. As a result,

monitoring and evaluation will serve as a critical tool for ensuring accountability, informed decision-making and the realization of expected outcomes in policy implementation.

5.5 Conclusion

Land is a fundamental pillar of economic and social development and a primary resource for achieving the national development vision, national development plans and other sectoral policies in the country. The land tenure system in Tanzania has significantly contributed to economic and social development, including agriculture, livestock, human settlements and industries. In this regard, the government has a duty to ensure equal rights for all citizens to access, use and benefit from land for the country's growth and development in accordance with the law.

This policy ensures land is effectively managed to provide equal ownership opportunities for economic and social activities. In this context, the government has a responsibility to ensure land is identified, planned, surveyed, allocated and utilized sustainably, efficiently and productively. Furthermore, the government will establish a robust legal, regulatory and institutional framework to ensure that land governance and administration uphold the principles of good governance. This policy will streamline land access procedures for citizens, enhance tenure security and reduce land-use conflicts.

The purpose of this policy is to provide a comprehensive framework for land administration and management, in alignment with the national

development vision, national development plans and global economic, scientific and technological transformations. This will enable Tanzania to achieve its goal of becoming an industrial economy. Additionally, the policy incorporates emerging issues related to various government development programs and cross-cutting concerns to support national objectives.

Tanzania is a country composed of farmers, workers, pastoralists and business people. During policy implementation, deliberate efforts will be made to economically empower diverse societal groups and vulnerable populations to benefit from secure land tenure and actively participate in productive activities. Overall, the policy ensures equal access to land ownership, establishes a strong foundation for building a competitive industrial economy, promotes good governance, reduces poverty and fosters sustainable development.