

Advances and Challenges of rural land policy formulation and implementation in Benin

Prof. Dr. Roch L. MONGBO

University of Abomey-Calavi & CEBEDES

'AgKnowledge Africa' Share Fair, Addis Ababa, Ethiopia, 18-21 October 2010

The formulation of the Benin Rural Land Law:

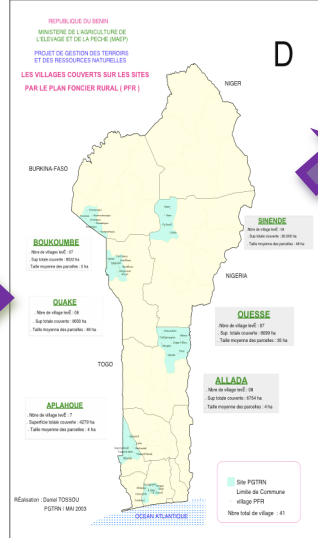
Started in 1993, completed in 2007, yet to be implemented in 2010 (17 years)

1993 Emergence of Rural land matters within Natural Resource Management Projects

- Poverty, gender and access to rural land & natural resource
- Land use systems sustainability
- Indigenous Commons
- Modern State legitimacy on land matters

Regional & National Workshops for stakeholders consultation

Attempts to sustainable forests, wild life, watershed and soil fertility management hit on land tenure matters



Pilot PFR sites : 41 villages

Socio-economic studies

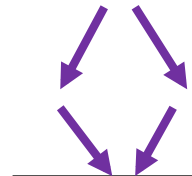
Indigenous regimes

Thematic issues

1st Draft of the Rural Land Law
Jan 2000
Jan 2000

Amendment and feedback consultations

Supreme Court Stakeholders



2nd Draft of the Rural Land Law

The Bill was passed in Parliament in Jan 2007 Promulgated on Oct 16th 2007

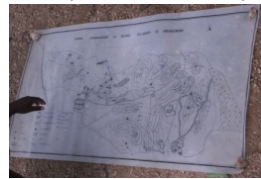
The Law is meant to:

- ✓ bridge customary regimes & modern legal framework
- ✓ allow land administrative at local level
- ✓ secure owners & users' rights, & reduce conflicts
- ✓ allow access to credit for investment in land
- ✓ allow cheap land titling acknowledging social relations around land & natural resources

But to what extent ? in contexts of :

- changes in customary regime at the expense of the weak?
- Assault on the commons in the face of weak local state?
- Precarious livelihoods of migrants and pastoralists?
- Climate change and Commercial pressure on rural land?

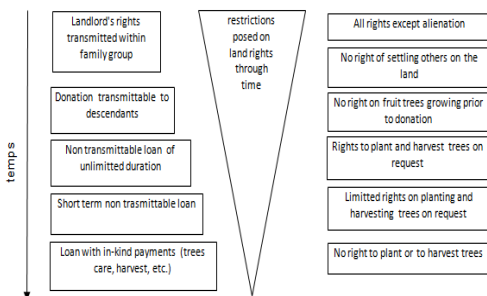
PFR, (Rural Land Plan) as core part of the law, with:



(1) Participatory Village map sheet (2) Register of all land rights and uses

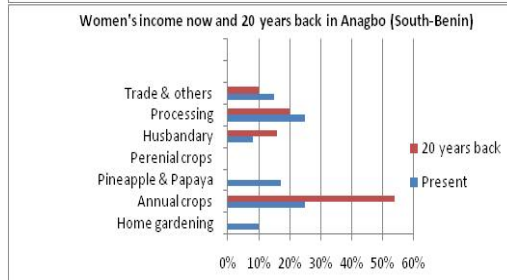
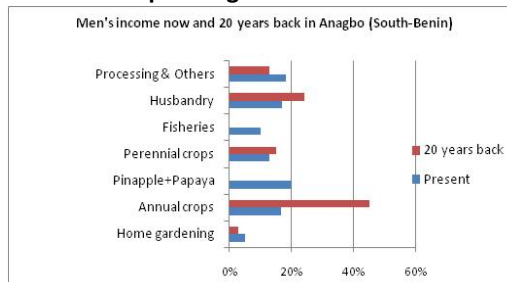
(3) Village, Sub-district and Communal Management Committees

Implementation: Shifts from access & multiple usages to exclusive ownership rights



North-West Benin

- 1,720,000 cattle (86% of national herd),
 - 23% of farms excluded from grazing;
 - 21% of farms without tree planting right;
 - 33% of farms with restricted gathering;
 - 56% women have no access to farm land
 - 35% get exhausted household land;
 - 9% get farm outside household
- CEBEDES, 2009



Adjilé, 2010

Drastic drop in annual crops' share for men and women producing pineapple, papaya and vegetable on hired lands

Average family land available per household less than 2ha
Conflicts on land limits and access rights are many

Bibliography

- Adjilé, 2010 forthcoming
- CEBEDES, 1994
- CEBEDES, 2009
- Fandohan, 2008
- Hounkpodoté, 2008
- Floquet & Mongbo, 1998
- Mongbo & Floquet, 1994
- Delville, Mansion & Mongbo, 2009