

# LAND LAW IN RWANDA: ISSUES OF OWNERSHIP AND SUSTAINABLE DEVELOPMENT

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### INTRODUCTION

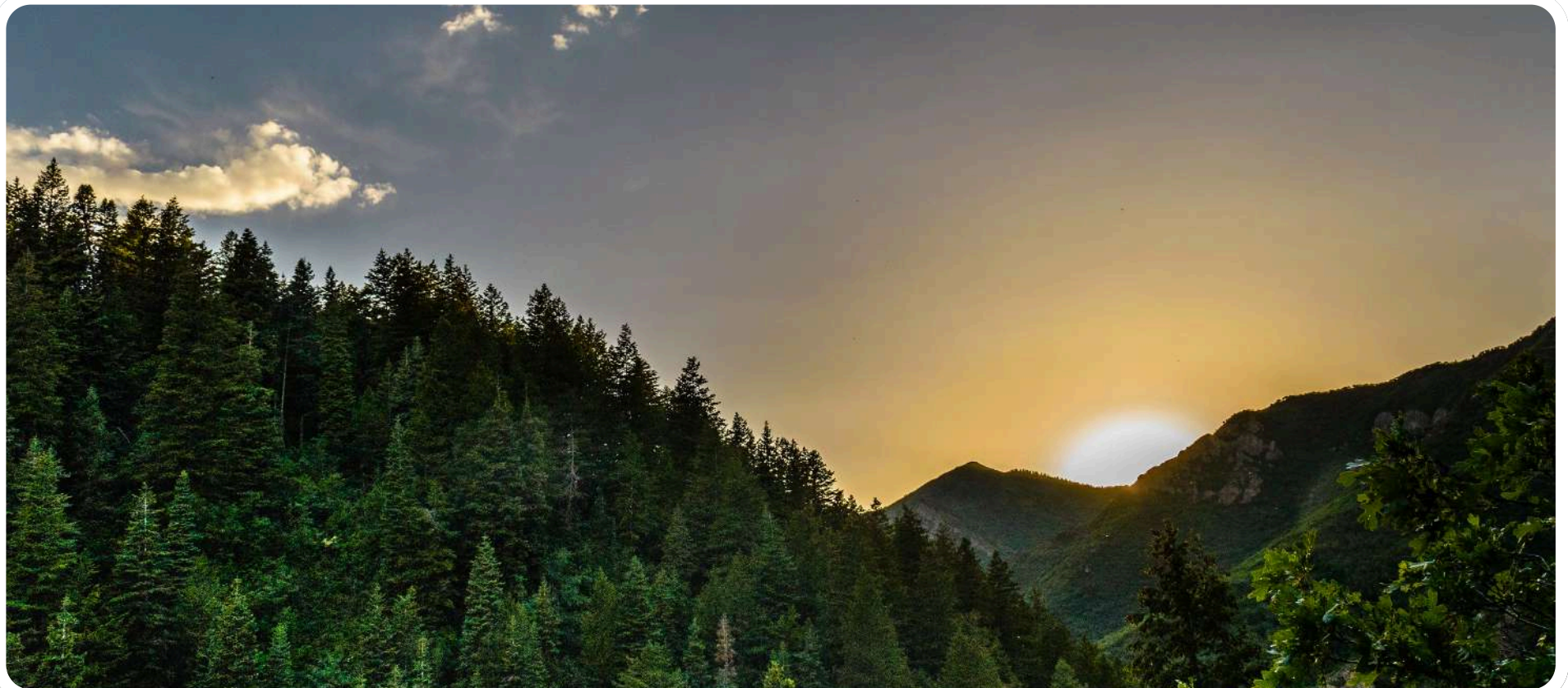
Rwandan land law has undergone major reforms since the end of the 1994 Genocide against the Tutsi, reflecting a firm commitment to national reconstruction, social reconciliation, and the promotion of economic development. In an African context where land carries economic, social, and cultural significance, Rwanda has established a legal framework aimed at securing land rights while integrating sustainable development imperatives.

However, despite this progress, challenges remain, particularly regarding legal security for landowners, equitable resource management, and the balance between agricultural modernization and environmental protection. This article examines the current challenges of Rwandan land law, exploring tensions between individual and collective ownership, as well as the legal mechanisms designed to ensure sustainable land management.



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# I - OWNERSHIP ISSUES: BETWEEN TRADITION AND MODERNITY



## 1. Gender Equality in Practice

Although the law enshrines equal inheritance rights, cultural resistance remains. According to a 2022 CLADHO report, 30% of rural women are unaware of their rights, highlighting the need for strengthened awareness campaigns.

## 2. Land Concentration and Fragmentation

With an average of 0.7 hectares of arable land per household (MINAGRI, 2023), the law limits excessive subdivision (Article 28: minimum threshold of 0.25 hectares). Nevertheless, access to land remains difficult for young farmers, leading to increased rural exodus.

## 3. Conflicts Between Customary and Modern Law

Legal mediation mechanisms struggle to resolve certain historical disputes, particularly those arising from post-1994 population displacement. The Land Tenure Regularization Program (completed in 2013) legalized nearly 11 million plots, yet disputes persist.

## 4. Urbanization and Real Estate Speculation

Kigali's rapid expansion has driven up land prices. The law imposes controls on transactions (Article 45), but the involvement of foreign investors through 99-year leases intensifies land pressures.

# II - SUSTAINABLE DEVELOPMENT AND LAND MANAGEMENT

## 1. Land Pressure and Parcel Fragmentation

With one of the highest population densities in Africa, exceeding 500 inhabitants per km<sup>2</sup>, Rwanda faces increasing land pressure. The law prohibits excessive land fragmentation (setting a minimum area of one hectare in some zones) to preserve agricultural productivity though this risks sidelining smallholders.





## **2. Sustainable Agriculture and Environmental Protection**

Rwanda's land policy integrates key sustainability principles, including:

Prohibition of cultivation on steep slopes to combat erosion;

- Promotion of agroforestry and soil conservation techniques;
- Integrated water resource management vital in a country where agriculture contributes about 30% of GDP;
- Mandatory land use (Article 25), with penalties for underutilization or speculation;
- Compliance with land-use plans (Article 35), aligned with urban and rural master plans.

Additionally, the law includes specific environmental protection provisions:

- Protected ecological zones (Article 50): cultivation prohibited on slopes over 55%;
- Mandatory adoption of agro ecological practices (Article 26), supported by public subsidies.

## **3. Agricultural Productivity and Food Security**

Land consolidation is encouraged to promote mechanized agriculture. The RLAUA (2022) report notes a 30% yield increase in pilot zones.

## **4. Social Inclusion and Inequality Reduction**

Legally recognized agricultural cooperatives help disadvantaged populations access land resources. The National Land Fund (Article 70) finances community projects. However, agricultural modernization may conflict with traditional practices, necessitating legal and technical support for farmers.

## **5. Planned Urbanization and Affordable Housing**

Development of “secondary cities” (Musanze, Rubavu) is underway to ease pressure on Kigali, with mandatory quotas for social housing in new real estate projects (Article 55).



# III - LEGAL SECURITY AND LAND REFORMS IN RWANDA

## 1. Formalization of Land Rights

Historically, Rwanda's land system was governed by often oral customary rules with strong community management. After 1994, the government undertook a policy of formalizing land rights to prevent conflict and attract investment. Law No. 43/2013 on the land tenure system established land titles (land certificates) to formalize ownership and reduce disputes.

More recently, Law No. 27/2021 of June 10, 2021, amended and supplemented the previous law. It represents a major reform aimed at modernizing the land sector by balancing legal security, social equity, and environmental sustainability.

This law defines three legal regimes (Articles 15 to 20):

- Private ownership: individual or collective titles, with state-controlled transferability;
- Public domain: land reserved for state infrastructure or ecological protection;
- Community domain: recognized customary management, regulated to prevent abuse.

## 2. Challenges in Land Registration

Despite progress, such as:

- **Land security (Article 4)**, ensuring everyone's right to ownership through formal titles (certificates, leases);
- **Gender equality (Article 10)**, abolishing inheritance-based discrimination and granting women equal property rights;
- **Environmental sustainability (Article 5)**, requiring ecological land use to prevent degradation;
- **Transparency through digitization** via the Rwanda Land Management Information System (RLMIS) to reduce corruption

several obstacles remain:

- Ongoing conflicts between heirs or neighbors due to disagreements over boundary definitions;
- Unequal access to legal information, especially in rural areas;
- Disputes over expropriation for public interest, often linked to inadequate compensation;
- Digitization depends on local actors' training and transparency in procedures.



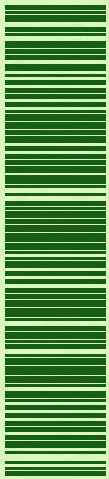
# IV - OUTLOOK AND RECOMMENDATIONS

To strengthen Rwanda's land framework with a view to sustainable development, several improvement areas are proposed:

## 1. Address Implementation Gaps

Corruption in some local administrations (Transparency International, 2023) undermines reform effectiveness. Full digitization of land services must continue, alongside the development of specialized courts and local mediation mechanisms to ensure land justice. Additionally, expropriation compensation mechanisms should be improved for fairness. Greater community involvement in land management is needed, bridging modern and customary law.





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### 3. Adapt Land Management to Climate Change

Floods and landslides such as those in Gakenke in 2023 highlight the need to bolster anti-erosion efforts, which remain underfunded.

### 4. Enhance International Cooperation

Rwanda draws inspiration from models like Singapore's for urban planning and partners with organizations like the FAO on agroforestry projects.

# CONCLUSION

Rwandan land law highlights the complex challenges facing many African countries: balancing legal security, economic development, and environmental protection. While the reforms since the early 2000s have produced substantial progress, their full impact depends on their alignment with local socio-economic realities.

An inclusive, transparent, and participatory land governance system will be key to achieving genuinely sustainable development. Success in these efforts especially through improved citizen education and climate-resilient land management could position Rwanda as a model for the entire African continent.

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