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# Registration crucial in resolving customary land wrangles

■ Border disputes are among common issues for those holding customary land

**E**VEN though customary land tenure in Zambia accounts for between 85 and 90 percent of all land in Zambia, and is just as recognised legally as state land tenure – with the country having a two-tier land management system – its administration has been fraught with challenges.

Reports of villagers losing their ancestral lands to ‘investors’ of sorts and other land wrangles abound.

Border disputes, among many others, are a common occurrence for those holding customary land.

Amidst the challenges of traditional land administration, Medeem Zambia chief executive officer Peter Lungu saw an opportunity.

“We saw a chance to help sort out the land management of customary land in conjunction with the people tasked to manage it – the royal establishments,” Mr Lungu says.

“In customary land, you cannot get a title, neither can you get any kind of evidence that shows that you own that piece of land. So, if you go to your chief, he will direct you to a particular headman, the headman will show you a piece of land and then write your name in a book, and off you go, the land is yours. Next time someone goes to seek land, they may be given part of your land because the boundaries may not be well defined.

“So when the time comes for working on the land, you will be working and then someone comes to ask, ‘What are you doing on my piece of land?’ This has led to conflicts, and because of that, many people tend to shun

state land,” he says.

He reveals that Medeem came up with a customary land certificate called the ParcelCert.

He explains, “Parcel for parcel of land and Cert for certificate. So we came up with that product – a product that will satisfy the chiefs and the local people.”

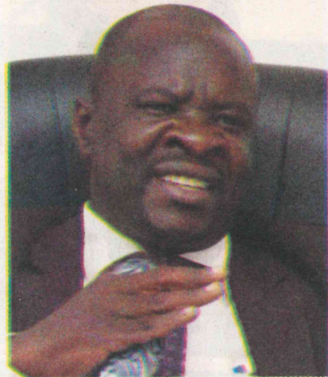
Apart from having environmental conservation benefits arising from people protecting the flora and fauna within the boundaries of their land, Mr Lungu says land wrangles in areas where the programme had been adopted have reduced, which in turn has resulted in increased productivity.

“In all the chiefdoms we operate in, investments have increased.

“For me, this is contributing to investment in the country because even partnerships are now possible,” he says.

He said the ParcelCert was designed in such a way that widows and children remain the owners of the land in the event that the landowner dies.

“We have had cases where families have tried to chase the women away, but chiefs have protected the women because of



**CHIEF BUNDA.**

Lungu said.

He revealed that the organisation had permission to work in 24 chiefdoms, among them Bunda Bunda in Rufunsa, Chamuka and Liteta in Chisamba, Chikanta in Kalomo, and Nalwama in Kafue.

Chief Bunda Bunda of the Soli people of Rufunsa district says the Medeem land administration programme has helped reduce boundary wrangles in his chiefdom.

“Previously, we had a lot of



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Bunda Bunda, who acknowledges that corruption was rife, says.

“Sometimes they would go ahead and bribe the headman so that by the time he is receiving the report, he would already have decided against the complainant.

The chief, who is a medical doctor by profession, says the programme has proved helpful to widows.

“In the case of demise, initially widows would face difficulties where the relatives asked them to leave. But with the Medeem



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they are the next of kin and they cannot be evicted from their family land,” the chief says.

“In some cases, headmen would re-demarcate people’s land and give other people, but with that document, it’s difficult for the headmen to do that.”

The chief says the coming of Medeem in his chiefdom has helped reduce land wrangles.

“Almost every day we were sorting out issues of boundaries, but of late the cases of border disputes have reduced.

have not obtained certificates is that they should do so to avoid conflicts,” the chief said.

Chief Bunda Bunda revealed that he is negotiating with financial institutions to get them to recognise the Medeem document as a bankable document that can be used as collateral.

“We want people to have access to finances. I’m trying to discuss with the financial players and see how we can work this out so that we can provide some economic leverage to our subjects,” he said.

The chief also encouraged ownership of land by women.

He says apart from the provision of women as co-owners of land as provided for on the ParcelCert document, women in their individual capacities are encouraged to come forward and own land.

Reiterating the chief’s thoughts, headman Kantyantya said the Medeem programme has been well received.

He says a good proportion of the 59 families in the village have subscribed to it.

He appealed to those who have not yet subscribed to the programme to do so as this will afford them authority over the

“Without the Medeem paper, their power over their land is shaky. Even though the Medeem paper is not a title deed, it helps the land holder to be secure on matters relating to their land,” headman Kantyantya said.

Ruth Sakala, a resident of Kantyantya village, says the Medeem programme has helped reduce land wrangles in the village as most people know the extent of their pieces of land.

“Getting your land measured is important because it puts you on a safe side. You can rest assured knowing your boundaries,” Ms Sakala said.

In addition to enabling communities to legally document their rights and assert ownership over their ancestral land, registering customary land through such initiatives as the ParcelCert programme provides legal recognition and protection to the landowners and communities, and provides them security of tenure.

Such programmes also help in the sustainable management of the environment, and the land so registered can serve as collateral for accessing credit and attracting investment, leading to the development of indigenous lands.