



Land reform in Madagascar : best practices and challenges in improving land governance

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Introduction: The Malagasy Land Reform



The contents of land reform in Madagascar

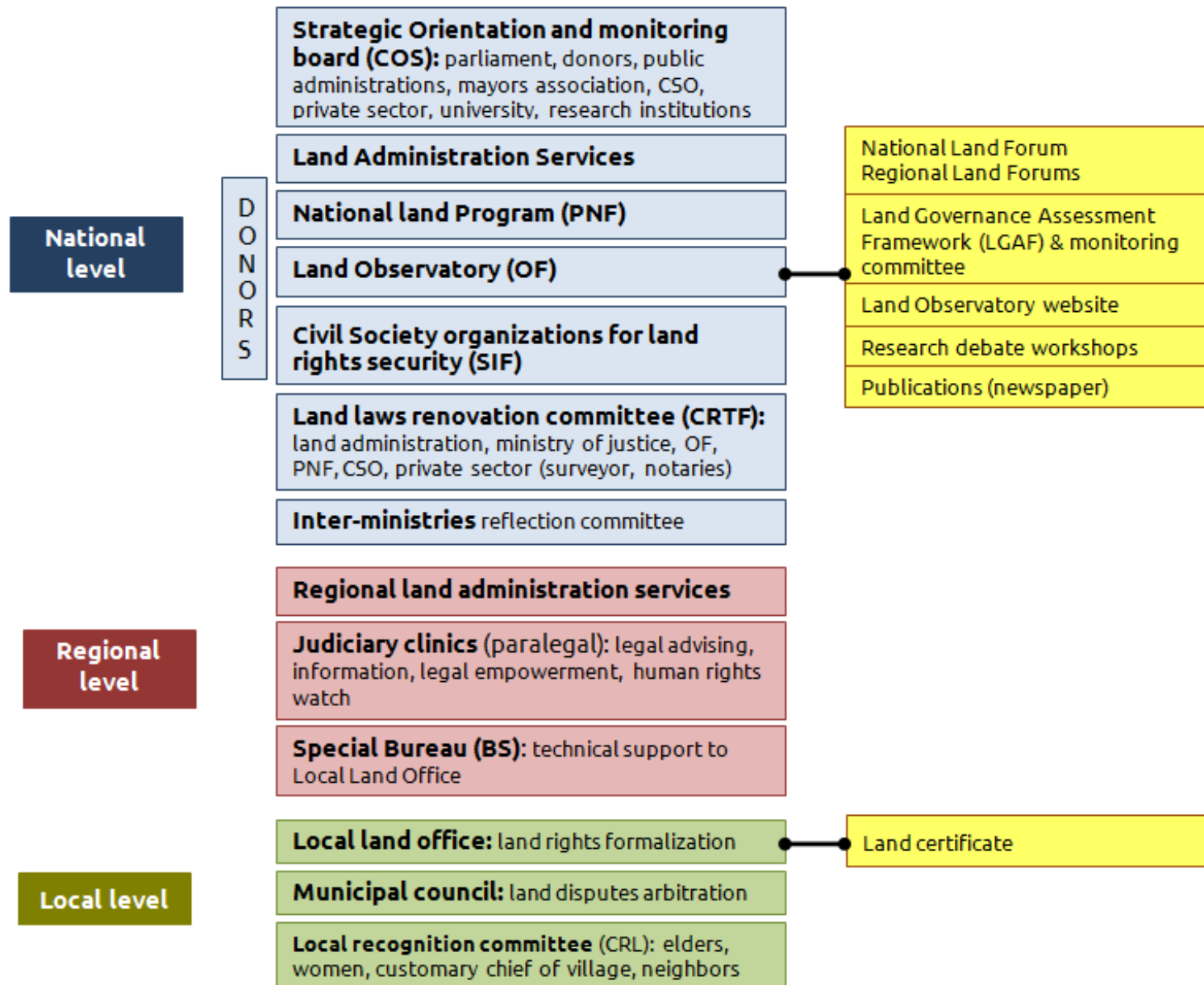
Legal innovations :

- Recognition of customary occupation rights as a presumption of property
- Introduction of the **land certificate**, a new document formalizing property rights with the same legal value as land title

Institutional innovations:

- giving competence to Communes (municipalities) through decentralization of land management
- local recognition committee to certify property rights
- Municipal council competent in land disputes arbitration

The institutional arrangement of the land reform





Lessons learned



Best practices related to land governance

Consultation and participation:

- Strategic orientation and monitoring board (COS), land laws renovation committee, local recognition committee,...

Non – discrimination :

- Vulnerable groups can better access to land rights formalization : recognition of customary occupation, affordable land certificate cost, joint certificates/ women

Transparency :

- Land observatory website & publications, land forum

Continuous improvement :

- Land observatory, COS



Shortcomings

Too much centralized decision-making :

- Less involvement in monitoring and reflection/ less voice at regional and local level

Legal constraints for land – rights continuum & equity :

- Many areas covered by “*obsolete statutes*”

Not enough tool to promote good governance :

- Less CSO initiatives (research, report, advocacy)

Gender equality not yet effective :

- Lack of announced willingness in land policy
- Prevailing customary rules that are often discriminatory to women’s rights
- Less voice/ advocacy at local level



Challenges and perspectives



Land governance as a core principle in Act 2

- Clearly announce **gender equity as an objective** – engage debates & reflections on customary laws and gender equity,
- Ensure more **active participation of local level** in shaping the land reform and monitoring land governance (including crowd – sourcing),
- Promote more transparency and **information access**
- Strengthen the role of the **Land Observatory** and CSOs in governance monitoring,
- **Support CSOs** to promote legal empowerment and advocacy at local level



**Thank you for your kind
attention**

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