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The Impact of Land Information on Land Expropriation: A Case Study of Kabare Sector, Kayonza District, Rwanda

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Abstract

This study examines the impact of land information on land expropriation in the Kabare Sector of Kayonza District, Rwanda. It investigates the potential contribution of comprehensive land data to sustainable land management and governance. Using a descriptive research methodology, the study utilizes questionnaires and interviews to explore the perceptions and experiences of residents in the Kabare Sector regarding land expropriation. It analyzes the benefits of land information, the circumstances surrounding land expropriation, and the relationship between land information and land expropriation in the study area. The findings indicate that the availability and accessibility of land information significantly influence the willingness and

satisfaction levels of stakeholders, thereby impacting socio-economic outcomes. The conclusions and recommendations highlight the importance of enhancing the accessibility of land information, supporting sustainable land use management, and addressing challenges associated with land expropriation for the Rwandan government and other stakeholders. These insights can guide policy decisions and strengthen land administration frameworks in Rwanda and similar contexts.

***Keywords*:** Land information, land expropriation, real estate valuation , expropriation process, Rwanda

Introduction

Background

The impact of land information on land expropriation is a critical aspect that requires attention, especially in regions like Rwanda, where land reforms are being implemented to enhance land ownership frameworks and protect property rights (Cao et al., 2018). Land data encompasses a range of physical, legal, economic, and environmental attributes, including topography, soil composition, land cover, ownership particulars, and land use patterns (Li et al., 2017). This data plays a significant role in the decision-making processes related to land utilisation, administration, and governance, ultimately impacting practices of land expropriation.

In Rwanda, the Government has been actively restructuring land ownership systems, including implementing processes for land registration and regulations governing land transfer and expropriation (Ma et al., 2020). The Rwandan Constitution highlights the importance of protecting property rights and permitting land expropriation only in situations of public interest, as outlined by the law (Li & Xi, 2019). Nonetheless, the enforcement of expropriation legislation has sparked concerns regarding potential infringements on human rights and the socio-economic repercussions on affected communities (Wang et al., 2019). The availability and accessibility of land data are essential for bolstering sustainable land administration and governance, particularly in the context of land expropriation (Ma et al., 2020). Initiatives like the Land Information

Inquiry Portal in Rwanda aim to furnish stakeholders with vital land information to confirm land ownership, verify land use, and assist in land expropriation endeavours (Mondal, 2022). Such portals are pivotal in ensuring transparency and efficacy in land-related procedures..

Research has indicated that land expropriation can have varied impacts on stakeholders, leading to changes in willingness, satisfaction levels, and health outcomes among affected populations (Yan et al., 2021). Factors like compensation mechanisms, stakeholder interactions, and psychological implications play significant roles in shaping the experiences of individuals subjected to land expropriation procedures (Hong et al., 2021). Grasping these dynamics is crucial for formulating effective policies and strategies to alleviate potential adverse consequences of land expropriation.

The interaction between land information, land ownership frameworks, and land expropriation practices is complex and multifaceted. By using comprehensive land information systems, governments can enhance decision-making processes, ensure transparency in land transactions, and safeguard the rights of individuals affected by land expropriation activities. Addressing the challenges and implications of land expropriation requires a holistic approach that considers all stakeholders' diverse interests and well-being concerning the available land information. It was hypothesised that the availability of Land information positively affects land expropriation in Rwanda, especially in the Kabare sector of the Kayonza district.

The Role of Land Information in Land Expropriation

The significance of land information and its involvement in land expropriation, specifically in Rwanda, is examined in this article. Land information encompasses physical, legal, economic, or environmental data or attributes related to land, water, groundwater, subsurface resources, or air (Dewan, 2009). This data comprises topography, soil, geology, vegetation, land cover, land ownership, land use, and other pertinent aspects. The utilisation of land information as a critical instrument for the sustainable utilisation and administration of land resources is emphasised (Dewan, 2009). An essential element of land information is a methodical land registration system extensively utilised to ascertain land appropriateness for various objectives, such as agriculture, rangelands, forestry, and non-agricultural

purposes. Consequently, this enhances the efficiency and efficacy of decision-making processes concerning land use, administration, and governance.

The paper focuses on Rwanda, where the Government has instigated diverse transformations to rationalise the land ownership framework, incorporating land registration, transfer, and expropriation (Toulmin, 2009). According to the Rwandan Constitution, property rights should not be infringed upon except in the public interest and as stipulated by the law (Benjamin, 2009). Nonetheless, the implementation of expropriation legislation has sparked apprehensions regarding potential breaches of human rights and the economic and social repercussions on the populace (Rose, 2016).

The Land Information Inquiry Portal, founded by the National Land Authority in Rwanda, strives to aid landowners, citizens, organisations, and investors in confirming land ownership, examining land size and usage, and validating any limitations or mortgages registered against the land (Ambaye & Alemu, 2013). This portal is crucial in delivering land information to the public and facilitating land expropriation.

This paper highlights the significance of land information in land expropriation, particularly in Rwanda, where the Government has implemented various changes to streamline the land ownership framework and ensure the safeguarding of property rights. The availability and accessibility of land information are vital in supporting sustainable land utilisation, administration, and governance and addressing potential concerns linked to land expropriation.

The Case Study of Kabare Sector, Kayonza District, Rwanda

This research investigates the critical role of land information systems (LIS) in land expropriation, explicitly focusing on the Kabare Sector in Rwanda's Kayonza District. The realm of land information, which encompasses various aspects such as physical, legal, economic, and environmental attributes about land and its resources, serves as a fundamental component for making well-informed decisions in the realm of land management and governance (Dewan, 2009; Williamson et al., 2010). These attributes comprise a wide range of elements, including topography, soil composition, geological information, vegetation types, land ownership details, and patterns of land use.

The significance of land information goes beyond mere data gathering; it plays a crucial role in enhancing the sustainability of land resource management (Dewan, 2009). By implementing a comprehensive land registration system, stakeholders can evaluate land suitability for various purposes like agriculture, conservation, and urban development, optimising land utilisation and fostering effective governance (Williamson et al., 2010).

In Rwanda, a concerted effort has been made to overhaul the framework of land ownership, which encompasses registration, transfer, and expropriation procedures, to align with constitutional requirements to safeguard property rights (Toulmin, 2009; Benjamin, 2009). Nevertheless, applying expropriation laws has sparked discussions regarding the human rights implications and socio-economic impacts on affected communities (Rose, 2016; Booth et al., 2013).

The establishment of the Land Information Inquiry Portal by Rwanda's National Land Authority serves as an illustration of steps taken towards democratising access to land data, facilitating verification of ownership, compliance with land use regulations, and identification of encumbrances (Ambaye & Alemu, 2013).

This article concentrates on Rwanda, specifically the Kabare Sector of Kayonza District, to showcase the transformative influence of land information on the expropriation process. It argues that effective land governance and sustainable management practices hinge on the availability and accessibility of comprehensive land data. The integration of robust land information systems is essential for harmonising development and conservation goals with the imperatives of social justice and economic feasibility.

This paper emphasises the significance of land information in land expropriation, especially in Rwanda, where the Government has implemented various reforms to streamline the land ownership framework and ensure the safeguarding of property rights. The availability and accessibility of land information are vital for supporting sustainable land utilisation, management, and governance and addressing potential challenges associated with land expropriation.

Methodology

The methodological approach utilised in this investigation was crafted to tackle the research problem comprehensively. Employing a descriptive research framework,

the study facilitated the methodical collection, scrutiny, and presentation of data. Such a framework was considered fitting as it permitted the researchers to delineate and evaluate the correlation between land information and land expropriation in Rwanda. The data for this research were sourced from primary and secondary outlets.

Primary data were obtained through questionnaires and interviews conducted among the inhabitants of Kabare Sector in Kayonza District. The questionnaires were structured to collect quantitative and qualitative data from respondents concerning their viewpoints, encounters, and perspectives on the significance of land information in supporting land expropriation (Zohrabi, 2013). Moreover, interviews were conducted with key figures like the land manager and the Kabare Sector executive secretary to investigate the research problem more deeply (Pagourtzi, 2003).

The secondary data were acquired from diverse references such as books, reports, and online documents from the INES-Ruhengeri library and the internet. These secondary sources complement the primary data collection outcomes and offer a broader context for the study.

The target demographic for this study was Kabare Sector residents, which corresponded to a population of 23,703 as per the 2012 national census (Lahiff, 2007). To ensure the sample represented the target population, the researchers employed simple random and purposive sampling methods (Lahiff, 2007). The sample size was determined using Yamane's formula, resulting in a sample of 99 participants (Henckels, 2012).

The collected data underwent processing and analysis through diverse methodologies. Data processing encompassed editing, coding, and tabulation. Editing was utilised to pinpoint and rectify any inaccuracies or exclusions in the completed questionnaires, while coding was employed to categorise the responses into coherent groupings. Subsequently, the data were tabulated to facilitate comparison and statistical evaluation. The data analysis entailed quantitative and qualitative techniques.

The quantitative data from the questionnaires were scrutinised using computer software, which produced statistical metrics like figures and tables indicating frequencies and percentages. The qualitative data from the interviews and

observations were scrutinised to unearth patterns and themes pertinent to the research issue. The outcomes derived from the data analysis were then utilised to construct a vital typology concerning the role of land information in supporting land expropriation in Rwanda. This typology yielded a holistic comprehension of the research problem and guided the formulation of conclusions and recommendations.

To conclude, the research methodology applied in this study was meticulously devised to ensure the systematic and meticulous collection, analysis, and interpretation of data. By amalgamating primary and secondary data sources and employing fitting sampling strategies and data analysis techniques, the researchers could effectively tackle the research problem and furnish insightful perspectives on the role of land information in supporting land expropriation in Rwanda.

Results and Discussion

This section presents the results of the data analysis and processing and the findings concerning the specific objectives. The main aim of this study is to examine the role of Land information in land expropriation in Rwanda, a case study of the Kabare sectors, Kayonza district. It consists of two main parts: the identification of respondents and the presentation of significant findings.

Identification of household survey respondents

Identification of household survey respondents by gender

The household survey used a random sampling technique, which gave both males and females equal chances to be respondents. It was used to select a sample from the respondents. The researcher used a simple random sampling technique in which he randomly selected the sample population that was representative of the population of the Kabare sector, which led to all residents having an equal chance to be chosen in this study. Moreover, 52.52% (52 people) of respondents were men, while 47.47% (47 people) were women. The number of men was higher than that of women because the men were the family representatives. Both men and women were included to ensure the validity and reliability of data provided for this research to attain its objectives.

Identification of household survey respondents by marital status

The majority of respondents were married, 55.56% (55 people), and the fewest were divorced, 12.12% (12 people), while single respondents were 32.32% (32 people). The married respondents had a large number because more married couples owned real estate than other classes, which is why they had many respondents.

Identification of Household Survey Respondents by Age

Many respondents were among the class of 31 and 40 years, which made up 44% of the total number of respondents, and the last one was the class of respondents who were between 51 years and above, which made up 11%; another range was among 21-30 which made 26% while the class of 41-50 was made 17% of the total number of respondents. A significant number of respondents were in the class of 31-40 because the many populations of the Kabare sector were young people, which is why the class comprised a significant number of respondents, among others.

Identification of household survey respondents by education level

Most respondents were educated, and many were in secondary school and university; hence, they could know the impact of real estate valuation and economic development in their sector. This was good and helped to obtain a good result because the surveyed people could respond to all questions due to their skill and experience in real estate valuation.

Presentation of the significant findings

This section presented, interpreted, and discussed this research's significant findings, which helped achieve the study's specific objectives. It also included the results from the household survey, key informant interviews, and a review of the existing literature.

The types of land expropriation in the case study

Figure 1 describes the types of land expropriation in the Kabare sector, which plays a significant role in the lives of local people living in the Kabare sector. The results

from the field showed the types of land expropriation from the Kabare sector. The majority of respondents 42 said that compensation cash is the type of land expropriation at 42.42%, 35 respondents showed that kind of compensation is the type of land expropriation 35.35%, 22 respondents revealed that mixed compensation is the type of land expropriation at 22.22% in Kabare sector.

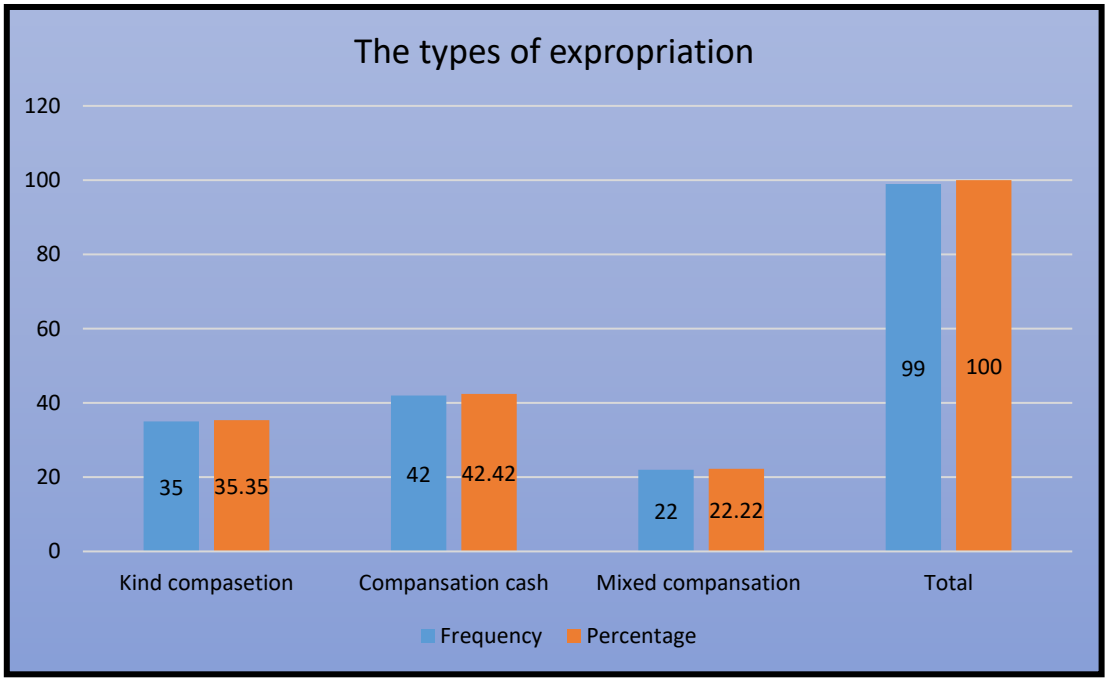


Figure 1: Types of land expropriation in the case study

Planning and coordination of the expropriation process

Regarding planning and coordination of the expropriation process, responses from the surveyed households and discussions with the focus groups revealed that the land owners have incomplete and inaccurate information about the part of the planning process, the project and the roles and responsibilities of the various stakeholders. One of the policy actions recommended is to make the expropriation process as participatory as possible (Abebe & Hesselberg, 2015). Expropriating authorities should secure the buy-in from the population to be expropriated before undertaking the expropriation exercise. The study shows that the landowners to be expropriated are notified mainly through public meetings organised by the local administration authorities (84.5%) and public notices posted in local administration offices.

The benefits of land information in the case study

Table 1 describes how the benefits of land information played a significant role in the life of local people living in the Kabare sector, Kayonza district. The research findings indicated that the 32 respondents said that the guarantee of ownership plays a good role in land information at 32.32%. Twenty respondents indicated that security of tenure is the benefit of land information at 20.20%. Sixteen respondents showed that master plan implementation benefits land information at 16.16%. Nineteen respondents revealed that property taxation and taxa assessment are the benefits of land information at 19.19%. Twelve respondents stated that land use control is the benefit of land information in supporting land expropriation in Rwanda, especially the Kabare sector.

As Shapiro (1987) has said, Full land ownership (Freehold) was only granted to nationals on a five-hectare plot and to foreigners whose owned property is located in the designated special economic zone, on a reciprocal basis and in joint ownership of land (if Rwandan citizens own at least 51% of its participation) (Cheneval et al., 2008). Owner Guarantee means the guarantee granted on or around the date of this Agreement by the owner in favour of the lender concerning all amounts the Borrower owes under this Agreement.

Table 1: Benefits of land information

The benefit of land information	Respondents	Percentage
Guarantee of ownership	32	32.32
Security of tenure	20	20.20
Master plan implement	16	16.16
Property taxation and taxa assessment	19	19.19
Land use control	12	12.12
Total	**99**	**100**

The conditions of land expropriation in the Kabare sector

The results in Figure 1 showed that 19 respondents revealed that land value is a condition of land expropriation at 19.19%, 25 respondents stated that property valuation is a condition of land expropriation at 25.25%, 20 respondents said that eminent domain is a condition of land expropriation at 20.20%, and 35 respondents

exposed that fair compensation is a condition of land expropriation in Rwanda, especially in the Kabare sector.

Ellis & Freeman, (2004). Land expropriation is an act based on the power of the Government, public institutions and local administrative entities with legal personality to remove a person from his/her property in the public interest after fair compensation. This law is part and parcel of the larger and coherent legal and institutional framework for land tenure, use, management and administration. Under this priority, two functions were to be strengthened: the overall land use allocation for development and the decentralised land allocation and management process.

A primary consideration is ensuring that rural settlements are revisited for greater access to economic opportunities and essential services. Expropriation occurs when public agencies take private property for the public purpose. The expropriation may also refer to the taking of private property by a private entity authorised by a Government to take a property in certain situations. The condition of appropriation has also been defined as the government's exercise of sovereignty in taking ownership of land from a private owner.

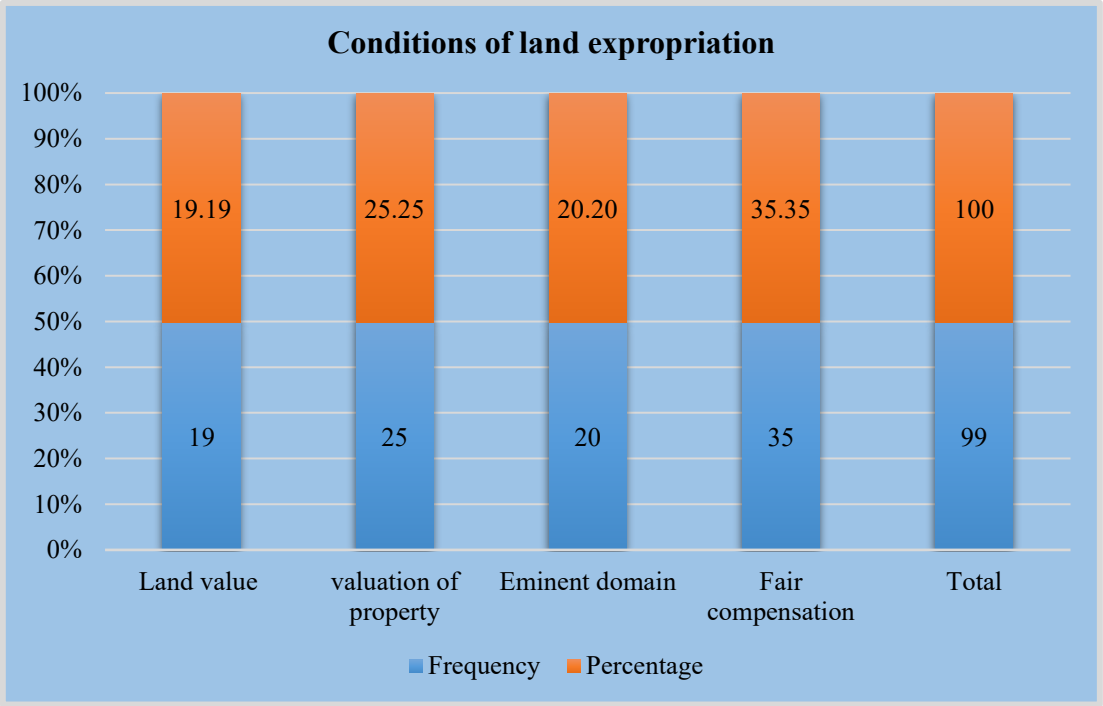


Figure 2: Conditions of land expropriation

Relationship between land information and land expropriation

Based on the research, there was a relationship between land information and land expropriation, such as the right of eminent, fair compensation, expropriation information, land-use control, and deed restrictions all that was the relationship of land information and land expropriation because of house prices obtained through the valuation once the house price rises the economics of the owner of the property improved because they gained much money from their real estate property and also the location could be the relationship between the real estate valuation and economic development because of the area was the one of factor impact the real estate valuation. Therefore, location could improve the real estate valuation.

Table 2 shows the relationship between real estate valuation and economics. It shows us the percentage of each relationship that had five relationships, land information and land expropriation, such as the right of eminent, fair compensation, expropriation information, land-use control, and deed restrictions, all of which were the relationship of land information and land expropriation. The relationship made the significant number of respondents was the right of eminent made by 25.25% of respondents, fair compensation made by 19.19% of the 19 respondents, and expropriation information by 20.20% of respondents. Ambaye & Alemu, (2013).

Table 2: Relationship between land information and land expropriation

Relationship between land information and land expropriation	**Respondents**	**Percentage (%)**
Right of eminent	25	25.25
Fair compensation	19	19.19
Expropriation information	20	20.20
land-use control	19	19.19
Deed restrictions	16	16.16
Total	99	100

Expropriation occurs when public agencies take private property for a public purpose. It may also refer to the taking of private property by a private entity authorised by a Government to take property in certain situations. Expropriation

has also been defined as the Government's exercise of sovereignty to take ownership of land from a private owner.

Expropriation is the compulsory taking of land from private owners for public purposes. In Ethiopia, appropriation is the chief method of acquiring land for the government that will eventually be used for development activities or transferred to other users through lease arrangements. As land is not salable, individuals and investors heavily rely on the state to obtain land for the construction of housing and investment activities.

According to the Government of Rwanda, it continues to enforce Law N° 43/2021 of 10/06/2021 governing land published in Official Gazette No Special of 10/06/2021. Expropriation is, ideally, a fair, transparent, and participatory procedure that should precede a decision to expropriate. This research compares different approaches and views and may help improve expropriation procedures in the country.

Conclusion and Recommendations

Conclusion

This study examined the role of land information in supporting land expropriation in Rwanda, with a particular focus on the Kabare sector in the Kayonza district.

The level of economic development after real estate valuation in the case study

The implementation of Rwanda's expropriation law and outcomes on the population". It was conducted by the Legal Aid forum partnered with USAID Rwanda and used qualitative and quantitative data methods. The study was conducted in 15 districts, 19 institutions and 7 Focus group discussions. One of the main findings of this previous study was that the Expropriation Law does not directly address the issue of planning and coordination. A specific object of this research was to examine the benefits of land information in the Kabare Sector, to explore the conditions of land expropriation in the Kabare sector, and to determine the relationship between land information and land expropriation in the Kabare sector.

Relationship between land information and land expropriation

Land information positively impacts land expropriation in Rwanda, especially in the Kabare sector of the Kayonza district. This study also intends to check if the

affected households can appeal against undervaluation or pay independent valuers. As approved by the Land Commission and the Law regarding appropriation, the Compensation must be paid to the expropriated household within 120 days from the valuation's approval date.

Recommendations

Based on the above research findings, the following recommendations have been formulated.

Recommendation to the government of Rwanda

The government of Rwanda, through the National Land Authority, should consult the decentralised and local authorities to evaluate further real property about how land is expropriated for Master plan implementation.

Recommendation to Musanze District

Kayonza district should know that the law provides procedures to protect the rights of property owners in the expropriation process. However, implementing that law has caused concerns about potential human rights violations and how expropriation affects the population economically and socially.

Recommendation to the local leaders of the Kabare sector

Authorities of the Kabare sector should sensitise the public to learn more about cadastral records, the land market, and the influence of cadastral records on land market development. Also, the authorities and local leaders of the Kabare sector should monitor the cadastral records process to help the Kayonza sector's land market develop effectively and efficiently. These authorities should mobilise the people to register their land to provide updated land information about the land market development.

Recommendation to the landholders

Landholders should be aware of and familiar with the laws, regulations, and conditions, especially those related to cadastral records and the land market. They should also know the requirements and conditions for making cadastral records and

the land market. The people who own land in the Kayonza sector should participate actively in land expropriation and update land information for land expropriation development.

Recommendation to local people of the Kabare sector

Findings indicate that economic development improved among people who realised the importance of confiscated land in valuation. To improve their economic growth and standard of living, people must have had the land information for a valuation report before implementing the land expropriation process.

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