



# Scaling up Responsible Land Governance

ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY  
WASHINGTON DC, MARCH 14-18, 2016



## INSIGHTS FROM RWANDA: ANALYSIS OF A LAND CONFLICT RESOLUTION PROJECT IN EASTERN PROVINCE

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**Paper prepared for presentation at the  
“2016 WORLD BANK CONFERENCE ON LAND AND POVERTY”  
The World Bank - Washington DC, March 14-18, 2016**

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## **Abstract**

The prevalence and intensity of land related disputes in rural Rwanda, particularly intra-household disputes affecting women, are consequential to the livelihoods of hundreds of thousands of women, their families, and communities. Combined with challenges in the existing dispute resolution process and inhibited legal awareness, there are significant needs to address the wide spread issue. The Promoting Peace Project, a model integrating legal literacy and conflict transformation techniques, is one effort to do so. In just 18 months, more than 400 cases, 56% identified, were peacefully resolved through the pilot project. Findings from project assessment also indicate that the approach had positive effects beyond individual beneficiaries of dispute resolution; communities benefitted from legal awareness and improvements in the accessibility and fairness of local dispute resolution processes. Capacity of Community Resource Persons (CRPs) and local authorities increased, and CRPs in particular gained personal confidence and increased visibility and stature within their communities, providing potential long-term, institutionalized benefits. These early indications of success suggest that the combination of legal literacy awareness and peaceful conflict resolution techniques implemented through local CRPs is an effective approach. Still, underlying gender issues; the prevalence of informal marriages; and model scalability invite further investigation.

**Key Words:** *Dispute Resolution, Intra-household Land Disputes, Legal Literacy, Rwanda, Women's Land Rights*

## **Acronyms**

CRP	Community resource person
FAO	Food and Agriculture Organization (of the United Nations)
GBV	Gender based violence
NGO	Non-governmental organization
NWC	National Women's Council
TOT	Training of Trainers
USAID	United States Agency for International Development

## **Introduction and Context**

Rwanda is a small, landlocked country in Africa with an estimated total population of just over 12 million people (FAO). The vast majority of the population resides in rural areas, and nearly 90 percent of the labor force is engaged in agriculture (FAO). High population density and dependence on agriculture for subsistence have led to significant pressures on land, creating small and fragmented holdings, and a high prevalence of land disputes. Land has historically been a source of disputes and conflict in Rwanda, and was one contributing factor in the 1994 genocide. Beginning in 2003, the government of Rwanda pursued an intensive land tenure regularization program, which culminated in the registration of 10.3 million plots by August 2013 (Gillingham & Buckle, 2014), in part as a means of reducing land-related disputes with the potential to fuel ethnic conflict.

While the regularization process likely resolved many inter-household disputes by clarifying boundaries and recording existing rights, inheritance remains the primary means through which people acquire land in Rwanda. Gillingham and Buckle (2014) find that intra-family disputes over inheritance (*izungura*) or inter vivos (*umunani*) gifts of land remains as two of the most common types of land-related disputes in Rwanda, and Veldman and Lankhorst (2011) maintain that these kinds of disputes are unlikely to decrease in the wake of regularization.

Key components of the land-related legal framework in Rwanda are contained in the 2013 Organic Land Law, and rules governing inheritance are covered in the 1999 Succession Law<sup>1</sup>. In particular, the Land Law specifies, among other things: the means through which land can be transferred between persons; a requirement of consent from all legally-registered rights holders to transfer land; and that land may not be subdivided if the resulting parcel size will be less than one hectare (Hughes & Richardson, 2014). The Land Law also reinforces gender equity principles enshrined in the Rwandan Constitution and the National Land Policy of 2005, in that it stipulates that men and women have equal ownership and rights over land (Polavarapu, 2011). The 1999 Succession Law recognized women's inheritance rights for the first time in Rwanda, and details how land can be inherited, and the treatment of property under the different marital regimes (Hughes & Richardson, 2014). Taken together, the legal framework clarifies property and inheritance rights for spouses who are legally married, but does not explicitly address rights of people in informal unions, also referred to as de facto unions or unregistered, traditional, or illegal marriages, including polygamous arrangements.

Despite a legal framework that, since 1999, has progressively strengthened women's land rights and equity principles for inheritance and inter vivos gifts, women and girls still face barriers to exercising and enforcing their rights due to customary practices, a lack of awareness of rights, and a desire to avoid

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<sup>1</sup> In September 2015, the Rwandan Senate passed amendments to the 1999 Succession Law. However, as of this writing, the amended law has yet to be fully gazetted. Therefore, reference to the Succession Law here still refers to the contents of the 1999 Law, which remains in effect until revisions are fully enacted.

conflict with family members (Havugiyaremye, Wiegler, Wibabara & Ndayisaba, 2015). In their recent survey in Rwanda, Havugiyaremye et al (2015) found that roughly one quarter of intra-family land disputes experienced by women also involved some form of gender based violence (GBV), demonstrating the potential for such disputes to lead to increased vulnerability for women.

Given this context, USAID Rwanda funded a 30-month pilot, the Promoting Peace through Land Dispute Management project (Promoting Peace project), aimed at testing an approach to facilitating “inclusive and participatory land dispute management in Rwanda’s Eastern Province” (Landesa, 2012, p. 4). Underlying the pilot approach was an assumption that women experienced barriers to enjoyment of land ownership, access, and control rights enshrined in the legal framework, and that these barriers lead to intra-family land disputes. Furthermore, the project’s theory of change hypothesizes that land conflict can be mitigated and managed by “improving the capacity and effectiveness of local institutions in managing land disputes and by creating a safe space for communities to discuss issues before they escalate into conflict” (Landesa, 2012, p. 2).

The purpose of this paper is to assess the Promoting Peace project by examining the pilot model, assessing impacts of the pilot’s interventions, and sharing lessons and insights gleaned from implementation. The next section of the paper briefly describes the model as designed and implemented. The following section describes methods of data collection during project implementation and for impact assessment. The subsequent section focuses on findings from a short-term impact assessment of the project, which draws from baseline and endline surveys as well as monitoring data and qualitative information. The paper concludes with a discussion section examining key processes that contributed to success, lessons, and insights that may be applicable for similar interventions and contexts, and a brief overview of issues relevant to conflict resolution efforts in Rwanda for further investigation.

## **Overview of Promoting Peace Project**

The Promoting Peace Project was implemented over 30 months, from August 2013 through January 2016, in Kayonza and Nyagatare districts of the Eastern Province in Rwanda. Landesa, an international NGO, led the USAID-funded project, which was designed and implemented in partnership with the Rwandan National Women’s Council (NWC), local NGO Haguruka, and international organization Search for Common Ground. The project capitalized on the National Women’s Council network of sector, cell and village-level representatives<sup>2</sup> to form an institutionalized web of community resource persons (CRPs) in these districts of the Eastern Province. Landesa provided overall program management and technical oversight, while Haguruka and Search for Common Ground provided legal

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<sup>2</sup> National Women’s Council members are volunteers elected at all administrative levels in Rwanda (from the grassroots to the national level) to participate actively in governance and development, and to create solutions to the challenges they face.

and conflict management expertise, respectively; managed field implementation, training, and support to the CRP network; and designed and conducted communications activities.

### **Project goals and expected outcomes**

The primary goal of the Promoting Peace project was to facilitate inclusive and participatory land dispute management in the Eastern Province of Rwanda, with a focus on women's intra-household disputes. The project set out to achieve this goal through attainment of two key objectives (Landesa, 2012):

- Creating an institutionalized network of NWC members trained to serve as CRPs for land dispute management and mitigation at the sector, and cell level.
- Improving the legal, policy, and institutional framework for land dispute management by making it more responsive, participatory, and better informed.

The project carried out these objectives through a number of designed activities and adaptive implementation described in the Pilot Approach section below. Successful project implementation should have led to the following expected outcomes:

- Increased community capacity to peacefully resolve land disputes;
- Improved community perceptions of available institutions' ability to resolve land disputes fairly;
- Improved capacity of local partners Haguruka and the National Women's Council to mitigate community land disputes.

### **Pilot Approach**

The Promoting Peace project involved a number of key activities, built into an adaptive implementation approach intended to encourage adjustment to activities as needed in response to ground realities. The project began with a land dispute assessment in four cells of Nyagatare and Kayonza Districts of the Eastern Province to gather information on:

- the frequency and nature of land disputes in the area generally;
- the frequency and nature of land disputes faced by women specifically;
- common dispute resolution processes and institutions, strengths and weaknesses of institutions, and women's access to dispute resolution authorities; and
- awareness of women's land rights amongst women and dispute resolution authorities.

In addition to field research, Landesa conducted desk-research to analyze women's land rights under the reformed Rwandan legal framework.

Information from the land dispute assessment informed curriculum design for a training-of-trainers (TOT) program for CRPs, ensuring that training topics reflected the key land dispute issues found in targeted areas of the Eastern Province. Using a TOT approach, the project directly trained twenty-six

sector-level CRPs from Kayonza and Nyagatare Districts on core legal skills, land tenure reform, conflict transformation methodology, and public speaking and adult learning techniques. The idea was to equip sector-level CRPs with the knowledge and skills needed to:

- facilitate peaceful resolution of land disputes (with a focus on women's intra-family land disputes);
- facilitate community dialogues as a forum for sharing information about land rights and providing a safe space for the community to examine and discuss contentious issues before they escalated into conflict; and
- train cell level CRPs (who are also NWC representatives) on dispute resolution, legal skills, and land tenure reform to broaden the reach of the CRP network from the sector to the cell level.

CRPs were supported through mentoring and field monitoring provided by field officers and a community dialogue coach, refresher trainings on key legal issues and conflict resolution techniques, and a hotline through which CRPs could contact project staff and attorneys for advice and support. In addition, Search for Common Ground aired radio programs nationally and in the Eastern Province focused on land rights and dispute issues to augment information sharing and spur continued community-level dialogue of relevant topics. Finally, the project incorporated a robust monitoring and evaluation system (described further in the Methods section) to enable appropriate adaptation for implementation and assessment of project impacts.

The project was designed to allow for adaptation as part of its do no harm approach, and to respond appropriately to ground realities during implementation. In order to pursue effective adaptation, monitoring methods were used to provide the project team with important and timely information, which allowed the team to make adjustments as needed to respond to gaps, challenges, and opportunities. For instance, in the first few months of implementation, CRPs' mediation of disputes in communities revealed a strong link between women's intra-family land disputes and GBV. This information enabled adjustment of the refresher training curriculum for sector-level CRPs to incorporate a specific focus on GBV, the relevant legal framework in Rwanda, and resources at the community level to address GBV issues as they arise.

Adaptive design also led the project team to make changes to the community dialogues activity. In the initial project work plan, CRPs were envisioned to conduct only three rounds of community dialogues in designated cells. The first set of dialogues was gender-segregated to allow for free and open discussion of women's land rights issues amongst groups of men, and groups of women separately. Following completion of the gender-segregated dialogues, CRPs returned to the same areas to facilitate gender-integrated community dialogues. The intention of these dialogues was to focus primarily on airing

and discussion of contentious land-related issues to help facilitate the process of working through them in an open and constructive manner. However, many CRPs reporting back on the last round of dialogues noted that community members wanted to move beyond discussion of abstract issues to identification of actual, current disputes that threatened community harmony. As such, the community dialogues were morphing into a forum for the identification of long-standing or particularly challenging disputes. With this information, the project team decided to ask CRPs to continue community dialogues throughout the remainder of the project, but to use them as a forum for identifying and pursuing participatory resolution of some of the most entrenched and complex land disputes in the area.

In addition, although the project's training of trainer approach originally targeted only sector to cell level transfer of legal literacy and conflict transformation skills, sector level CRPs extended the invitation to village level NWC members for training. This likely led to further diffusion of legal awareness in communities, and bolstered the network of CRPs to a lower administrative level. Finally, about half way through field implementation, discussions with the National Women's Council Secretariat led to the inclusion of a new activity for CRPs to attend Parents' Evening Forum (*Umugoroba W'ababyeyi*) meetings to share information about the legal framework and conflict resolution. This adjustment made sense to better integrate CRP activities with their National Women's Council duties, and to expand awareness of relevant issues by leveraging existing forums.

## Methods

Information on project activities and effects come from a variety of research, monitoring, and evaluation tools that were designed to inform and improve project implementation, and to triangulate assessment of the program and its impact on disputants, communities, and the capacity of relevant institutions.

At the project's outset, a Land Dispute Assessment was conducted, combining qualitative field research and desk-based legal analysis. Two research teams consisting of project staff and interpreters conducted qualitative research in four cells in two districts of the Eastern Province: Gacundezi and Rukorota Cells in Nyagatare District, and Urugarama and Ryamanyoni Cells in Kayonza District. Over the course of two days, the team gathered data using Focus Group Discussions with separate groups of men and women rights-holders and Key Informant Interviews with cell-level authorities and *Abunzi* (local mediation actors who are part of the formal justice system) members. Subsequently, desk research was conducted to produce a legal analysis of the Rwandan land-related legal context, with a focus on women's land rights. As previously noted, the Assessment findings informed design of monitoring tools and the baseline survey.

Project monitoring was designed to capture information on ongoing project activities to help identify and address weak CRP performance by building up their capacity, and identify strong performers, providing comparative perspectives on the mechanisms facilitating or inhibiting effective delivery of services. These data also provide a synthesis overview of project activities, depicting trends throughout the life of the project across sectors and districts, and over time (*see Appendix*).

Throughout field implementation (May 2014-December 2015), CRPs also kept detailed logs of disputes that had been identified (720) and resolved (404). These Dispute Evolution Forms capture key pieces of information on disputes, including the persons involved, dispute type, and outcome of the dispute, allowing for the identification of trends on the most prevalent types of issues, and which are easier or more difficult to resolve.

The research design to assess project impact includes a baseline-endline survey in “control” and “treatment” cells (geographic sub-divisions of districts), where treatment cells are those where Community Dialogues were conducted by CRPs. In total there were 24 treatment and 17 control cells in Kayonza, and 38 and 32, respectively, in Nyagatare. Before project implementation, 1,116 women were randomly selected from both control and treatment cells across both districts, and 313 local authorities, including Cell Executive Secretaries, Social Economic and Development Officers, Cell *Abunzi*, and committee members in charge of land, community policing, and other councils. These surveys were intended to assess perspectives and knowledge on women’s land rights; perspectives on and experiences with land disputes; dispute resolution actors available in communities; and perceived reliability of those dispute resolution actors. Eighteen months later, at the end of the pilot project, attempts were made to re-locate the same women, of which 581 (360 treatment and 221 control) were found and re-interviewed with a slightly modified endline questionnaire.<sup>3</sup> To the extent possible, the same local authorities were also re-located and interviewed. Different from the approach for women respondents, a replacement strategy was used for local authorities to maintain sufficient numbers to produce quality statistical analyses. 108 local authorities were interviewed in the baseline and endline, and an additional 178 local authorities were interviewed as part of the endline only through the replacement strategy. Survey responses from 160 local authorities in treatment and 89 in control areas were used for this assessment.<sup>4</sup> (Data collection tools are available upon request.)

Important to note is that the control/treatment research design was compromised by (1) the introduction of CRP attendance at Parents’ Evening Forums: in the endline 94% of respondents from

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<sup>3</sup> Preliminary analyses of the endline data includes only 581 respondents due to difficulties in relocating the same women who had moved or temporarily migrated; and difficulties in relocating the same women because of data entry errors that inhibited proper re-identification of women from the baseline. The second issue should not introduce biases assuming random error; women who had moved or migrated, however, may be more vulnerable than other women in the communities and may therefore introduce some biases that over or under report findings.

<sup>4</sup> 37 respondents who are National Women’s Council members that had been identified as local authorities were dropped from this analysis to avoid confounding factors.

“control” cells (and 91% from “treatment”) report attending at least one forum over the past 18 months, suggesting that the vast majority of women in control cells were potentially exposed to CRPs who used the platform for project activities; and (2) the underestimation of spillover effects: 54% of respondents in control cells report attending a community dialogue (compared to 76% in treatment cells). The surveys therefore provide key descriptive data and allow for longitudinal (changes over time) analyses, but do not allow for more robust analysis through difference-in-difference statistical comparisons that analyze changes across time and between control and treatment groups. Stronger comparative perspective, both in having an isolated control group and in conducting longer-term impact studies would strengthen the statistical findings.

Semi-structured interviews were conducted towards project end with seven sector CRPs from both ‘strong’ and ‘weak’ performing sectors to assess experiences with the project and perceived personal and community-level changes that resulted from project activities. Twenty (of 26) sector CRPs also participated in an exit survey to assess their capacity development and project perceptions. Disputants, five whose cases had been resolved, and eight whose cases remained unresolved were interviewed in an effort to better understand some of the underlying issues and processes that facilitate or inhibit dispute resolution. Finally, thirteen local authorities, with whom project staff had strong relationships, were interviewed to provide insights on their own experiences with the project and their assessment of how the project had affected their communities. These local authority interviews provide ‘best case scenario’ perspectives that highlight the potential impact of the project, but are not necessarily representative.

Finally, using the Most Significant Change stories methodology (Davies & Dart, 2005), eleven beneficiaries were identified and asked to describe in their own words, i.e. storytelling as a method to gather data, the nature of their land dispute, how it was addressed and resolved, and what transpired in their lives and the lives of people around them as a result of the conflict resolution. This methodology allows for the identification of unintended or unexpected outcomes that may not otherwise have been captured in the research design through pre-defined indicators. Collectively, these stories are intended to be illustrative of the types of disputes addressed by the project, and subsequent transformations, both expected and unexpected, in the lives of project beneficiaries. They are used in triangulation with the survey data, qualitative interviews, and monitoring data to assess and convey the impact of the Promoting Peace project.

## Findings

### Land Disputes and Identified Obstacles to Resolution

Project monitoring and research findings support evidence in the literature that land related disputes are prevalent in rural Rwanda, and offer additional insights on the frequency and nature of disputes, as well as the related barriers to dispute resolution and full recognition of women's land rights.

### Intra-Household Land and Property Disputes

Land related disputes, especially those within households, are perceived to be a major issue among community members and local officials, alike, which is not surprising given the number of those reporting direct experiences with land disputes. In the baseline survey conducted with female community members, 89% report that they think land disputes are "a big problem in this country." 15% of women in the sample had personally been involved in a land conflict within the past two years, with two of the top three most frequent disputes being with children and spouses. Similarly, 95% of local authorities surveyed in the baseline also believe that land disputes are a major issue in the country. The majority of local authorities who participated in the qualitative interviews estimate that they comprise at least fifty percent of all cases they receive from their constituents, with some reporting upwards of eighty and even ninety percent. Local authorities also reported that many land disputes occur within households. From the baseline survey, 71% of local authorities report that land disputes between husband and wife happen "often/very often"; 65% report that these disputes "severely/very severely" affect their community, and 56% report that they are "difficult/very difficult" to resolve. These results corroborate findings from the Land Dispute Assessment, which revealed that three of the four most common types of disputes reported are ones that occur within households or with extended family.

### What are these disputes about?

The Land Dispute Assessment pointed to disputes over inheritance (*izungura*) and ascending partition, or inter vivos gifts of land to children (*umunani*), disputes involving informal and polygamous unions, disputes about land transactions, and boundary disputes as the most common types of disputes reported by interviewees. Disputes over inheritance and gifts of land seemed to be the most common, and were typically between parents/children and siblings, and between siblings upon the death of their parents. These initial assessments were consistent with subsequent findings through survey, monitoring, and interview data.

The leading causes of disputes identified by local authorities are, similarly, boundary issues, sale of land, inter vivos gifts to children, and inheritance. Survey data from local authorities report that 57% and 41%, respectively, find that boundary disputes and disputes about land sales happen "often/very often," with the majority sharing that these issues have tremendous effects within their communities, and

are very difficult to resolve. Local authorities interviewed frequently mentioned conflicts between children and their parents around ascending partition being a prominent issue: “This is really a very serious issue. Children force their parents to give them ascending partition” said one official. Another reports that, “You find that a parent decide to give a big portion of land to one child maybe because he’s the one who took care of him/her a lot, which create a conflict among children who doesn’t accept that decision.” With small holdings and in a context of land scarcity, families often struggle over inheritance, as well, after the death of a parent: “at their death everybody wants to take a piece of land of his preference which create a big conflict among the family,” remarks a local authority from Nyagatare District. These patterns of disputants and issues are reflected in the monitoring data reporting that of the 720 cases identified, 63% were intra-household conflicts, with sale of land (25%), inter vivos gifts and inheritance issues (21%), and boundary disputes (13%) being the leading causes of conflict.

#### ***What are the obstacles to dispute resolution?***

Generally, when there are land disputes within a village, the case is first received by family or village leaders, then, as necessary referred upwards to higher administrative levels (cell, sector, etc.). For instance, if a dispute cannot be resolved by village leaders, it will go to the Cell Executive Secretary, who may decide to refer it to the cell *Abunzi*<sup>5</sup> if disputants reside in the same cell, or the ordinary court if disputants reside in different cells. If the *Abunzi* have jurisdiction, cases must go to them before they can be taken by the formal courts. From *Abunzi*, if the case still is not resolved, the case goes to court (Hughes & Richardson, 2014). Observations from the project and research findings do not suggest that this system is inherently flawed, but that there are several obstacles to resolution in this process as identified by various stakeholders.

First is the sheer abundance of cases received by village and cell leaders, far exceeding their capacity to effectively address and resolve land disputes. Local authorities report receiving anywhere from three or four to more than twenty cases per week. With such high caseloads, disputes can go unresolved for months, even years. As they become more entrenched, they become even more difficult to resolve and therefore demand ever more resources from local authorities, which they simply do not have.

Second, there is lacking awareness of, and apparent resistance to, women’s land rights that affects behavior and perceptions among men and women. “Many men still have the thinking that the land belongs to them and that their wife doesn’t have the right to that land... [they] still believe that they don’t have equal right on land,” shares one local authority. Some families, another reports, still believe that girls

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<sup>5</sup> Translated as “those who reconcile” or “those who bring together,” *Abunzi* are mediation committees that are a hybrid of traditional and legal justice systems intended to mediate disputes. There are two levels of *Abunzi*, the cell level mediators and sector levels appeals.

cannot inherit land. A third local authority reports: “We really have many cases where men believe that their wives don’t have rights to the land products... Both men and women don’t know the land laws.” In fact, nearly one in five women surveyed in the baseline do not think that “men and women have equal rights to own land” and one in three do not understand that both sons and daughters have equal inheritance rights. Whether due to a lack of awareness of rights, or resistance to documenting wives as joint owners, some local authorities shared that women are frequently excluded in the registration process: “You can mostly find that the couple can buy land [together], but the husband registers it in his own name only” shares some local authority; another adds that “men don’t put their wives on the land title... so they sell or use land without the agreement of their wives.”

Widows can be especially vulnerable to poor awareness and implementation of women’s land rights: “I know two cases of widows whose men’s family members came to dispossess them of land and other property because of [informal] marriage while the widows had jointly acquired the land and the property with their husbands,” shares one local authority. Women in informal/unregistered and polygamous unions are particularly vulnerable due to the lack of clarity in the legal framework regarding their property rights, and lack of proactive application of legal interpretations that might grant them equity in conciliatory dispute resolution. Many do not believe that women in informal unions have equal rights to land, explained by this local authority: “For women who are not legally married, when they divorce, the man can say ‘this is not my wife, we’re not married and I want to stay with *my* property.’” These kinds of issues can be compounded for women in polygamous relationships, of which more than 3% of women in the baseline survey report being involved, and accounting for more than 8% of project disputants. “In polygamous unions,” says one local authority, “we also have some conflicts where a man can buy a land but register it on the name of the second wife only, which creates a conflict. I know a case where a man was taking the land product and give it to the second wife without informing the legal wife, which also creates conflict.”

But local authorities, themselves, sometimes lack full awareness of the laws governing women’s land rights. When asked six questions on laws relating to land and women’s land rights in the baseline survey, only 29% of local officials surveyed got more than half of the answers correct. Their lack of awareness is mostly around women’s rights in informal unions, which relates to one in three women, based on the baseline survey, and involved nearly 40% of disputants involved in the Promoting Peace Project. Local authorities may also exhibit biases or dismissive attitudes towards women’s land rights. While not representative, the following story from a land disputant interviewed during the project illustrates how some local authorities’ attitudes can negatively affect women:

When I asked the Local Authorities to intervene to accomplish justice for me while [my husband] was registering the land as the only proprietor and selling it as he pleased, the local authorities didn't care about it: 'Where were you while he was registering and selling it,' the authorities said. The authorities should have summoned my husband to respond to why he was registering and selling the property alone while we've concluded the Community of Property Regime.

Local authorities may also not have the requisite resolution skills, which can lead to bias in the way they address disputes, a problem observed by some disputants and local authorities themselves, who share the following:

Before we used to listen to the first person who was coming to present his case, and after his explanation you ask the police to go arresting the person who was accused without even taking time to listen to him and you consider that the problem is solved like that.

Before we didn't take time to go to sit with people and understand their problem, look for the root causes of the conflict. We were mostly listening to one side, and also based on the fact that we didn't have time we could just try to solve the problem quickly.

Moreover, community members and CRPs report issues of corruption and bias in some communities. The following are illustrative stories from disputants and CRPs:

My husband was a village leader, which enabled him to attract support from people to his cause... When my husband sells cows, land and land production, he buys them beer. He himself told me 'I have bribed each in your detriment, no one will support you. [The village and cell authorities] weren't neutral; they defended my husband so that the dispute developed deep-fixed roots.

My husband [has a] close collaboration with the village leader who warns him when authorities are coming to work on the case... he dodges [the authorities] because he bribes the leader.

I have a case which is still pending between a woman and her son. The sector leader refused to give her the written recommendation of dispute resolution. It is because the land in conflict is being rented by this authority.

Finally, cases that remain unresolved by local leaders and necessitate the authority of the court can present considerable obstacles for disputants. Courts are often far from people's homes; the long commutes are costly, both directly and indirectly as they take people away from their daily work. Furthermore, courts themselves are expensive. To resolve a case in court, reports Haguruka's Executive Secretary, costs a minimum of 500,000RwF (approximately 700USD). This cost is unaffordable to many Rwandans (Gross National Income was under 600USD in Rwanda as of 2010 (FAO)).

Despite this challenging context, evidence from the Promoting Peace Project suggests promising achievements in peaceful dispute resolution and significant impacts on targeted populations in communities. In the following section, the observed effects of the project are explored in three different domains: (1) changes among land disputants, (2) perceptions and experiences within communities, and (3) capacity building of CRPs and local authorities.

### Project Impact on Land Disputants

Over the course of eighteen months, 720 cases were identified by CRPs, 404 (56%) of which were resolved; among the remaining cases, 34% were unresolved, 3% were dropped, and 7% are pending. The most prevalent dispute types, reflecting those identified in the Land Dispute Assessment, were sale of land (25%), ascending partition or inheritance (21%), boundary dispute (13%), sharing of harvest (13%), land redistribution (7%), and other disputes (21%), including conflicts with returnees or migrants, judgment execution, and conflicts surrounding divorce or separation, or amongst wives.<sup>6</sup>

The number of cases and resolution rates were fairly consistent across districts: 357 disputes and 58% resolved in Kayonza and 363 disputes and 54% resolved in Nyagatare. Resolution rates were also fairly similar across dispute types; the only outlier is boundary disputes, which were statistically more likely to be resolved. Demographics of the disputant, including age and marital status, did not seem to influence the likelihood of resolution. Surprisingly, disputants in informal unions, including polygamous unions, were statistically no more or less likely to have their cases resolved, nor were single women. Disputes involving children, spouses, siblings, and neighbors tended to be resolved slightly more than half the time, whereas those involving in-laws, extended family, and other wives, slightly less than half the time, though these differences are not statistically significant<sup>7</sup>. In short, no trends emerged in the dispute resolution data that were strong predictors of whether or not a case would be resolved. Nuances and complexities of the persons and issues involved beyond the data captured here, and the resolution process, including all parties involved and specific steps taken to resolve the case may be better predictors for likelihood of success. Further research is necessary.

What is noticeable in the data, though, is how frequently disputes involved family members. As previously reported, the majority (63%) of disputes are within households. Taking into consideration extended family, four in five disputes are among family members, emphasizing the very personal nature of land conflicts as exemplified in the testimony below, captured through the Most Significant Change Story methodology.

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<sup>6</sup> Some categories were not consistently included throughout the duration of data collection, explaining a relatively large portion of cases categorized as “other.”

<sup>7</sup> Statistical findings reported are from bivariate and basic logistic regression analyses with “resolved” as the dependent variable.

### **Storyteller: Claudine from Nyagatare, Eastern Province, Rwanda**

My name is Claudine. I am 22 years old, and I live together with my husband in Nyagatare District. My husband is 24 years old, and we have two children, a six-year-old and a two-year-old. We are not legally married because I was married at 16 years old, which is under 21, the minimum age required in Rwandan law to be legally married. At the time of marriage, I can say that my husband had no possessions, and we started from scratch. We managed to build this house, and we bought a small plot of land and a small banana plantation. I can say that this property has a value of 2,300,000 Rwf.

A few years after marriage, my husband started to tell me that we should sell all our property (land, house, and banana plantation) and move from here to another place far from here, but I completely refused. Every morning, every evening, every moment, my husband was pushing me to sell the property and leave, and each time I refused. Since then, my husband had continuously tortured and insulted me. Every time we were in a fight, he would take the whole harvest and sell it without my consent, and I didn't have any security. I reported the problem to local leaders at my village and also at the cell, but they failed to solve our dispute. I even took my case to sector authorities, and after understanding the issue, they concluded that I had to take the case to the court. However, I did not go to the court because I know the courts are expensive. Realizing that I could suffer from that insecurity at my husband's home, I decided to take my children and live with my parents. After six months at my parents' home, my husband convinced my parents, and they convinced me to come back home. My husband told me and my parents that he had changed, that the issue was now resolved and that we have to move forward. After much prodding from my husband and my parents, I decided to return home with my husband and continue to live together as husband and wife. Just a few months after I returned, my husband again started persuading me to sell the property. I refused repeatedly, so he started to beat me and insult me even worse than ever before. I decided to escape to my parents' home with my two children.

That was a difficult situation for me and my children. It was not easy to find money to take care of them. If a child got ill, I could not find money to buy medicine or to pay for the health insurance or to buy food for them. It was also difficult for my parents to take care of me with my two children. My parents started to push for me and my children to return to my husband because they thought that if my child died, this would be a complex issue for them. They told me that it was better for me to return back to my husband with my children, and it was a big struggle for me to decide what to do with my situation.

Unexpectedly, a cell CRP and sector CRP came looking for me at my parents' house and told me that they would help me resolve my issue. At first I didn't believe that they could peacefully resolve my issue because I knew how difficult the situation was. They asked my husband to come, and they taught us how we could live together as husband and wife and taught us about resolving disputes in peace. They convinced my husband not to sell our household property. They explained to my husband the advantages of a good family. They taught us how to manage our property and the rights of women on household assets. These two women spent at least two or three weeks to solve our dispute. After many teachings, my husband agreed, and we concluded that I had to return back to my house. I came back to live together with my husband and our children. On my homecoming I found that he sold the plot of land, but I tolerated that so we could start over again.

The most significant change after the resolution of the conflict is that today we can speak to each other with a good tone. My husband has stopped beating me when we fight, and he no longer insults me. We are finally living in peace. I am able to farm again, and he no longer sells the harvest without my consent. My husband is now contributing to the development of our household. Sometimes he pays for workers to help me farm the land. Because of these [changes], today I can find some money to take care of my children. I can pay for health insurance (*mutuelle de santé*), my children are now safe, we are in good conditions, and I have no problem with my parents because I returned back to my home and I don't still depend on them. I can say that the situation I am living in today is a result of the CRPs' work.

Claudine's story is reflective of many other disputants like her, both in what is at risk and what she was able to gain through the peaceful resolution of her dispute. This section explores how conflict resolution mitigated risks to personal security, economic and food security, and GBV.

### ***Security***

Many women, quite often because their husbands, families, or others do not fully recognize their rights to land, feel insecure within their own homes, as was the case for Claudine, as well as Mukazuzi, who became insecure with the death of her husband: "The first wife and her children began to harass me and started alienating my land and other properties. They had forbidden me from farming my land and from living in my house. Life became very difficult." For others, the tensions or threats related to their disputes become so intense that they feel forced to leave. "Before this woman came here to solve the problem, I didn't have security and it was difficult for me to sleep at home because my husband was accusing me of being the source of the conflict," shared one woman whose dispute had recently been resolved by a CRP. "The most significant change for me is that now I have security at my house." When women are not secure in their own homes, it can directly affect the security of their children as well. This was the case for Claudine, and Beatrice, another beneficiary: "The disputes kept escalating to the point where it was no longer safe for me and my children to sleep in our house... Our life was at risk, and we had no resources because he prevented us from farming our land and from harvesting what we had cultivated. We were hungry."

### ***Productive use of assets, economic security, and food security***

Conflict within households and families over land can limit productive use of the land in question, which has negative effects on earnings and food security. One woman, who traded in sorghum juice, was prevented from cultivating her land by her husband. This had a huge impact on the family. Through peaceful mediation of their dispute, the husband allowed her again to cultivate the land and conduct her business. Others have similar stories:

The dispute regarded joint property, which was mismanaged by my husband. We cultivated but he depleted the land production to the market, I and the children suffered hunger and when I asked him why he sold all of the production, he replied me 'the property belongs to me only' while we have taken the Community of Property Regime.

I felt overwhelmed as this conflict was impoverishing us... Since the problem has been solved, we've been able to buy chickens and a goat. We are planning to buy a sewing machine in eight months, which was one of my goals. Now we are really fine, we can buy clothes and other things for our children. I think we're going to do very well.

When women lose their security, their decision-making over their assets, and are prohibited from cultivating their land or from ensuring money is spent on the family, it jeopardizes food security, health, and wellbeing for women and their children. Resolution of disputes can trigger positive, reinforcing changes in their lives.

#### ***Gender Based Violence***

All too often, women had stories about physical and emotional violence, most often perpetrated by their husbands. They report being insulted, chased, and beaten. One woman had lost two teeth; another could no longer bend her back. In some instances, men used threats or violence to coerce or intimidate wives, as told by one woman: “my husband again started persuading me to sell the property. I refused repeatedly, so he started to beat me and insult me even worse than ever before.” Sometimes land conflicts escalate to the extent where someone resorts to violence; “I was angry enough to beat her,” reports one disputant’s husband. Men may also beat their wives to “show that I am a man,” as one disputant’s husband shared, who felt threatened and embarrassed that he was living on the land inherited by his wife. Increasing women’s status and legitimacy, and mediating through peaceful dispute resolution has helped to end, or mitigate some of these violent conflicts. “While no beating had happened yet” one beneficiary shared, “I see it could have happened if the conflict had not been immediately handled by the CRP.”

The costs and threats of land disputes going unresolved are considerable, from economic loss to food and tenure insecurity; from marginalization of women’s participation in household decision-making, to threats to her and her children’s safety and well-being, even threats of violence and threats to life. Freeing people from intra-household conflicts can have transformative effects on the lives on disputants, their families, and their communities.

#### ***Changes in experiences and perceptions within communities***

*“Little by little, people are aware of this peaceful conflict resolution. To be more significant we have to have many conflicts resolved and use these cases to sensitize citizens on the peaceful conflict resolution mechanism.” – CRP*

The resolution of more than 400 disputes had significant impacts for individual disputants and evidence from the project points to positive impacts for communities as well. Local authorities in the endline survey treatment group report perceptions of substantial decreases in the frequency of land disputes in their communities. Most notably, those reporting that land disputes between husband and wife happen “often/very often” decreased from 71 to 27 percent. Significant decreases in disputes among siblings (from 32 to 11 percent), and between widows and in-laws (from 20 to 6 percent) were also reported. Disputes about land sales and boundaries, two of the most frequent types of cases treated in the project, also declined, from 34 to 19 percent, and from 57 to 40 percent, respectively.

There was consensus among local authorities interviewed that the number of cases they personally received had noticeably decreased: “I used to receive 10 cases per day, now I receive 3 cases. So for me there has been a big change as people are getting the knowledge on land laws,” said one authority. Others estimated decreases from fifty to even seventy and eighty percent in their land dispute case load, corroborating with the survey evidence that the project may indeed have noticeably decreased the prevalence of disputes.

To understand how the project intervention improved perceptions of the mediation *process*, one of the expected outcomes of the project, the baseline and endline surveys include questions on perceptions of disputes and resolution. Statistically significant findings<sup>8</sup> include an increase from 83 to 88 percent of surveyed women reporting that, “usually women in this village who have land disputes could find someone who could help them resolve the problem.” Local authorities’ perceptions on this point also increased, but these findings were not significant. Both women and local authority survey respondents also report an increase in confidence that women’s land disputes will be resolved fairly and peacefully; a shift from 80 to 87 percent among female community members, and 85 to 94% among local authorities. Finally, local officials, though not women, report statistically significant changes in the protection of women’s land rights. 91 percent of local authorities “agree/strongly agree” that land dispute resolution will typically protect the woman’s rights to land, an increase of nine percent. Note that while women’s and local authorities’ perceptions on disputes are fairly comparable regarding women’s ability to access dispute resolution, and confidence in their ability to achieve fair and peaceful dispute resolution, their opinions diverge on the protection of women’s land rights. One third of female respondents remain skeptical that under dispute, women’s land rights will be protected, reinforcing the reality that while some positive changes are evidenced, barriers still exist for women even as dispute resolution mechanisms and legal literacy, as discussed below, have arguably improved.

### **Legal Literacy**

*“What has changed is the knowledge of the community about the land law. Before the population and mostly women didn’t know very well their rights, but since this project has started, women have been mobilized, trained, so that now you cannot easily violate their land rights.” – Local authority*

Findings from the survey data indicate that legal literacy, in addition to dispute resolution processes in the treatment communities, improved over the course of the project, supporting the objective of improving dispute management by making it “more responsive, participatory, and better informed.” There were statistical increases in accurate responses to five of six questions posed to survey respondents regarding gender-related land law questions around inheritance and legal rights under the conditions of

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<sup>8</sup> Analysis includes longitudinal comparisons from the treatment group only.

informal unions. Of notable significance is the increase from 67 to 81 percent of women recognizing that daughters and sons have equal rights to inheritance of land. Legal literacy on women's rights to land in informal unions (referred to also as traditional marriages, illegal marriages, or defacto unions), including those in polygamous unions, improved as well. This is significant given that an estimated one in three women in Kayonza and Nygatare Districts are in informal unions, drawn from the baseline survey, and the number of cases (37%) involving disputants of this marital status. Identified as one of the key underlying causes of conflict in the Land Dispute Assessment, the project focused extensively on increasing awareness of land rights of women in informal and polygamous unions by invoking commonly applied interpretations of Article 39 of the GBV Law as giving equal rights to jointly acquired property for couples in informal unions. However, because the article is confusing, and no other law exists in Rwanda explicitly dealing with this issue, people were also advised to ensure that both informally married spouses were included on titles to better secure rights. This aspect of the project, and its impact, was noted by several beneficiaries, CRPs, and local authorities interviewed: "Before the project, the way we used to solve the conflict is that if we were going to divide the land between a couple, we were not giving much chance to the woman who was not legally married," shared one authority; another noted, "After different trainings I came to learn that even a women who is not legally married is also protected by law."

Improvements in legal awareness allowed some women to actualize their rights. 67% of women who self-report participating in the project (attendance to one or more project activity) state that the project "helped me to understand my rights" with 34% reporting that it helped her to *make claims* on those rights. Between 39 and 45 percent of women also report in the endline that their rights to use, sell, or bequeath land increased over the course of the project, and 34 to 41 percent report that their husbands' and communities' recognition of those rights had increased. While such self-reported survey questions may have inherent biases, these data in connection with other survey and qualitative research insights provide some indication that project activities are taking effect. In fact, one local authority specifically noted the increased awareness of women's land rights "as people got information through Parents Evening Forum" which 91 and 94 percent of treatment and cell survey respondents, respectively, report attending. "Now women know their rights," he says. The broad exposure to legal literacy through multiple channels would have exposed people throughout both districts, across control and treatment cells alike, as testified by a local authority:

People have been informed about the law through different interventions of CRPs on the field, even the radio program has helped people to understand many things related to the rights... The project has helped people to be aware of women's land rights because when CRPs go to solve a conflict through the community dialogue in a village, people learn many things from there. The same with radio programs: it helps people to learn many

things and you can see that when you are in different meetings with the population, through what they say, you can see that they've learned a lot.

Changes noted by local authorities and CRPs include women reporting to them that their husbands have confiscated the land documents, an indication that they are now aware of the importance of such documents and the inclusion of their name on them; people in the community saying, "I can't buy your land if I don't see the signature of your wife" so that people now know that a land sale is not accepted if both parties have not signed; people wanting to buy the land in front of a land authority to uphold their rights; siblings respecting the decision that both boys and girls are entitled to inheritance rights; families respecting the land rights of widows; and husbands respecting the land rights of their wives.

To be sure, challenges to legal literacy and recognition of women's land rights persist. Many men continue not to recognize their wives' land rights, and many people—men and women—remain unaware of those rights. Still, there are several indications that the project did generate change at the community level, benefitting from decreased land disputes, improved dispute resolution processes, increased knowledge and respect for women's land rights, and enforcement of those rights.

### **Changes in institutional capacity to address land conflicts and promote legal literacy**

This section analyzes the institutionalized capacity development of CRPs and local authorities through project activities, which contributes to the project's high level objective to improve the framework for dispute management to make it more responsive, participatory, and better informed.

### **CRP capacity development and visibility**

As National Women's Council members, CRPs have already been recognized for their potential to be leaders and change-makers. This project has helped to strengthen CRPs' knowledge, skills, and visibility. In an exit survey, all but one CRP self-reported that her own knowledge of women's land rights had increased, and every CRP felt that she had developed new conflict resolution skills. And it was the confluence of these skills, they report, that helped them to resolve disputes: "My ability to resolve conflicts includes my knowledge of land law; I use the law to help mediation because many people don't know what the law says." "Now we know land law," shares another CRP, "and while resolving disputes we inform those in conflict what could happen to them if they go in court, and after being aware what the law says they accept the mediation."

CRPs also report that the training increased their confidence to talk about legal issues: "I learned land law, and I have confidence to speak to people about land law;" and mediate conflicts: "Today, I am

capable of handling all kinds of disputes. I am not afraid of handling disputes because I got enough training.” More broadly, the project increased their confidence and their leadership, public speaking, and communication skills, as reported by CRPs in the exit survey.

The vast majority of CRPs report that they will continue to use the skills they developed and the knowledge gained through the project in their own lives and in their communities. Most also report that they will continue to use the skills obtained through the project in their role as National Women’s Council Members, as expressed by this CRP:

In term of skills I got from the training, what I got and which is important is the conflict analysis. The way to look for root cause and to analyze the conflict and how we collect information related to the conflict that we are analyzing. It was very useful for me. This skill is very important because I will use it in my life and in my work as NWC coordinator. And even after leaving NWC it will help me in my work.

Finally, conducting community dialogues and attending Parents’ Evening Forums—activities which three of four say they will continue despite the project’s formal end—generated visibility. Among local authorities who are familiar with the project (54% in treatment and 46% in control cells), more than 95% state that they are likely to approach NWC members in the future for land related information or dispute resolution.

### **Capacity of local authorities**

By encouraging CRPs to more closely coordinate with local authorities, particularly on community dialogues and dispute resolution, the project appears to have strengthened the capacity of some local authorities. Among authorities interviewed, reports of gains in legal knowledge and peaceful mediation techniques were common. Many spoke about how they learned to be impartial, to patiently listen, to bring the parties together to discuss their conflict, and to speak clearly about the law and the consequences of their disputes. They were particularly influenced by what they learned about women’s land and property rights in informal unions, as described by one local authority:

I spent like seven years solving problems of population and when as a woman you could come to present to me your case and say that you’re not legally married, my quick reaction was to chase her as I knew that since she’s not legally married she doesn’t have right, but after different training I came to learn that even a women who is not legally married is also protected by law.

Moreover, interest and enthusiasm to expand their knowledge and skill-set is evidenced by this local authority: “This project has inspired me to like reading law documents. Before working on an issue I

take time to inquire about what a law article stipulates... When you show people that you fully know what you say, they join you.” Other local authorities expressed their eagerness to use their skills not only to resolve but to prevent conflicts in the community: “What I’ve learned through this project is that is important to do conflict prevention. I was able to prevent five conflicts.” Overall, the percent of local authorities who sought advice on land dispute resolution more than doubled over the course of the project. These findings are early indications that with more intentional engagement with local authorities from project outset, the capacity to improve legal literacy and mediate disputes could be even further strengthened within formal institutions, in addition to informal ones such as the NWC.

## **DISCUSSION**

This section examines key components of the project that likely contributed to effective and peaceful dispute resolution, shares lessons learned from project implementation and assessment, and briefly touches on broader land-related issues that were not directly targeted by the project, but nevertheless likely influenced dispute resolution and merit further investigation.

### **Key Processes of the Promoting Peace Project that Affect Peaceful Dispute Resolution**

#### ***Legal Literacy + Dispute Resolution***

*“First by using the knowledge we received in conflict resolution, we analyze the conflict, its root causes, and sometimes we found that the cause of the conflict is because one individual doesn’t know what the law says on the matter. So, the way we reconcile (combine) the law and the conflict resolution mechanisms, we show to the persons in conflict what the law says about the matter and this is how we reconcile the law and the conflict resolution techniques.” – CRP*

CRPs received extensive training on both the legal framework over land, and conflict transformation methodology for successful dispute resolution. The combination of these two competencies seems to have been a key element of successful achievement of project awareness raising and dispute resolution goals.

Oftentimes, women, having gained knowledge about their rights, were able to confidently assert those rights: “[The CRP] provided us with advice based on the law. She explained to us my rights on land and property, before I didn’t know the rights and my husband didn’t know that I have rights on land and property.” Legal awareness sometimes also helped men to understand and respect women’s rights to land: “The CRP first of all explained to us the law provision as far as Gender-Based Violence and women’s land and property rights are concerned” shared one disputant; “After being explained the law, my husband immediately admitted committing a wrongdoing.” Another noted that, “the CRP took time to teach and educate [my husband]. It is this teaching which has changed him.”

Legal awareness was coupled with dispute mediation skills, expertise contributed by Search for Common Ground staff. The properties of peaceful mediation—unbiased listening to both parties; patient, persistent, and participatory processes; and a reconciliatory approach—made noticeable differences in how disputants responded to interventions, and to CRPs' abilities to peacefully resolve conflicts. Disputants and local authorities were moved, for example, by CRPs' willingness to simply listen, without bias or judgment to their problems. One of the more profound moments came from a husband who, clearly at fault, had been obstinate towards his wife and others who had attempted to resolve their dispute. With the CRPs' intervention, his attitude began to change: "I started feeling a kind of peace in my heart when you came here to hear my side... The reason that caused me to resist was that other people didn't take time to listen to us neutrally... You listen to both people neutrally without criticizing anybody."

### ***Broad Dissemination through Multiple Channels***

The project used a variety of strategies and venues to reach key audiences for awareness raising goals, which was an effective means of dissemination. The training of trainers (ToT) strategy increased project reach from the sector to cell and village level National Women's Council members. CRPs used Community Dialogues and Parents' Evening Forums as venues for information sharing and outreach for dispute identification and resolution. The more than ninety community radio programs aired, programs that were particularly popular in Nyagatare District, helped to generate legal awareness more broadly so that not only disputants, but men, women, and local authorities were all gaining awareness of relevant issues. The use of multiple channels helped to expand reach and reinforce key messages.

### ***Local Presence***

CRPs became an important local resource, offering information and assistance that was *free* and *accessible*. Having this local presence removed obstacles that had been in the way for many disputants who could not afford the bribes to local officials, or court fees, and could not travel the distances sometimes required to have their dispute heard.

Being local, CRPs were also better equipped to engage in extensive follow up and trust building to help resolve disputes. Disputants appreciated CRPs' patience and persistence. They often mention how many hours CRPs would spend with them, and how frequently they returned to talk with them or the person with whom they had a dispute. One beneficiary shared that:

The reason why the issue has been resolved after 13 years of failed mediation by various authorities is because the project implementers were so committed to resolving the issue. They never gave up trying to mediate until all parties were in agreement. [They] return the next day and the day after that until they reach a peaceful agreement.

Furthermore, CRPs were able to tap into other local resources to collaboratively resolve disputes. One of the key components of success noted by stakeholders was the participatory process of dispute resolution. Community Dialogues served not only to identify disputes, but to identify volunteers to work with the CRP to help resolve disputes. This collective investment and commitment, often among community members, local authorities, CRPs, and involved parties, brought people together, as illustrated by this disputants' testimony:

The CRP first of all talked to each of us. Afterwards, she went to the land alone for the first time and returned there with a Conflict Resolution Committee for the second time. But before going there with the committee, we first gathered at the Cell Office where different people discussed the case and made suggestions on how the conflict could be ended peacefully.

#### ***Focus on Intra-Household Disputes***

Perhaps the most important aspect of the dispute resolution process is the conciliatory focus that allows people to peacefully mediate their conflict, come to a mutual understanding, and live together in peace. Given that so many of these conflicts involve household or other family members, peaceful resolution is critical for household and family stability. A project beneficiary shares that, “Now we live together in peace because of the CRP’s support. Without her support, we would have been struggling with this issue in the courts. There are no more conflicts and no more negative consequences coming from the conflict because this land dispute has been resolved peacefully.” As disputes were peacefully resolved, others in the community became interested in principles of conflict resolution, as one CRP noted: “Little by little, people are aware of this peaceful conflict resolution... these cases [can] sensitize citizens on the peaceful conflict resolution mechanism,” and communities began to see benefits. “For me the main success of this project is that it has been able to reconcile people who were in conflict for a long time,” shares a local authority, “people who couldn’t talk to each other... the project solved the conflict and brought unity in the population.”

The processes designed within the project model, therefore, were able to effectively address some of the key identified barriers and gaps in the existing dispute resolution model. Namely, burdens on local authorities were reduced, and CRPs were able to devote considerably more time and attention to specific disputes to support their resolution; legal literacy among disputants, communities, and local authorities was improved, bringing more objective clarity to the dispute and allowing some disputants to accept mediation; CRPs provided free and accessible support, directly addressing barriers that had inhibited some disputants; and they brought impartiality and greater transparency to the process of resolution. Most

significantly, this approach has the potential for transformative, community-wide effects by reducing land related disputes, developing legal awareness and capacity among communities and local authorities, and empowering women with more decision-making and ownership over property and land.

### **Lessons Learned**

Land disputes and the insecurity that results can have negative effects on individuals, families, and communities. Individuals mired in land disputes face constraints to livelihoods, particularly if the land at the center of the dispute is a primary productive asset which cannot be used or maximized due to the conflict. If that land is also an important source of nutrition, food security can be compromised. At the extreme, individuals can suffer from threats and physical violence. Family harmony and stability, earning potential, and children's education can also be affected by land disputes, particularly intra-household and intra-family disputes. These lower-level impacts can have ripple effects in communities, particularly when disputes left unresolved escalate into broader conflict. Thus, land disputes that are not effectively mitigated and managed can undermine development goals and are worthy of effort and attention.

Additionally, there is value in focusing on intra-household land-related disputes because these kinds of disputes may remain invisible in mass regularization processes that tend to focus on resolution of inter-household disputes in order to clarify boundaries and register parcels. Intra-household disputes left unaddressed can undermine the regularization goals of rights clarification, registry accuracy, and conflict mitigation. And because women are disproportionately affected by intra-household disputes, there is value in addressing these conflicts to begin to bridge the gap that exists in many contexts between a positive legal framework on women's land rights and women's ability to exercise and enforce those rights.

Beyond these general themes, implementation of this project and assessment findings point to a couple of lessons on improvements and possible enhancements for similar interventions. The first lesson is that it may be useful to incorporate a stronger gender perspective that reaches beyond a focus on women's land rights and conflicts. Because the project design involved a focus on women's intra-household land disputes, 87% of primary disputants were female. Building in a broader gender framework that considers different experiences of women and men in intra-household land disputes, and includes female and male Community Resource Persons (or direct training to male and female local authorities) may be an important means of expanding project reach and acceptance by men. CRPs, in exit interviews, suggested that it would have been useful for men to receive targeted training (beyond Community Dialogues, which were nearly equally attended by men and women), and to have male CRPs engaging in dispute resolution so that men experiencing disputes could also turn to a trusted and effective resource in the community.

Another important lesson is that, where possible, it may be useful to take a broad and inclusive approach to direct engagement with multiple formal and informal institutional structures and networks focused on land dispute resolution. In Rwanda, it likely would have been useful for the project to directly engage with cell and sector executive secretaries and social affairs officers, as well as *Abunzi* to provide legal literacy and dispute resolution skills training. Many CRPs and local authorities interviewed suggested this would have been a good project enhancement to further improve capacity and performance of local dispute resolution processes.

### **Broader Land Issues Affecting Successful Dispute Resolution**

Over the course of project implementation, a number of broader land issues arose that were not directly targeted by the project, but nevertheless had an effect on dispute resolution. This section examines a few of these issues, including problems related to registration and subsequent transfers, challenges posed by land use and subdivision restrictions, and social issues such as GBV and alcohol abuse that can add layers of complexity to land disputes.

Although the land tenure regularization process in Rwanda accomplished impressive registration results across the country, project implementers observed problems of incomplete/inaccurate registration of land and subsequent land transfers in the project area. As one CRP shared, “Many persons bought the land but they did not register their land.” A local authority adds, “Land registration is linked to problems where people registered land as their own while they share it with others, and people who secretly registered land as their own where the land has been given to their brother or sister as an ascending partition.” These documentation issues were often beyond CRPs’ ability to resolve, which meant that some conflicts that were overlaid with documentation problems went unsolved.

Furthermore, not all policies are popular, and can benefit some more than others. Complaints from local authorities include mandated restrictions on land use, for example where a person cannot use land for agriculture that is designated for livestock. Someone who is experienced in agriculture, one authority notes, is therefore limited in his or her abilities to make efficient use of the land. Restrictions on ability to subdivide or sell small parcels (a parcel cannot be subdivided if it will result in parcels under a hectare and parcels smaller than a hectare cannot be sold) left some people in the project area frustrated. A local authority described the problem:

This is a policy of the government, but you find that people don’t have freedom on their land. This is really a serious problem here, and what will happen is that the poor persons we have will become poorer [as they can have means to buy land but are restricted by the law to buy small parcels], and the rich will become richer.

These added constraints and tensions around land use and sale can lead to or exacerbate disputes among families and community members.

The issue of alcohol abuse surfaced as a complicating factor in intra-household disputes. Land disputants from the project, CRPs, and local authorities all had stories to share about the effects of alcoholism in their communities, the cases they addressed, and their own lives. One disputant shares that the underlying cause of her land dispute with her husband was “because he sold all of the land production, goats and even appropriated money from home only to get money for beer because he was always drunken.” Similarly, another disputant shares, “I used to cultivate but he sold all of the land production by force, I starved/ always suffered hunger because of his adultery and drunkenness as well property wastage.” The project did not collect systematic data on the prevalence of alcoholism, and no statistics are known on its prevalence in Nyagatare and Kayonza Districts, but anecdotally, it is another contributor to land disputes.

Similarly, as mentioned in earlier sections, project implementers observed a significant connection between intra-household disputes and gender based violence (GBV). While the project did not collect data on the prevalence of this intersection of issues, anecdotal evidence from dispute monitoring, CRP testimonies, and beneficiary stories indicates that there is often a GBV component to women’s intra-household land disputes, as threats and violence can be used to coerce and intimidate women into abandoning claims or consenting to land sales against their best interests. GBV places women in extremely vulnerable positions, and can have direct negative effects on women’s physical and mental health, household stability, and on children.

All of these broader issues and their connection to land-related disputes warrant further investigation to understand the prevalence and severity of these challenges in Rwanda. Additionally, it would be prudent to consider these issues in research and project design in Rwanda, specifically, and possibly in similar contexts.

### **Concluding Remarks**

The wide-spread prevalence of land related disputes, particularly intra-household disputes affecting women, and the potential consequences of these disputes to the livelihoods of women, their families, and communities, combined with challenges and barriers in the existing dispute resolution process suggest that there are significant needs and opportunities to address women’s intra- and inter-household land disputes. The Promoting Peace Project model is one effort to do so. In just 18 months, more than 400 cases, 56% of those identified, have been peacefully resolved through the pilot project.

Furthermore, findings from project assessment indicate that the approach can have positive effects beyond individual disputants whose cases were resolved. Communities benefited from legal awareness and improvements in the accessibility and fairness of local dispute resolution processes. Capacity of CRPs and local authorities increased, and CRPs in particular gained personal confidence and increased visibility and stature within their communities. These early indications of success suggest that the combination of legal literacy training and awareness, and peaceful conflict resolution techniques implemented through local community resource persons is an effective approach. Still, underlying gender issues; the prevalence of informal marriages; legal and policy revision; and model scalability invite further investigation.

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