

# U4 Expert Answer



## Corruption risks and mitigation measures in land administration

### Query

**Please provide a summary of the key corruption risks and potential mitigation measures in land administration**

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### Summary

Corruption in land administration has significant societal costs, and can have a major effect on the livelihoods of people worldwide. Corruption in this sector can reduce peoples' access to land, and harm the livelihoods of small-scale producers, agricultural labourers, indigenous communities and landless rural and urban poor. Women, young people and ethnic minorities suffer most by having their access to land hindered by corruption.

Corruption in land administration takes on different forms in different countries and contexts, ranging from petty and grand corruption to state capture. Moreover, land corruption can be driven by poor oversight, weak institutions, a lack of capacity, and by not including civil society and other key stakeholders in the land administration process.

However, there are ways to mitigate these corruption risks. According to the literature, increased transparency, the inclusion of local communities in decision-making processes and strong legislation can all make a difference in tackling corruption in land administration. International donors can support these processes by variously providing support for national government-led initiatives, by supporting the legal recognition of ownership and user rights, providing technical assistance and information technology support and establishing conflict resolution mechanisms to support the land administration process.

There are also international standards and guidelines available that provide recommendations for good governance in land administration, such as free, prior and informed consent of local communities in land deals and increased transparency levels. They constitute a good first step by providing standards by which civil society, at both a national and international level, can hold governments to account. However, these standards have rarely been enforced, thus their impact has largely been inconsistent and limited.

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## 1. Corruption risks in land administration

### Why land corruption matters

Secure and equitable rights to land have been identified as being central to the success of the recently established Sustainable Development Goals. Effectively and transparently administered land rights empower people by enhancing food security, incentivising eco-friendly and sustainable protection and use of land and promoting inclusive societies (Action Aid International et al. 2015).

In many developing countries, agriculture remains central to economic growth and poverty alleviation (Deininger et al. 2011). It is estimated that services derived from the use of land and natural resources makes up 50-90% of the livelihoods of rural households living in poverty worldwide (TEEB 2010). With 75% of the poor worldwide living in rural areas, and the majority involved with agriculture, the costs of land corruption are especially damaging in rural areas. The increased value of food production since the food price rises in 2007 has had a knock-on effect on the value of land. Between 2001 and 2011, at least 227 million hectares of land worldwide was sold or leased to international investors (Oxfam 2011). On average, the countries where such land deals were agreed between 2000 and 2011 score among the bottom third of countries globally in terms of control of corruption (Oxfam 2013).

Corruption in land administration reduces access to land, harms the livelihoods of small-scale producers, agricultural labourers, indigenous communities and landless rural and urban poor. Women, young people and ethnic minorities are the groups who suffer most by having their access to land hindered by corruption. Land corruption can also have a negative effect on the development and prosperity of national economies, and can cause food insecurity.

At the micro level, bribery and nepotism in land administration can lead to the loss of livelihood for families. Land corruption can make administration services inaccessible to people who cannot or will not make illegal payments, and at the same time creates a disincentive to register property transactions, leading to increased informality of land tenure procedures. Ordinary people are left with little or no real protection under the law,

making them vulnerable to evictions and other abuses (Transparency International 2013).

On a macro scale, rampant corruption can also reduce confidence in the enforcement of land rights. This lack of land rights' enforcement is often perceived as a risk for safe investments and, consequently, can have a negative effect on a country's economy. Corruption can also damage traditional lifestyles and communities. Most problematically, however, land corruption can reduce the desire among elites to implement effective land governance reforms. If elites are able to abuse land ownership and administration to monopolise their position as land owners, governance reforms that may make this harder or impossible are less likely to be implemented (Wren-Lewis 2013). Lastly, resentment caused by land corruption can lead to an increased risk of conflict in a country.

Given the scale and importance of land administration and the deals that it involves, excellent management and transparency are needed to ensure that abuse and corruption do not take over. However, land administration is technically complex, and this is part of the reason why so little progress has been made in land administration reform. Also relevant are the political sensitivities and institutional fragmentation of the land sector in general and the country-specific nature of arrangements that cautions against a one-size-fits-all approach (Deininger et al. 2011).

### Forms of corruption

The socio-economic position of land, the system of land tenure used, the land markets, and the quality of institutions varies greatly from country to country and affect specific corruption patterns at the country level (Palmer et al. 2009). However, each of the processes included in land administration are vulnerable to corruption.

The various areas of land administration that are vulnerable to corruption are:

- Auctioning for land sales: This is a method by which land is sold, and is frequently used to sell large amounts of land for commercial purposes, but can also be used for smaller amounts of land as well. Corruption risks include influence trading and bribery to secure favour for companies or individuals;

- Land transfers: This is the official process of buying and selling land. Corruption risks include the giving and receiving of bribes to speed up processes, collusion between parties to drive prices down and officers deliberately extorting bribes by obstructing a deal's completion;
- Enforcement of land rights: This is simply the enforcement of the rights of men, women, companies and the government to land. Corruption risks include deliberate exclusion of women to favour men, government officials deliberately allowing bribery to secure land, and companies and individuals paying bribes to circumvent slow, inefficient and unwanted regulations, as well as governments using their position to grant and refuse land rights to secure political support;
- Compensation for local communities: When people are forcibly or willingly evicted from their land due to its sale to a corporation or its appropriation by the government, these communities should be properly compensated, either with alternative living places or with compensation payments. Corruption risks include officials artificially increasing compensation amounts but pocketing the increase, and bribes being paid to officials to secure higher compensation rates;
- Land valuation: This is the process of deciding how much a plot of land is worth. Corruption risks include payment of bribes to undervalue land, providing deliberately undervalued land as a favour and valuation officials overvaluing land so that they can gain extra money from a deal;
- Corruption in land administration can take a variety of forms, ranging from petty and grand corruption to state capture. Abuse of office, nepotism, fraud and bribery are also forms of corruption that are prevalent in land corruption (Van der Molen 2007).

### **Petty corruption**

Land administration and services are very susceptible to bribery. The 2013 Global Corruption Barometer found that worldwide, one in five people who had contact with land administration services reported having paid a bribe to land services (Transparency International 2013). Moreover, the East African Bribery Index (EABI) has repeatedly shown that bribery is rife in the land services sector in East Africa (Transparency International Kenya 2015). Indeed, the average bribe paid for land services was

found by EABI to be more than US\$100 in Kenya (EABI 2012). Citizens may pay bribes to land administration officials to register their purchases of land, or to shorten waiting times in receiving ownership documents.

In land administration, government officials may accept bribes from companies in exchange for ignoring or perverting laws, for facilitating faster and smoother transactions when buying or selling land, giving preferential treatment (such as unequal access to information on land use categorisations which can unfairly favour a particular company in a land auction, etc.). Bribery such as this can also extend to favours and be facilitated by close personal connections between elites, politicians and investors. Such vested interests mean that officials can personally benefit from corruption in the land administration system by taking advantage of favouritism, impunity and nepotism to enhance themselves and their families (MacInnes 2012).

### **Grand corruption**

Growing pressure on land for investment and patronage purposes have created incentives for corruption on a larger scale, posing a challenge to safeguarding tenure and livelihoods of local communities. Grand corruption can occur in land administration when corrupt practices become institutionalised across government agencies and institutions. This usually results in government making decisions as to who owns what land, and for what purpose, based on which companies or individuals are best connected and have the most money, rather than in the public's best interests. For example, senior government officials and politicians might be able to acquire lease rights to large areas for companies that are owned by the same politicians or their families (MacInnes 2012). In addition to money bribes, influence can be traded for favours, and decisions to benefit colleagues, superiors or family members can be made instead of decisions in the interests of the public good. When such officials act corruptly, for example by ignoring legal and regulatory safeguards to allow companies or the government to successfully "grab" large amounts of land, this can also lead to a strengthening of these interests' hold on power, thereby increasing the opportunity and likelihood for corruption in the future (MacInnes 2012).

Moreover, when a deal is arranged to sell land that is the home of local and indigenous peoples

and communities, compensation must be agreed. Such compensation might involve large one-off payments, or a series of smaller payments over a period of time. Corruption can invade this process if officials have the opportunity to secretly and artificially inflate the levels of compensation, allowing themselves to skim the additional money from the deal for themselves. Furthermore, people affected by land deals can also pay bribes or collude with officials to gain a higher overall compensation fee, which the two parties could then share between themselves (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

Linked to this is the issue of land valuation. Land valuation is a supportive measure by which to identify the proper value of a piece of land that is being considered for sale. Valuation officials can be easily corrupted to undervalue land to allow for a much bigger return on the investment of a particular company or individual (Wehrmann 2008).

### **Patronage**

Corruption in the land sector can also be found in the form of patronage. Indeed, land rights and the ownership and ability to grant land use to others can be regularly abused by political elites to gain and maintain power bases among electorates and other stakeholders, and is seen as a widespread practice in modern Africa (Onoma 2008). Patronage can be used to buy votes in elections and referenda. This was believed to be the case, for example, in Kenya, where President Kibaki issued 12,000 land title deeds to a community of people in return for their favourable support in an upcoming vote on a new national constitution (Onoma 2008).

Patronage relating to land corruption can also take the form of parcels of land being awarded to political supporters, such as MPs, and for gerrymandering constituency support without having to redraw actual constituency boundaries.

### **State capture**

Experts agree that when land governance is weak, the powerful are able to dominate the competition for scarce land resources. When governments are involved, this can take the form of “state capture”. State capture refers to “a situation where powerful individuals, institutions, companies or groups within or outside a country use corruption to shape a nation’s policies, legal

environment and economy to benefit their own private interests” (Transparency International 2009).

In the land sector, this might mean that those in power may illegally transfer lands to themselves or their allies, or they may implement land distribution policies and laws that specifically favour themselves or their allies (Palmer et al. 2009).

### **Rent seeking**

Linked to governments and small groups of interests dominating the state is the practice of rent seeking that can come out of large-scale government ownership of land rights. If a government legally controls vast swathes of land, and has the power and ability to allocate its usage to international companies and individuals at will, it can extract inflated rents. This has been the case with particular local community chiefs, who have used their privileged positions to extract rents from other local people (Wily 2003).

### **Gender specific corruption**

Women are regularly at a disadvantage as they are not made aware of their rights to own property and land, and corruption in the land sector has a disproportionate effect on women. Women are often excluded from negotiations on land deals and left out of community discussions on potential land sales with investors. This means that women are less likely to receive their fair share of compensation for acquired land (Yang et al. 2015). Moreover, even where women are able to be involved, they rarely see the profits that they help to negotiate as men are often in charge of household income (Hannay 2016).

Furthermore, in countries where legislation supports the land rights claims of women, women’s rights may still be determined by practice and custom, with some men able to manipulate women’s rights for their own gain (Palmer et al 2009).

Moreover, women – and in particular, young women – have been found to be vulnerable to sexual extortion as a form of corruption, with reports that they are often forced to trade sexual favours in return for land deals (Transparency International Zimbabwe 2015).

## Drivers of corruption

There are a number of elements in land administration systems that can create potential entry points for corrupt activities. These include weak land administration legislation, weak institutions, institutional capacity challenges, a lack of transparency, lack of effective oversight and limited public participation.

### Legal limitations

Legislation governing land administration can be complex and unclear. How land is maintained, bought, sold and owned varies from country to country. Land administration is often unclear and technically challenging, and involves long and complex processes. This increases the opportunity for laws to be abused by corrupt officials acting in their own interests. Tenure systems also tend to vary widely across a single country, with differences between urban and rural systems, as well as along regional and ethnic lines (World Bank 2011).

For example, in Bangladesh, land administration is governed by four different laws; the Registration Act 1908, the Codes of Civil Procedure 1908, the State Acquisition and Tenancy Act 1950, and the Agriculture Khas Land Management and Distribution Policy 1997. These laws are mostly old and have created an inefficient system that can easily be dominated by Bangladeshi government officials. These laws do not have provision for oversight, give total monopoly on land acquisition deals to the government, and give discretionary power to officials, all of which increase the chances that corruption can and will occur (Transparency International Bangladesh 2015).

Moreover, if a country's legislation allows for the direct allocation of land use to a single organisation or individual without a competitive process, ample opportunities for corruption are present (Embassy of Denmark, Embassy of Sweden & World Bank 2010). This directly puts officials in a position where they can both demand bribes and be offered them in order for an interested party to get a favourable decision.

### Institutional limitations

A lack of clarity, in terms of roles, responsibilities and mandates of institutions can greatly increase the opportunities for officials to make decisions based on their own discretion, rather than via

proper procedures. This undermines good governance, and can encourage informal bonds and relationships to emerge, which all provide fertile ground for corrupt activities to emerge. This can also create parallel structures that threaten the integrity and reliability of documents and information provided by land administration institutions (Deininger et al 2011).

Linked to this are highly centralised land agencies, which can also increase the opportunity for corruption to occur. If a land administration institution is centralised, it can dominate all aspects of land rights in a country, and can use this power to make money and gain influence. Having only one decision-making body over land rights and regulation reduces the possibility for meaningful oversight to take place and brings all decision-making into the hands of a very small group of individuals. Over-centralisation can cause delays and inefficiencies. Overly centralised agencies can also suffer from poor training, resourcing and support, thereby making them less effective and allowing greater opportunity for corruption to take root (Dixon-Gough & Bloch 2006).

Deliberately complex procedures for land rights applications or slow bureaucracy or opaque processes can also lead to additional corruption risks as people may become more likely to attempt to speed up processes by paying bribes, with officials able to use their positions to extort bribes to circumvent official processes (Deininger et al. 2011).

### Capacity challenges

If staff have inadequate training, or lack the ability to complete their work effectively or efficiently, then corruption risk increases due to the potential for bribes and other illicit work to be missed through incompetence. This is especially true in land administration services, which are notoriously complex and require a high level of training and professionalism. Moreover, land administration departments may also be understaffed, and staff may be underpaid relative to the work they do, providing further incentive for them to seek out or accept bribes in their daily work (Transparency International Bangladesh 2015).

In many countries where large-scale land corruption exists, land administration institutions can be threatened by a lack of human resources and expertise capacity that is necessary to deal

with the issues that may arise (Wehrmann 2008). Indeed, a lack of government capacity has been found to be a major limitation to achieving higher levels of disclosure of information to the public, resolving land administration conflicts and processing documents such as land ownership certificates. This increases the likelihood that corruption will occur (Global Witness 2012).

### **Lack of transparency**

It is often hard for local communities or other parties external to a land acquisition bid to obtain even basic information about negotiated deals, or ones that are still under negotiation. This lack of transparency undermines public scrutiny and opens the door for corruption to occur uninhibited (Oxfam 2011).

Furthermore, unequal access to information on land use planning can also prompt increased levels of corruption. If one company is able to pay bribes to an official in exchange for privileged access to information when others cannot, this creates an imbalance and reduces the integrity of a bidding process or auction. If governments or land management bodies do not make enough information publicly available, the likelihood that interested parties will attempt to gain more information is increased, as is the risk that officials will be in the position to ask for and accept bribes (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

Linked to this, a failure to disclose information on processes and general decision-making practices increases the opportunity for corruption and decreases the accountability of land administration staff, who can act almost with impunity, safe in the knowledge that they are unlikely to be caught acting corruptly. This lack of transparency allows official documentation, such as land ownership certificates, to be falsified or tampered with (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

### **Lack of effective oversight**

If countries lack well-developed and effective oversight mechanisms, this can drive instances of corruption. Poor communication and support from central land administration bodies of local and regional offices can allow complaints about land registration, for example, to be poorly investigated and can allow corruption and bribery to infiltrate the processes. This has been found to be the case in Ethiopia, where external complaints-

handling mechanisms were found to be monitored poorly by the central office, and there were few proactive attempts to discourage corrupt behaviour (Lindner 2014).

### **Limited public participation**

Local communities are frequently left out of land deals that concern land they are living on, or community land that is in theory owned by the community. If there is a lack of public participation in land administration deals, the needs and views of local communities can be ignored and therefore decisions can be made that are not in the best interests of the local communities that land deals may be affecting (Owen et al. 2015). This allows political elites and officials to make decisions without potential backlash from locals who lose out when their land is sold from beneath them, and communities can be deprived of assets such as schools, open spaces and living areas (Kimeu & Kairu 2016). This can also lead to limited public awareness of land policy (World Bank 2012).

## **2. Mitigation measures**

Tackling corruption in the land sector is intrinsically linked to improving its governance. However, truly successful cases of land administration reform and anti-corruption are hard to come by. The literature tends to agree that increased transparency, the fair and open inclusion of local communities in decision-making processes, strong legislation and the influence of international donors can all make a difference in tackling corruption.

The following are a number of mitigation measures that can be implemented, depending on a country's context, to help reduce corruption in land administration.

### **Land administration legislation**

To effectively reduce corruption in land administration, legislation that governs the sector should be clear and encompass all aspects of land administration. Sound legal and institutional frameworks should recognise the rights of existing land users, and should allow owners to enforce their rights easily and enable them to work in a way that benefits society (Deininger 2011). For example, security of tenure should be provided by law to all members of society. This should protect customary and traditional rights, as well as intermediate forms of tenure. Evictions should be

avoided wherever possible; where absolutely necessary, they should be carried out according to national law and international standards related to due process and with fair and just compensation (Palmer et al. 2009).

Furthermore, legislation should ensure that auctions for land sales are conducted in a fair and open way and must adhere to competitive principles to help reduce the opportunity of one company or organisation being favoured over another. Direct negotiations must be eliminated as they greatly reduce the value for money of a deal, but also greatly enhance the opportunity for corruption to occur between officials on both sides of the deal (Global Witness 2012).

Land administration legislation should also extend to companies and should govern their operations overseas to ensure that they act transparently (by disclosing contracts), identify politically exposed persons and beneficial ownership, fulfil their human rights obligations and tackle corruption (MacInnes 2012).

This should also be complemented by the adoption and enforcement of anti-corruption legislation, supported by parliamentary and civil society oversight. This includes requiring asset and beneficial ownership disclosure for all politically exposed persons. This information should be publically available, kept up to date and verifiable by independent bodies (MacInnes 2012). Having such information in the public space can have a deterrent effect on these officials potentially acting corruptly as asset disclosures and beneficial ownership declarations can make it much harder for them to make decisions that favour themselves or their business partners/family if this information is available in the public domain.

### Increased accountability

Respect for land administration legislation depends on strong and effective oversight institutions. Such institutions might include parliamentary committees, anti-corruption commissions and law enforcement bodies (Transparency International & FAO 2011).

An increase in accountability requires increased strengthening of institutional accountability measures. These might include financial inspections and independent audits of land surveyors, and public reviews of draft, approved

and actual compensation plans by independent committees. The findings of these institutions would need to be made public to ensure independent accountability, but would help to reduce abuse, as well as reducing the opportunity for officials to engage in rent seeking (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

There should also be a greater level of public oversight in land administration deals, allowing for community participation throughout the process, as well as during the decisions about compensation and resettlement (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

Moreover, the methods by which information is recorded and made public should be standardised to ensure that documentation and other information cannot be tampered with by officials (Van der Molen 2007). Reducing this would reduce the chances of corruption going unnoticed, and of an official acting with impunity under the assumption that they will not be caught.

### Land management bodies

Finding the correct balance between centralised and decentralised land management bodies is key to limiting corruption risks. Decentralisation should be considered when local demands vary widely throughout a country, and where local government is strong and effective. In this situation, decentralisation allows land administration institutions to tailor their processes to take into account the demands and traditions of local peoples. Centralisation should be preferred when demands for service are homogenous and beneficiaries are distributed across wide geographic areas, two features that mean streamlining work into a smaller number of offices can be more efficient (Dixon-Gough & Bloch 2006).

Moreover, the mandates of such institutional bodies should be clearly and publicly defined. At a local, decentralised level, institutions should provide all services for registration of land rights and other processes to avoid the duplication of work and the existence of multiple coexisting registries (Deiningner 2011).

Finally, the implementation of an independent, formal land dispute resolution body can help reduce the potential for corruption to play a role in

dispute resolutions and appeals processes. Having a single formal body prevents complainants attempting to use formal processes that may favour them more and prevent people or organisations using their personal ties with those elsewhere in the government to gain favourable judgement decisions (Wehrmann 2008).

### Staff level changes

Having codes of conduct and ethics that apply to all government land administration staff can help to reduce the likelihood of corruption among officials as they provide the possibility for criminal and administrative sanctions to be brought against them (Van der Molen 2007). Such a code should include sanctions that effectively disincentivise officials from acting corruptly while at the same time offering rewards for officials who act with integrity.

Staffing procedures and guidelines should also specifically prevent individual staff members having the power and opportunity to make important decisions alone, especially decisions giving final approval and signing off on deals, as the opportunity for bribery in such cases is high.

Finally, implementing a meritocratic personnel system, so that underperforming and corrupt staff are punished while fairness and those who act with integrity are rewarded, would be another disincentive for staff to act corruptly and would have the effect of incentivising transparent behaviour. Staff in land administration should also be subject to stricter standards than in other areas of government due to the potential corruption risks that. This should include mandatory asset declarations and publication of the declarations for high level officials in sensitive positions (Embassy of Denmark, Embassy of Sweden & World Bank 2010).

### Increased transparency

The public should have access to key land administration documents such as land plans, maps, and urban plans. This is key to reducing the opportunities for corruption in land administration. This transparency should also extend to the processes by which decisions are made in land allocation deals, and the final price paid should be made public too (Palmer et al. 2009).

There should also be full public disclosure of all documents surrounding investment deals, including the final contract and any documents or information that may exist in relation to bids at land auctions or plans submitted for changes in land usage (Global Witness 2012). Documents such as land title certificates should also be made available for public viewing before the final sign off has been completed (Zakout et al. no date).

### Public consultation of local communities and indigenous peoples

The meaningful inclusion of indigenous peoples and local communities in decision making processes surrounding land deals must be enshrined in law and enforced universally. It is important to ensure the free, prior and informed consent of those people whose land is being considered for sale and development, and is known as free, prior and informed consent (Global Witness 2012). This is a widely held principle in international conventions and can be found in direct relation to land rights in the [UN Special Rapporteur for the Right Food's guidelines](#). The principle requires free consent, meaning that it must be obtained without threats, manipulation and in recognition of equal bargaining power. Consent must also be granted a sufficient time before a project or programme has begun, and unless consent is granted projects should not go ahead. Most importantly in this principle is that of being "informed". This is closely linked to transparency in general, as it requires companies and governments to release information about a land acquisition bid early enough and with enough detail made public to allow for informed discussions to take place (Global Witness 2012).

Public consultation mechanisms should also involve customary and collective tenure systems which make use of local expertise and also respect the rights of local populations. This should be monitored by independent groups to ensure that the practice is followed and that the human rights of indigenous peoples are not ignored (Action Aid International et al. 2015).

### Equality of women's land rights

Improving the access of women to fair and equal rights to land is a hard challenge to land governance and administration. Equal legal protection of women in land administration can help to prevent the forms of corruption that

disproportionately affect women or at least reduce them significantly.

Legally enabling women to register as the sole or joint owner of land can protect women against corruption in land administration as it allows women to be responsible for and involved with any deal done regarding their land. This can be done by the passing of new laws. For example, the 2005 Family Law in Mozambique asserts the equality of men and women, and provides equal rights of men and women to own, devolve and inherit property. However, research has found that men would still regularly hold positions of power at the exclusion of women (Kaarhus & Dondeyne 2015). Another potential method is the modification of the legal understanding of the “head of the household” concept, so that women can be recognised as such. In practice, however, this has received mixed results. In Bolivia, it has allowed women to make up to 31% of heads of households. Despite this, land is still largely regarded as the right of the eldest male family member, and land still often passes from father to son, rather than to widows for example (USAID 2010).

Therefore, efforts must be made to ensure that women are afforded the legal rights that they are entitled to. This, at least while resistance to women’s rights continues, can be provided by dedicated spaces in the land administration process where women are required to be present and involved, or by NGOs and other groups who can provide oversight to ensure women’s rights are upheld.

Awareness raising and informational campaigns addressed specifically at women are other ways in which gender-based corruption in land administration can be tackled. This could take the form of formal informational campaigns, but should be tailored for the context of a country, making use of local and traditional structures to disseminate the messages. In Laos, a women’s union began an information campaign aimed at women which resulted in a higher level of women appearing either solely or jointly as landholders, and in Mozambique traditional healers were trained to provide advice and messages regarding the rights of women in the country’s 2005 Family Law (Palmer et al 2009).

Women’s rights and needs should also be taken into consideration by international donors during the design of anti-corruption projects aimed at

land corruption to ensure that women’s rights are explicitly addressed (Hannay 2016). International donors can make use of the Global Land Tool Network’s [Gender Evaluation Criteria \(GEC\)](#) to help ensure that newly planned projects and programmes that are focussed on land have a focus on gender and furthering the fair treatment of women. The GEC can also be used to develop monitoring tools to study the implementation of gender dimensions in land policies (GLTN 2012).

### The use of technology

Digitalisation of registers and a wider use of information technology (IT) in land administration can be used to increase efficiency and decrease corruption risk. Increased use of IT can also give easier and faster access to information and documents, as opposed to having to provide actual hard copies of documents to people who request them (Van der Molen 2007).

This has started in Bangladesh, where digitalisation of land administration has received support. Attempts to make land administration electronic has included the use of digital surveys, digitalisation of land records, e-filing of documents and the scanning of hard copy files. There has also been the creation of electronic versions of maps on government websites, and updates of information can also be received by SMS text message to mobile devices. However, these initiatives have so far been sporadically implemented and therefore have not been able to fight corruption as effectively as intended. They also receive much of their funding from donors instead of the government, putting into question their sustainability in the longer term (Transparency International Bangladesh 2015).

### International tools and guidelines

There are a number of international tools in place to provide definitions and improve good land administration practices, and to help tackle land corruption.

The most notable one was published by the Food and Agriculture Organization of the UN and the Committee on World Food Security. In 2012, they published their [Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security](#), the first and only global framework that sets out principles and international accepted standards on how land should be governed. They

include legal reform, land transfer, compensation, administration, protection for local communities and oversight. The guidelines are, however, non-binding, and while the guidelines have received global recognition from the G8, G20, and Rio+20, organisations like the World Bank, and even private sector giants such as Coca-Cola and Pepsi-Co, progress on their implementation has been slow (Parmentier 2014).

In addition to the voluntary guidelines, the World Bank has also developed the Land Governance Assessment Framework. It is a diagnostic tool designed to assess the status of land governance at the country or sub-national level. It uses a participatory and country-driven process, drawing on local expertise and existing evidence (World Bank 2011). The framework provides, for civil society and other independent organisations, a framework against which they can monitor a country's land administration systems. However, reviews of early uses of the tool show that its scope is not comprehensive enough as it does not cover areas such as financial management, gender and access to land, climate change and natural resources management (Deininger et al. 2011).

There are also some regional mechanisms in place that review the state of a country's land administration and provide advice on what more can be achieved. For example, the [African Peer Review Mechanism \(APRM\)](#) is an instrument established in 2003 by the African Union in the framework of the implementation of the New Partnership for African Development. The objective of the APRM is to foster the adoption of policies, standards and practices on a variety of issues, including land governance. Another example is the Global Land Tool Network (facilitated by UN Habitat), an alliance of global, regional and national partners contributing to poverty alleviation through land reform, improved land management and security of tenure. The network has also developed a series of [tools](#) that can help solve problems in land administration and management (Lindner 2014).

A widely discussed international initiative is the so called Land Transparency Initiative (LTI). In 2013, the Overseas Development Institute presented to the G8 summit a document outlining a possible global initiative that would be similar to other multilateral transparency initiatives, such as the Extractive Industries Transparency Initiative (ODI 2013). However, some NGOs have expressed

their concern that this initiative will not stop land grabbing and may, in fact, undermine the implementation of the FAO guidelines (Transnational Institute 2012), and recent discussions about the creation of international transparency initiatives for the land sector no longer discuss a potential LTI (Veit 2015).

### The role of donors

While the main responsibility for reducing corruption in land administration lies with national governments, international donors can play a large role in addressing and reducing corruption in land administration. They can provide support for national government-led initiatives by supporting land titling, providing technical assistance and IT support, and establishing conflict resolution mechanisms to support the land administration process. Moreover, in situations where governments are complicit and take an active role themselves in furthering land corruption in their country, international donors can work on the issues by (Wren-Lewis 2013):

- Using their international position to take a holistic analysis of the political economy of land administration in a country. They can identify all stakeholders involved and can therefore identify where compromises can be found between stakeholders and put pressure on corrupt officials to stop their corrupt activities.
- Helping to mitigate the negative impact that donor supported projects may have on land corruption. This goes hand in hand with an analysis of the political economy of land corruption in a country, which would allow donors to better plan projects and initiatives in order to reduce unintended negative impacts of other projects on land administration corruption.
- Increasing transparency and access to information. International donors can support information gathering, data generation and dissemination processes related to official government documents and other land administration information. This can support the work of local NGOs to put pressure on the government to make changes to the way land is administered. International donors can also support independent media outlets by both directly supporting media – facilitating big stories, providing investigative journalism training courses – and by being transparent in their own work and reporting. They can also provide support and funding for

awareness raising campaigns aimed directly at raising public knowledge about land corruption.

- Exploiting their connections worldwide. Donors could support the creation of an international framework, similar to the Extractive Industries Transparencies Initiative, for example, that ensures land obtained by international companies is acquired in a clean and transparent manner. Moreover, international donors can use their positions to facilitate knowledge sharing by producing and sharing information about successes and failures in tackling land corruption.

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