



Socio-Economic Land Data Management in Benin

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April 2020 / No.ISELDA001

Abstract

Land is at the heart of any country's development, especially for agriculture, housing, environment, health, safety, and human security. It is a critical production factor in agriculture which, in Benin accounts for more than 70% of the labor force and contributes on average about 32% to Gross Domestic Product (GDP)¹. Land in Benin is shared between agriculture (29%), residential areas (33%) and forest, mineral reserves, and hydroelectric dams (38%). The new land law (voted in 2013 and revised in 2017) is meant to correct the imperfections of

1 Source: World Development Indicators (WDI), 2014.

previous land laws, and regulate land leases in respect of equity issues, including the access by women and the youth to land². Yet, in rural areas, customary norms still coexist with formal state laws, sometimes with confusing practices on the ground. The recent rural land registration and land certificate project³, for implementing the law through geo-localization and participatory property right validation process, has not yet reached all rural areas, and the related socio-economic data are scanty and not appropriate for research and policy-making. Indeed, the data did not accrue from comprehensive land survey guidelines. Owing to the various problems arising from land use, and to the current imperfections in the application of the law, an inventory of available socio-economic land data is required to better inform land policies, and foster sustainable land governance and land management in Benin.

This policy note highlights the key findings of an AERC-NEPAD study on inventory of socio-economic land data (ISELDA) in Benin and the policy actions that would help implement the strategy aimed at improving the quality of, and access to socio-economic land data. The study was commissioned by AUDA-NEPAD in the framework of its land governance program in Africa⁴. Its methodology included: (i) a brief literature review to describe the land problem in Benin alongside a few important thematic areas pertaining to socio-economic issues on land⁵; (ii) interviews of key stakeholders of land governance and management in Benin, in order to establish an inventory of available socio-economic land data in terms of thematic coverage, methods of collection, quality and accessibility of data, and key strategies geared to improving the collection, archiving and access to those data by policy makers, researchers and other users; (iii) preparation of an inventory report and a strategy report showing the key results of the study.

The findings indicate that there are many land management stakeholders in Benin (See map next page). Some socio-economic information on land data are available, but they are scattered and kept with a few NGOs and donors and are not always well structured. Most of them are in paper format and quite inaccessible to researchers and policymakers. Access is quite difficult because there is no institution that exclusively collect, archive, and share such data. Most public land institutions deal with geo-referenced and administrative

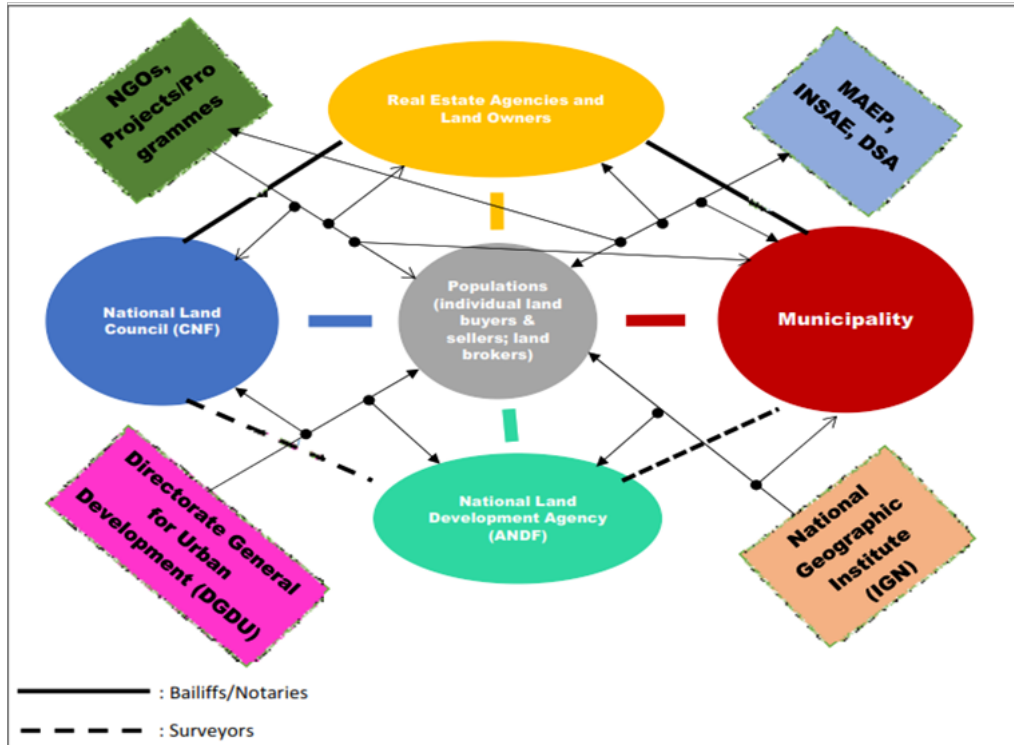
2 Kougblenou, J.V. (2019). Gouvernance foncière et gestion des données et informations foncières et administratives et spatiale au Bénin. Atelier de lancement de la gouvernance foncière de l'AUDA-NEPAD, Nairobi, 18/07/2019.

3 That project was funded by several donors, mainly the Millennium Challenge Account (MCA Benin), to establish Rural Land Plans (*Plans Fonciers Ruraux - PFRs*) and give individual land certificates to land owners.

4 The 10 pilot countries of the program include: Benin, Botswana, Burkina Faso, Cameroon, Ethiopia, Ghana, Madagascar, Mali, Namibia, Uganda.

5 A tentative list of generic themes are provided Stein T. Holden, Daniel Ali, Klaus Deininger & Thea Hilhorst, 2016. A Land Tenure Model for LSMS – The World Bank.

land data. The National Institute of Statistics and Economic Analysis (INSAE) have collected a few socio-economic land data in the past, and every year the Directorate General of Agricultural Statistics collects data on cultivated areas. Insufficient funding for carrying out surveys on specific themes on the socio-economy of land and the lack of adequate coordination between existing public land institutions are the main reasons why the country does not have any reliable socio-economic land database.



Some key elements of the strategy to improve the quality of, and accessibility to the data include: setting up an autonomous and viable socio-economic land data repository; providing land administration services with quality human resources for their effective contribution to a well-functioning land data repository; raising populations' awareness on the need for them to participate in specific land studies/surveys; and promoting access to funding for public services and NGOs to conduct such studies. To support the implementation of that strategy, we propose that a law be voted to establish a national institute of socio-economic land data that will oversee organization of land surveys and hosting the land repository. Transferring part of land tax revenues will be required to finance the institute's annual operational costs, while a government's subsidy program or a scheme of differential taxation on rural versus urban land transactions will enable greater access of land owners to land titles or certificates. An advocacy towards the National Land Council (CNF) and the National Assembly (Parliament) will pave the way to getting the required decisions and actions from the Government.

Introduction

Everywhere in Sub-Saharan Africa, land is at the center of economic, social, cultural, environmental, and political challenges. Benin is a West African country with total population projected at 11,496,140 inhabitants in 2018, of which 51.2% is female (RGPH4-2013). The country's area is 114,763 km², spread unevenly over 8 agroecological zones among which main cotton production zones represent 46%. Benin economy is heavily reliant on the informal re-export and transit trade with Nigeria and mostly on agriculture. Agriculture employs 70% of the active population and contributes 90% of total export earnings. Good land governance is therefore an important condition in the country's development, and this cannot be done without relevant land policies.

Accruing from the ever-increasing competition for access to land due to population growth and urbanization, the growing land use conflicts in Benin has become in recent years a major concern both for the populations and for state institutions and local authorities. Land governance has been going on so far along a legal dualism, where customary land tenure and modern land tenure coexist. With the support of donors, the Government engaged in a land reform which culminated in a new land law (2013 and revised in 2017), which focuses on land property security to promote investments. The efforts are geared to increasing access to secure lands, by means of individual land titles through the "Plans Fonciers Ruraux" (PFRs) in rural areas and a "modernized" cadastre (www.cadastre.bj) in urban areas. The National Agency for Land and Domains (ANDF – www.andf.bj) was therefore created to coordinate the implementation of the land law in collaboration with previous public land services⁶. The goal is to regulate land transactions by many informal brokers and to ensure a safer environment for investments in agricultural, housing and nature protection. Before that reform, some non-governmental and civil society organizations have been active in addressing land conflicts and deprivation of women's land rights through sensitization and advocacy.

However, socio-economic land data are not readily available to inform the analysis of various facets of the land problem and to enlighten decision makers for a sustainable land governance. The above-mentioned conflicts are still persistent, even in urban areas already covered by the cadastre. The country still lacks the strategies that would genuinely help to address them.

The NEPAD land governance program in Africa and the derived ISELDA project in Benin aim to propose a sustainable framework for greater accessibility of quality socio-economic land data to stakeholders, especially policymakers and researchers. Relevant

6 ANDF was created by the land law n ° 2013-01 of 14 August 2013 bearing "Code Foncier and Domanial au Bénin".

public land institutions are expected to take the lead in that endeavor. Therefore, resources were provided to the African Economic Research Consortium (AERC) to prepare an inventory of socio-economic land data, and to elaborate a coherent set of strategies for improving the quality, storage, and accessibility of those data.

This policy note aims to reveal the key findings and lessons from the above work, and to shed light on the policy actions that would be required to foster the implementation of the strategies. The goal is to set up a more organized and efficient land data management system in Benin.

Methodology

The methodology adopted is the culmination of two successive rounds of activities: (i) the collation of available socio-economic data on land and the analysis of their quality, structure of related databases, and accessibility to policy-makers and researchers, and (ii) the definition of improvement strategies. Data collation involved first a literature review on various aspects of land use, land governance, and land management in Benin. Existing documents with land stakeholders were analyzed in the light of a few key related themes (land management by communities, natural range-land management and transhumance corridors, private investments on agricultural lands, and management of the State's private land holdings) and the preparation of a checklist for discussion during field visits. Then, public institutions and resource persons involved in land governance and land management were identified, visited, and interviewed. The visits happened during and after the CSE/IPAR/AERC mission that occurred on behalf of the NEPAD/AUDA program from 09 to 14 September 2019. At the end of this process, a matrix of the various data obtained was compiled and discussed in an inventory report, and a strategy report was prepared to propose some important actions required to alleviate the constraints to accessing socio-economic land data in Benin.

This policy note is about the policies that need to be implemented for the defined strategies to be successful. Based on the diagnosis made in the inventory report and the major challenges to be met, this note aims to inform policy makers on actions and public support that would be required to set up a reliable and accessible repository or archive of updated socio-economic land data in Benin.

Main findings of the study

Benin does not have a solid public and secure archive of socio-economic land data. Such data are scattered in a few NGOs and do not cover all relevant thematic areas for policy-making and benefic-cost ratio analysis of investments in land. About 32% deal with land use security and related issues (heritage, gender, conflicts); very few (6%) about land and food security; none (0%) on land titling or property certificates. Only

13% of the available socio-economic land data are less than 5 years old. Most of them (65%) proceeded from interview guides and secondary sources; only 18% from detailed questionnaires at household level. Eighty percent (80%) of the data were collected at district and national level; only 20% at household level. Eighty three percent (83%) of the data are in inaccessible format (hard paper / hard electronic) and only 17% available as soft (websites). Ninety-five percent (95%) of the available data were declared to be accessible for free, whereas they were usually kept by individuals and not really in a repository of the host institutions. The public institutions dealing with geospatial and administrative land data have no considerations for socio-economic land data, except the data accruing from comodo and in-comodo rapid inquiries before land transactions are validated by town halls. Their paper format is an indirect limitation to their accessibility. Although some nationwide surveys (Integrated Modular Surveys on Household Living Conditions [EMICoV], and Survey on Land profile and determinants of poverty) have been carried out by the National Institute of Statistics and Economic Analysis (INSAE), land-related variables were not enough in those surveys.

Therefore, the available socio-economic land data in Benin are not easily accessible to the public and are not meant for land policy research purposes. Decision-makers in Benin are not well informed about the recent trends in land use, and related human, social burdens and administrative bottlenecks of land acquisition and land use. While there is substantial progress in geospatial methods and equipment used by public land agencies for land administration with the support of donors, the government has had little interest in collecting and storing socio-economic land data in a reliable and accessible repository. However, the existing public institutions in charge of land administration and management can be an important backbone for the collection and archiving of quality socio-economic data if appropriate training is provided to the personnel.

The study proposes four (4) strategic directions to address the issues of collection, archiving and accessibility of socio-economic land data in Benin:

- Financial support from land administration services and donors to undertake a comprehensive land survey, which would be renewed regularly, at least at the frequency of the national demographic census.
- The creation of a public land archive office or institute to host the socio-economic land database or repository.
- The effective functioning of existing land administration services to ensure the autonomous funding of the land archive office or institute.
- The sensitization of the population on the importance of land survey and land data archiving and sharing for social and economic development.

Conclusions and policy implications

Benin does not have a solid public and secure archive or repository of socio-economic land data. Such data are scanty, scattered and kept by a few NGOs and donors, and do not cover all relevant thematic areas for policy-making and benefic/cost ratio analysis of investments in land. The available socio-economic land data are not easily accessible to the public and are not meant for land policy research purposes. Binding public land institutions on a same agenda for setting up such a socio-economic land archive/repository is still a big issue, while giving the responsibility to an independent and autonomous land institute is being explored by resource persons and non-state land stakeholders. Some key elements of the strategy proposed to improve the quality and accessibility of those data include: setting up an autonomous and viable socio-economic land data repository; providing land administration services with quality human resources for their effective contribution to a well-functioning land data repository; raising populations' awareness on the need for them to participate to specific land studies/surveys; and promoting access to funding for public services and NGOs to conduct such studies.

In order to facilitate the implementation of that strategy, we propose that **a law be voted to create/establish a national institute of socio-economic land data** that will be in charge of organizing land surveys and hosting the land data repository, under direct administrative supervision of the Ministry of Planning and Development, in collaboration with ANDF, INSAE, and the Ministry of Land, Housing and Environment. The institute should be endowed with a new integrated digital/electronic land data management system, and eventually host a land help desk. Other related policy actions would include: (i) A government's subsidy program or a scheme of differential taxation on rural versus urban land transactions to enable greater access of land owners to land titles or rural land certificates; (ii) The transfer by ANDF of part of land tax revenues to finance the functioning of the institute. **Awareness-raising on socio-economic land surveys and land data archiving** should be included in the institute's agenda, with assistance from the Ministry of Communication to implement a dedicated communication plan for the purpose. An advocacy towards the National Assembly (Parliament) to gain its support to the whole strategy will be critical. The political environment is favorable, as a new revised land law is voted three years ago and is being implemented. It is expected that the National Land Council (CNF) would have endorsed the strategy before it is taken to the Parliament.



Mission

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