

# **Sustainable land administration for inclusive development: Women and Vulnerable Groups' Access to Land (SDG 5) and Their Participation in Land Administration Systems**

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## **SUMMARY**

This paper analyzes Rwanda's progress in advancing sustainable land administration as a pillar for inclusive development, with a particular focus on women's and vulnerable groups' access to land and participation in land administration systems in line with Sustainable Development Goal 5. Following the 1994 Genocide against the Tutsi, Rwanda transitioned from emergency response to long-term development, recognizing land as a central resource for economic growth, social stability, and poverty reduction. This shift prompted comprehensive legal, institutional, and policy reforms to improve land governance and promote equity.

Historically, Rwanda's land and inheritance systems were dominated by patriarchal customary laws that excluded women from land ownership and inheritance. Although the 1962 and 1991 Constitutions proclaimed equality before the law, women's land rights were not effectively protected in practice. A decisive turning point occurred after 1994, when women increasingly became heads of households, necessitating legal reform. The 1999 Law on Matrimonial Regimes, Liberalities and Successions established equal inheritance rights for sons and daughters and recognized widows as lawful heirs. These gains were constitutionally enshrined in the 2003 Constitution, which enshrined gender equality and prohibited discrimination.

Subsequent land legislation—the Organic Land Law of 2005, the Land Law of 2013, and the revised Land Law of 2021—translated constitutional principles into practice by guaranteeing equal land rights, introducing joint spousal ownership, requiring spousal consent for land transactions, and modernizing land governance through the Land Administration Information System. The 2016 and 2024 family laws further strengthened equality in inheritance and succession. Rwanda's reforms align with international and regional frameworks, including CEDAW, the Universal Declaration of Human Rights, SDG 5, and the African Union Agenda 2063.

Despite this progressive legal framework, gaps persist between law and practice. Limited public awareness of land rights, inadequate knowledge of land services and procedures, capacity constraints among local authorities, and enduring patriarchal norms continue to restrict women's effective control and use of land. Widows and women in informal unions remain particularly vulnerable to dispossession, contributing to poverty, dependency, gender-based violence, and reduced participation in human development.

To bridge these gaps, HAGURUKA, the National Land Authority, and *Lantmäteriet* (Swedish Mapping, Cadastral and Land Registration Authority) have partnered since 2018 to promote inclusive land administration. Interventions have focused on capacity building for local leaders, community dialogues, citizens' awareness raising, and decentralized service delivery through land clinics. The initiative trained 3,066 duty bearers, engaged 14,068 community leaders, reached 44,309 citizens across 17 districts, and resolved 4,805 land-related cases. The results demonstrate improved knowledge, gender responsiveness, service delivery, and citizens' ability to claim and defend their land rights.

The paper concludes that Inclusive land tenure requires strong institutions, community empowerment, and decentralized services, supported by longer-term interventions and impact assessments to ensure sustainable and scalable reforms.

### **Administration durable des terres pour un développement inclusif : Accès des femmes et des groupes vulnérables à la terre (ODD 5) et participation aux systèmes d'administration foncière**

Ce document examine les progrès du Rwanda dans la promotion d'une administration durable des terres comme pilier du développement inclusif, en mettant l'accent sur l'accès des femmes et des groupes vulnérables à la terre et leur participation aux systèmes d'administration foncière, conformément à l'Objectif de Développement Durable 5. Après le Génocide contre les Tutsi de 1994, le pays est passé d'une réponse d'urgence à un développement à long terme, reconnaissant la terre comme une ressource centrale pour la croissance économique, la stabilité sociale et la réduction de la pauvreté. Cette transition a entraîné des réformes juridiques, institutionnelles et politiques visant à améliorer la gouvernance foncière et promouvoir l'équité.

Historiquement, le système foncier et successoral rwandais reposait sur des lois coutumières patriarcales excluant les femmes de la propriété et de l'héritage. Bien que les Constitutions de 1962 et 1991 proclamaient l'égalité devant la loi, les droits fonciers des femmes n'étaient pas garantis en pratique. Après 1994, les femmes devenant chefs de ménage, une réforme juridique était nécessaire. La loi de 1999 sur les régimes matrimoniaux, libéralités et successions a établi l'égalité des droits successoraux entre fils et filles et reconnu les veuves comme héritières légales. Ces avancées ont été consacrées dans la Constitution de 2003, qui a inscrit l'égalité des sexes et interdit la discrimination. Les législations foncières suivantes la Loi organique sur le foncier de 2005, la Loi foncière de 2013 et la Loi foncière révisée de 2021 ont traduit ces principes en pratiques concrètes. Elles garantissent l'égalité des droits fonciers, introduisent la copropriété conjointe, exigent le consentement du conjoint pour les transactions foncières et modernisent la gouvernance via le Système d'information sur l'administration foncière. Les lois familiales de 2016 et 2024 ont renforcé l'égalité en matière d'héritage. Ces réformes s'alignent sur la CEDAW, la Déclaration universelle des droits de l'homme, l'ODD 5 et l'Agenda 2063 de l'Union africaine.

Cependant, des écarts persistent entre loi et pratique. La faible sensibilisation aux droits fonciers, la connaissance limitée des services, les contraintes des autorités locales et les normes patriarcales restreignent le contrôle et l'usage effectifs des terres par les femmes. Les veuves et

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les femmes en unions informelles restent particulièrement vulnérables à la dépossession, favorisant pauvreté, dépendance, violences basées sur le genre et faible participation au développement humain.

Pour combler ces lacunes, HAGURUKA, l'Office Rwandais des Terres (NLA) et *Lantmäteriet* (Autorité Suédoise de la Cartographie, du Cadastre et de l'Enregistrement Foncier) collaborent depuis 2018 pour réaliser un projet pour renforcer les capacités en matière de gestion foncière. Le projet a formé 3 066 acteurs clés, impliqué 14 068 leaders communautaires, atteint 44 309 citoyens dans 17 districts et résolu 4 805 cas fonciers. Les résultats montrent une meilleure connaissance des droits, une plus grande sensibilité au genre, des services améliorés et la capacité des citoyens à revendiquer et défendre leurs terres.

En conclusion, une tenure foncière inclusive exige des institutions solides, l'autonomisation des communautés et des services décentralisés, soutenus par des interventions à long terme et des évaluations d'impact pour garantir des réformes durables et reproductibles. L'expérience rwandaise constitue un modèle pour d'autres pays confrontés à des défis similaires dans l'égalité des sexes et le développement inclusif.

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## **1. BACKGROUND AND CONTEXT**

In the aftermath of the Genocide committed against the Tutsi in 1994, there was a shift in the national development agenda from emergency-led interventions towards sustainable development. The role of land in supporting the country's development and growth was critical, especially for sectors that rely heavily on land, including agriculture, forestry, industry, livestock, tourism, and settlement, among others. As a result, there have been legal and institutional reforms. Reforms in the legal framework include the (2004) National land policy reviewed in 2019 to integrate global and regional commitments to land, the adoption of organic land law (2005), land law (2013), and the current law governing land of 2021. The institutional reform was marked by the establishment of the national land commission in (2006), office of Registrar of land titles (2007), establishment of the National Land Center (2017) later renamed RLMUA and National Land Authority (NLA) currently. Other achievements include successful implementation of Land Tenure Regularization (LRT) program with 10.4 million land parcels registered, development of the national land use and development master plan and the development and operationalization of Land Administration Information System (since 2008). As far as the protection of rights of women and other vulnerable groups, the Government of Rwanda did tremendous reforms by prohibiting any discrimination based on gender in relation to access to land and the enjoyment of real rights. To better understand the significance of recent land reforms, it is essential to examine how the previous legal framework contributed to gender inequality.

## **2. THE ROLE OF THE EXCLUSIVE LEGAL FRAMEWORK IN PERPETUATING INEQUALITY**

Rwanda adopted its first Constitution in 1962 after gaining independence, which proclaimed equality of all citizens before the law, but did not translate this principle into concrete protections for women in matters of property and inheritance.<sup>1</sup> In practice, customary law continued to govern most aspects of family property and succession. This system was strongly patriarchal: land, which was the most valuable form of property, passed almost exclusively through the male line. Daughters were excluded from inheritance, and widows were dependent

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<sup>1</sup> Article 3 de la Constitution de la République Rwandaise  
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on their late husbands' families for survival.<sup>2</sup> The constitutional framework of 1962, therefore, did little to change the entrenched gender imbalance in property ownership. In 1979, Rwanda codified its property and succession rules under the Civil Code Book II (CCB II), which entrenched the supremacy of customary rules in inheritance, where men remained the primary heirs of family land with the exclusion of women. The 1991 Constitution affirmed general equality before the law, but did not offer specific provisions for women's rights to property.

### **2.1. Turning point in the realization of women's land rights in the legal framework**

After the 1994 Genocide against the Tutsi, many women became heads of households on a massive scale. The legacy of genocide against the Tutsis, and the political will of the then incumbent regime marked a turning point in 1999 with the enactment of Law No. 22/99 on Matrimonial Regimes, Liberalities, and Successions that provided daughters and sons equal inheritance rights and recognized widows as heirs of their deceased husbands. For the first time, women in Rwanda had a clear statutory basis to own and inherit property. This progress was consolidated by the 2003 Constitution, which enshrined gender equality as a constitutional principle and the Constitution prohibited any form of discrimination based on sex, and provided a solid foundation for further reforms in property and land rights.<sup>3</sup> This constitutional commitment was translated into land legislation in the Organic Land Law of 2005, which was reinforced by the Land Law of 2013 that introduced joint land ownership for spouses, through registering the names of both spouses in their names depending on their matrimonial regime.<sup>4</sup> In 2016, a new version of the law on matrimonial regimes and successions further strengthened protections by clarifying inheritance rules, recognizing daughters' equal share,<sup>5</sup> and prohibiting discriminatory practices against widows.<sup>6</sup> In 2021, the Land Law was modernized and digitized land governance through the Land Administration Information System, and continued to guarantee gender equality in land ownership.<sup>7</sup> Land transactions could not be carried out without the consent of both spouses, thereby protecting women from unilateral disposals by their husbands and emphasizing the sustainability of land use.<sup>8</sup>

The 2024 law governing persons and family reaffirms equality between sons and daughters in inheritance, which guarantees that girls can inherit land from their parents on the same footing as boys, and puts the spouse of the deceased at the center of succession, hence mitigating the risk of dispossession, and establishes fair procedures for administering family property.<sup>9</sup> Ultimately, the constitution of the Republic of Rwanda (Article 15) reiterates that "All human beings are equal before the law, and enjoy equal protection of the law," while Article 10 emphasizes equality of all Rwandans and between women and men. Connected to that, Rwanda's Vision 2050 (pg.8), highlights "*promoting gender equality and women's empowerment and zero tolerance to Gender Based Violence*<sup>10</sup>", while *ensuring equal access,*

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<sup>2</sup> Women's right to inheritance before the succession law in Rwanda, Page 60, published in December 2021 by Yves Sezirahiga;

<sup>3</sup> Article 11 of the Constitution of the Republic of Rwanda of 2003

<sup>4</sup> Article 4 of the law no 43/2013 of 16/06/2013 governing land in Rwanda

<sup>5</sup> Article 54 of the law no 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions

<sup>6</sup> Article 52 al.3 Ibid

<sup>7</sup> Article 5 of the law no 27/2021 of 10/06/2021 governing land

<sup>8</sup> Article 22 Ibid

<sup>9</sup> Article 375 Ibid

*use, and control over productive resources by men and women both in urban and rural areas to support inclusive accelerated economic growth*”, is among the priorities of Rwanda’s National Strategy for Transformation (NST2 pg.46).

Furthermore, Article 5 of the law N° 27/2021, governing land, stipulates that “*Any form of discrimination in relation to access to land and enjoyment of real rights to land is prohibited* while Article 41 notes that “*A holder of land rights enjoys full rights in exploiting his or her land in accordance with legal provisions*”<sup>11</sup>. The above legal reforms and evolution align with different international instruments and legal frameworks, as well as national laws and policies. For instance, Article 1 of the Universal Declaration on Human Rights highlights that “*all human beings are born free and equal in dignity and rights.*” Likewise, Article 17 stipulates that “*Everyone has the right to own property alone as well as in association with others.*”<sup>12</sup> In the same line, Article 16 of the Convention for the Elimination of all forms of discrimination against Women calls on States to “*ensure the same rights for both spouses in respect of ownership, acquisition, management, administration, enjoyment and disposition of property*” while SDG (5) commits to “*achieving gender equality and empowering all women and girls*”. Similarly, the African Union Agenda 2063 commits African women to being fully empowered in all spheres, with equal social, political, and economic rights, including the *rights to own and inherit property, sign contracts, register and manage businesses*, among others.

Despite the rights of women and vulnerable people stipulated in different laws, there were issues that hampered the realization of rights in practice. Those issues included *limited information on the rights of women and vulnerable people to land, limited knowledge on land services, procedures of accessing services and available service providers, and a capacity gap of duty bearers*, especially local government authorities that provide land services, and unresolved land issues, especially for vulnerable women. Patriarchal norms, unequal household decision-making, and customary practices continue to restrict women’s ability to claim and defend their land. Women in informal unions and widows remain especially vulnerable, as they frequently lack legal recognition and therefore risk exclusion from property rights. Lack of women’s and vulnerable people’s access to control and use of land has several repercussions, notably:

- a) fueling *extreme poverty, dependency, and economic vulnerability* that fuels GBV,
- b) an *overwhelming burden of raising children alone*, especially for women who head families or single mothers,
- c) *reducing women’s opportunity* to participate in the process of human development<sup>13</sup>.

In response to those issues, HAGURUKA and the National Land Authority (NLA) entered into a partnership with *Lantmäteriet* ( the Swedish mapping, cadastral and land registration

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11. [https://www.minecofin.gov.rw/fileadmin/user\\_upload/Minecofin/Publications/REPORTS/National\\_Development\\_Planning\\_and\\_Research/Vision\\_2050/English-Vision\\_2050\\_Abridged\\_version\\_WEB\\_Final.pdf](https://www.minecofin.gov.rw/fileadmin/user_upload/Minecofin/Publications/REPORTS/National_Development_Planning_and_Research/Vision_2050/English-Vision_2050_Abridged_version_WEB_Final.pdf)

12. Law Governing Land accessed at <https://www.lands.rw/publication/Policies>

authority) in 2018 to implement the project that intends to *close the capacity gaps among local actors involved in land administration* and deepen community awareness raising on *land-related laws and rights, available land services and service providers*, and to *resolve existing land issues* through decentralizing land services. In that regard, the following achievements were registered:

### **3. CAPACITY BUILDING OF LOCAL LEADERS, CITIZENS' AWARENESS RAISING THROUGH COMMUNITY DIALOGUES**

In the framework of improving service delivery in land administration, HAGURUKA and NLA, supported by Lantmäteriet, have been conducting capacity building and awareness raising interventions that were intended to enhance the capacity of service providers to effectively deliver, as well as empowering community members on their land rights to be able to claim it and hold duty bearers accountable. Since 2018, about 3,066 service providers (Male: 2,004, Female: 1,062) have been equipped with skills in land laws, gender mainstreaming in land administration, and conflict resolution of land-related issues. In connection with that, we engaged 14,068 community leaders, including village leaders, members of various community structures, and opinion leaders, to empower them on land-related matters, land services, and key reforms to effectively mobilize citizens, especially vulnerable people and women, to reclaim their rights as stipulated in their land rights. Furthermore, Awareness raising on citizens' rights to land, available land services, and service providers, as well as procedures of seeking land services, have been conducted and reached 44,309 citizens (Male: 23,788 Female: 20,521) in 17 districts, and they were fully empowered to exercise their rights. The total number of people empowered per district through training, community dialogue, and awareness campaigns is detailed in the graph below.

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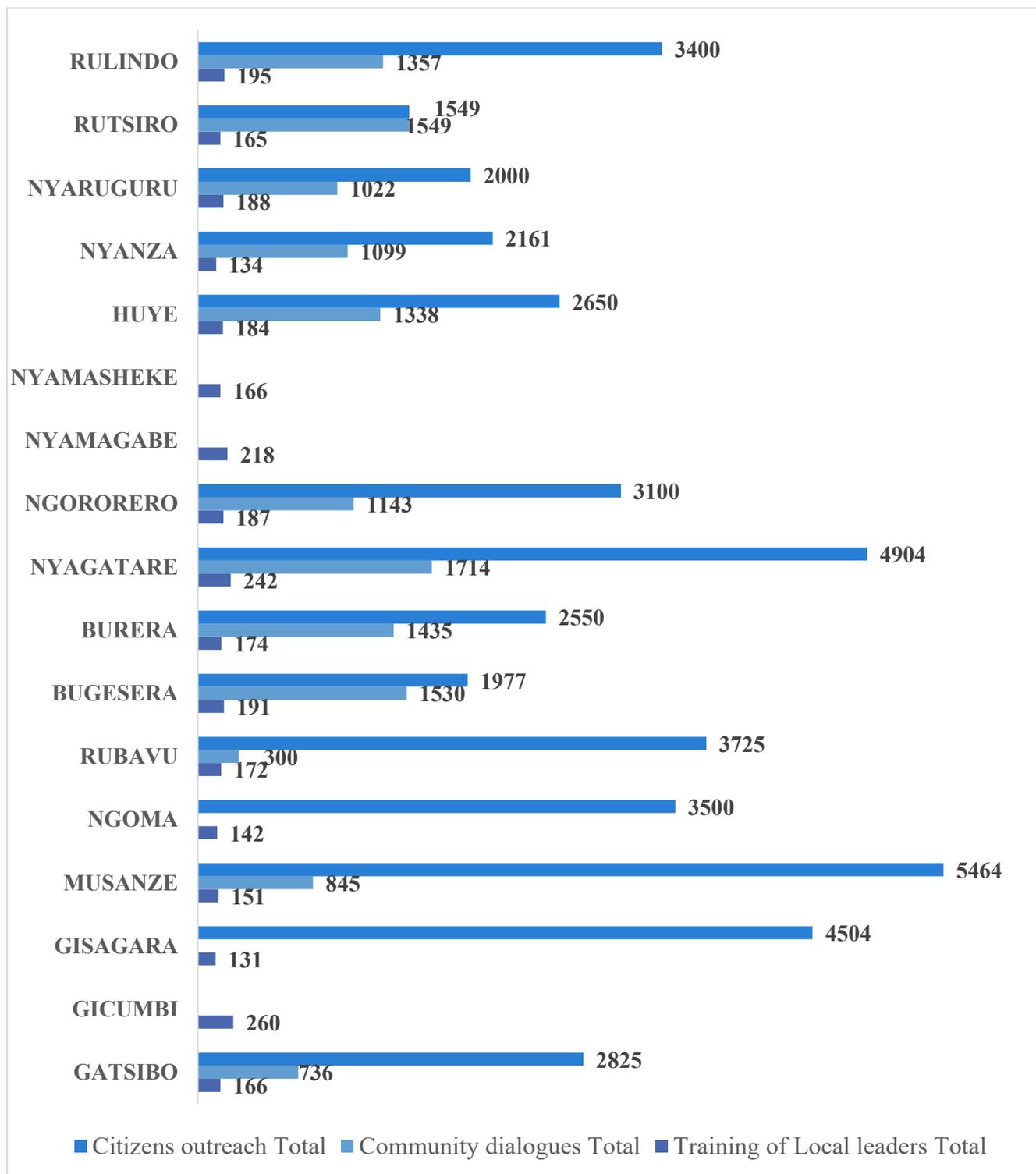
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*As evidenced in the graph above, supported by Lantmäteriet, we have managed to cover 17 districts out of 30 districts in Rwanda as of September 2025. The project continues in other*

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*districts as well because we have been carrying it out on a rotational basis. The above engagement demonstrated great impact, as discussed in detail below per the intervention.*

### 3.1. Achievements in Capacity Building interventions

In the spirit of empowering service providers to effectively deliver land-related services, HAGURUKA, in collaboration with the National Land Agency, capacitated 3,066 (1,062



*NLA staff, while demonstrating online systems to trainees during a training*

2,004 males) duty bearers, including Directors of One Stop Center, Sector land managers, Executive Secretaries of Cells, Chairpersons of land committees at cell and sector level, and HAGURUKA's paralegals. The trainings focused on: Land Ownership, Land Registration Processes, Equal Rights between men and women in land ownership, control, and

use, the rights of vulnerable groups on land entitlement, such as widows and women

in informal unions, among others. The local leaders' skills increased from 30% in pre-test results to 90% based on post-test results, according to aggregate results from various districts. Local leaders were equipped with knowledge on the rights of women and vulnerable people on land, and they committed to delivering inclusive services that are gender sensitive and responsive. Participants expressed the determination to apply the gained knowledge, as evidenced in the following post-training feedback:

*“Although I am a local leader, I used to believe that when a couple is legally married, and one person's name appears on the land title, that person could carry out a land transfer (mutation) alone. But I learned from this training that both spouses must be present during the transaction and that the individual not listed on the land title must also give consent, as they are equally considered owners of the property according to the law. Honestly, I used to think that only the person whose name is recorded on the land title had the right to process the land transfer without seeking consent from their partner.*

Jean Damascene Mvuyekure (Executive Secretary)

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*“Before this training, I did not know that a person can inherit from both parents (father's and mother's side). I used to believe that inheritance was only passed through the father's lineage. There is even a common saying that a nephew or niece cannot inherit from their maternal uncle, which reinforced my belief. But now I understand that inheritance from the mother's side is also possible. I've learned a lot, and now I know that when the time comes, I can also inherit from my mother's family. If I had this belief as chairperson of the land committee, imagine the understanding of ordinary citizens. I think I have a lot of work to do in terms of sensitization of citizens through community assemblies to enlighten citizens on key provisions associated with their rights.*

Lenatha Nikuze (Chairperson of the Land Committee)

### 3.2. Achievements in Community Dialogue with local leaders and representatives of community structures

In the framework of empowering members of community structures on land administration and gender mainstreaming, we conducted community dialogues that reached 14,068 people (7,502



7,502 females and 6,566 males), including Village leaders, women representatives on the village level, land committee members, sector land managers, and opinion leaders at the community level. The dialogues focused on the rights of couples on land and other properties as part of mainstreaming gender in land management and administration, existing reforms in land management and administration, various services and tools of service delivery in place. At the end community dialogues, the following results have been recorded:

- ❖ Participants demonstrated increased understanding of *current reforms in place, available land services and service providers, and procedures for getting them.*
- ❖ Participants enhanced *gender understanding* in land management and pledged to consider gender while

addressing the issue.

- ❖ All participants expressed commitment to *deepen awareness raising among community members, leveraging on the existing community structures, notably community assemblies (Inteko z'Abaturage) and other community gatherings. As such, by engaging representatives of community structures, we have widened a base of activists who would*

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institutionalize the inclusive land management agenda. The power of community dialogue impact can be coined in the testimony below.

*“My name is Kayitesi Judith. I was born in 1985 in Nyamasheke District into a family of five children. In the 1994 Genocide against the Tutsi, we lost our parents, and we were raised in Gisimba Orphanage. However, we had our maternal uncle survive as well, and he is the one who was managing the remaining properties, including those of our parents. As we matured, we claimed from our maternal uncle, who openly told us that we have no right to inherit through our maternal line, because daughters in our cultural beliefs were not entitled to inheritance. As children, we accepted this explanation, believing that we were denied our rights simply because our mother was female. Years later, I attended a community awareness campaign organized by HAGURUKA and NLA in Nyaruguru District, where I was informed that both children, regardless of sex, are legally entitled to inheritance. This revealed how unfairly we were treated for so long,*

### 3.2.1. Achievements in citizens' awareness raising on land rights



In the framework of empowering citizens on their rights, HAGURUKA, in collaboration with NLA, conducted awareness raising on land law that reached 44,309 citizens (23,788 males and 20,521 females), in 17 districts, focusing on equal land rights between women and men on access, control, and use of land. The awareness-raising activities also focused on available land services, service providers, and the requirements of getting land-related services. Findings revealed from awareness revealed that a large number of citizens are not aware of their rights, ranging from inheritance, equal rights between legally married couples, and those living in informal marriage, land-related services and procedures. The lessons revealed that there is a

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mismatch between the citizens' rights in different laws and the practice due to citizens' ignorance of the provisions of law, which perpetuates injustice and denial of rights and exacerbates conflicts, as highlighted by Anathalie Nyirahabimana:

*“I’m very surprised that the recognized land transfer is the one made before the land notary, as informed in the session. For us, the practice was simply to go before the village leaders with witnesses and make a transfer, and the process ended up at that level. But after this session, I understood that we were making a lot of mistakes in land transfer, and it has a lot of implications and effects. Connected to that, men used to sell plots without seeking the approval of their wives based on the patriarchal belief that it is the man who decides. But after the presentation on equal rights for couples, it has come to our attention that we were making mistakes.”*

In a similar vein, citizens were tremendously informed about key provisions of laws, especially those that affect the lives of many citizens on a routine basis, as shared below:

*“I’m impressed by the awareness raised by HAGURUKA. Before, as citizens, what used to culminate conflicts was disagreement on boundaries, and we relied on trees we planted to define boundaries, but we are now informed that in case of disagreement on land boundaries, only a professional survey has the capacity to address that. Connected to that, I learned that the transfer of land from a parent to their children is free of charge. I had*

### 3.2.2. Achievements in resolving land related issues through Land clinics

Land clinics are an innovative, community-based service delivery approach implemented in Rwanda to improve access to land administration services, strengthen land tenure security, and resolve land-related challenges at the grassroots level. They are designed as decentralized platforms where National Land Authority and district official and local authorities provide on-the-spot support to citizens, particularly in rural areas.

In Rwanda, land clinics operate as temporary outreach centers organized at the sector, cell, or village level. Through these clinics, citizens receive practical assistance on land registration, boundary clarification, inheritance procedures, dispute resolution, and the correction of land records. This model significantly reduces the time, cost, and complexity associated with accessing formal land services, especially for vulnerable populations and people living far from district offices. In addition to the citizens’ awareness raising on land rights, land clinics were a good opportunity to receive and to solve issues pertaining to land in the districts covered by the project. So far 4,805 land cases were received and solved

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#### 4. CONCLUSION

*Training of local leaders whose responsibility is associated with land management and delivery of land-related services not only empowered them to effectively deliver citizen-centered services but also became a good strategy for ensuring continuity and sustainability of project outcomes even after the project phase-out. Furthermore, mass awareness raising contributed to enlightening citizens not only on their rights but their obligations as well, updated them on available land services and procedures for delivery in line with current laws in force. Lastly, community dialogue empowered representatives of community structures, village leaders, and opinion leaders to take an active role in mobilizing citizens, leveraging the existing citizens' forums. However, despite positive results of the project interventions, the limited timeframe for training and the lack of impact assessment of the value added of interventions in districts where interventions were carried out remain a challenge. The assessment may evaluate the impact on the practicability of skills delivered and accountability of citizens to duty bearers, hence documenting lessons learned, success stories to inform future engagement.*

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