

# RaTA

## Identifying the Nature of Land Tenure Conflicts

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### What RaTA is

RaTA stands for Rapid Land Tenure Assessment.

It explores competing claims among different actors who hold different rights and powers because the claims are often related to changing land tenure policies developed in different historical periods and for varying purposes.

By analyzing the roles of policies in land conflicts and competing claims, RaTA can offer policy options and interventions as alternative means to settle land conflicts.

| RaTA OBJECTIVES |                                                                                                                                                                |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective       |                                                                                                                                                                |
| 1               | Describe general land-use and conflict links to a particular context; political, economic, environmental etc.                                                  |
| 2               | Identify and analyze actors.                                                                                                                                   |
| 3               | Identify various forms of perceived historical and legal claims by actors.                                                                                     |
| 4               | Identify the institutions and rules governing the management of natural resources and analyze the links of various claims to policy and (customary) land laws. |
| 5               | Determine policy options or interventions for conflict resolution.                                                                                             |

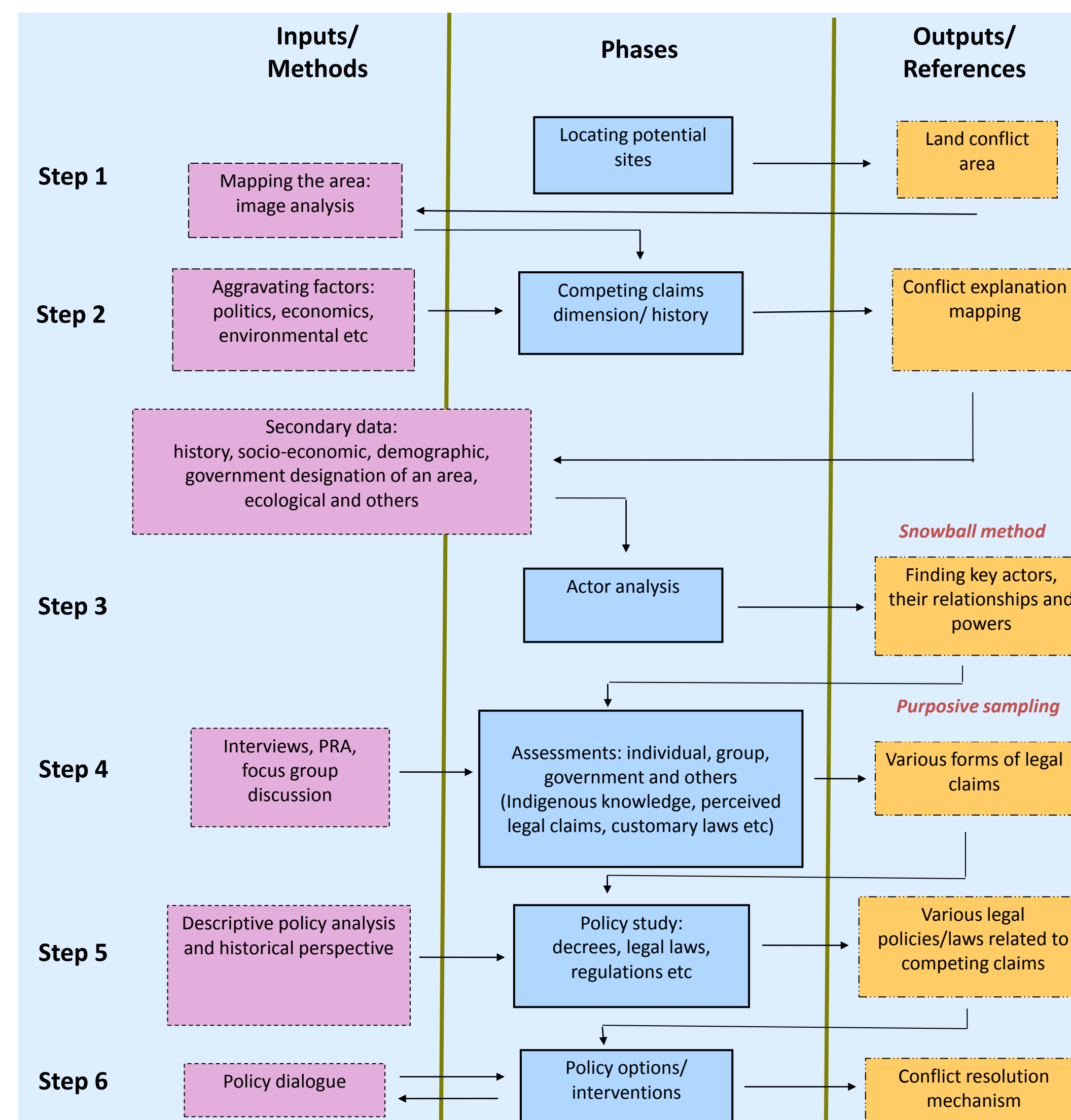


### What RaTA is for

RaTA is based on experience in Indonesia but can be used in other countries.

The main objectives are to

- provide a practical introduction to the relationship between land tenure and land claims, for example, how land claims function as causal or aggravating factors in conflict or claims that arise in post-conflict settings;
- contribute to the improvement of land tenure policies through a better understanding of tenure system dynamics and pluralism; and
- familiarize practitioners with a range of interventions and sensitize officials to the facts of confusing policies that inadvertently cause competing land claims.



### Sources of Competing Claims on Land Tenure

1. The historical transformation of governance has left a patchwork of claimants to rights on various parts of the landscape. Power has transferred from local communities to a colonial mix of support for local rulers and external control for economic and political interests of the state with a subsequent integration into a unitary state with formal law.
2. The duality of the tenure system between formal state laws (incompletely understood and implemented) versus informal or customary claims is largely unresolved.
3. Land border disputes owing to unclear ownership or management status or differing perceptions of land ownership.
4. Overlapping rights by different parties to the same land owing to differing objectives, interests and jurisdictions of various government departments or under different legal regimes.
5. Lack of recognition of customary and informal rights in government development projects.
6. Unclear land registry records and multiple-party possession of land titles for the same land.
7. Increased commercial agricultural land use leading to land-access competition.
8. Land inequality, associated with extreme poverty and vanishing opportunities, causing fierce competition over land.
9. Displacement and return of populations caused by conflicts as a result of war or forced resettlement by government projects.
10. Migrants to areas with established communities and land tenure systems, leading to conflict and misunderstandings over the rules of access to land and exposure to local entrepreneurs who sell non-legitimate claims on land.



### Why we use RaTA

Land tenure conflicts arise from the different perceptions and interpretations of rights over forested land and resources. The main source of these conflicts can be traced to the competing claims from various actors due to lack of clarity, legitimacy and legality of land tenure policies. Other relevant sources include forest governance, dynamics and interpretation of rights definitions, and the construction and reconstruction of power relationships.