



Food and Agriculture  
Organization of the  
United Nations



# 8<sup>th</sup> Capitalization Meeting

## EU Land Governance Programme

Speaker Name and Organization

United Nations Centre  
Nairobi, Kenya  
From 18 – To 21 June, 2019

# **Sustainable Land Administration and Management Project (SLAM)**

**Presented by Lynn Kota  
Eswatini Water and Agricultural Development  
Enterprise**



# Project Goal

Overall Goal of the project is to improve food and nutrition security and land access for the rural poor.







FOCUS ON CHIEFTANCY DISPUTES

# LAND DISPUTES COULD LEAD TO BLOODSHED -RAs

BY HOSPHO SHONGWE AND STANLEY KHUMALO

**MBABANE** – “Swazis will soon kill each other for land; *imbango igayutsa itsi bhe etikhuwini*.”

These are the sentiments of Hhobho Regional Administrator (RA) Prince Tshekedi and Manzini RA Prince Gokoma. They both noted that the land disputes engulfing most of the chiefdoms in the country have destroyed the fibre that holds society together.

According to the Chairman of the Land Management Board, Clement Dlamini, there is no more land left within Swazi Nation Land (SNL) and this is causing a lot of the disputes over land.

When questioned on exactly how much of the land in the country was SNL, he said only about a third.

“In the past Swazi Nation Land

was one third while the remaining two thirds was Title Deed Land,” he said.

According to information on Swaziland, the size of country is 17 364 km<sup>2</sup> and Swazi Nation Land, which is under the leadership of chiefs, is only one third, which is a paltry 5 788km<sup>2</sup>.

The remaining two thirds includes land which is privately owned, as well as land held in Trust for the Swazi nation by His Majesty King Mswati III.

Dlamini said this had changed as most of the land was handed over to the country’s leaders.

“In fact, the land is divided into three parts; the two thirds include title deed land, land held in trust for the Swazi Nation by the King, as well as concession land.”

Dlamini explained that concession land was land which was set aside for certain projects for a certain period; that is leased out.

He said some of the land was now being returned to the nation and would also be included in the land which is held in trust by His Majesty.

Prince Tshekedi said the discontent among those affected during these disputes may soon lead to bloodshed.

“Even now, I am surprised that we have not heard of incidents where Swazis kill each other for land as almost everyone seems to be scrambling to possess a piece of land in the country,” said Prince Tshekedi.

**Development**

He noted that there was not a single corner of Swaziland that was not embroiled in some sort of land dispute or another and he said this was definitely affecting the development of the country.

Dlamini explained that most disputes rise to the fore each time a chief of a certain area passes on. He said this is when opportunists emerge and

wreak havoc on community members by fleecing money off those who desperately need land to set up their homes.

He said this was the major reason why development in chiefdoms was sparse.

He said a lot of time was spent resolving disputes compared to setting up and carrying out community projects that have the potential of empowering the communities.

Prince Gokoma, when probed further on his utterances, noted that disputes were caused mostly by the fact that everyone wanted to be a leader.

“Some of these disputes emanate from family disagreements over who is the rightful person to take over the chieftancy as each faction has their chosen leader.”

He said in other instances, disputes are caused by chiefs who take

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## Over 50 chiefdoms without traditional leaders in Manzini

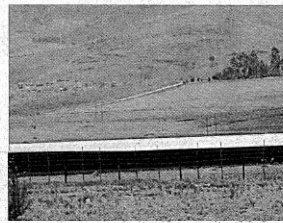
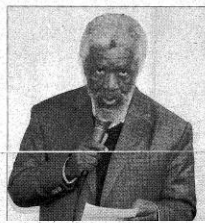
**MBABANE** – Chiefdoms in the country fall prey to unscrupulous power-hungry community members who are all set to make a name for themselves each time an area’s chief dies.

This is highlighted in the numerous land disputes which are currently engulfing chiefdoms, which do not have traditional leaders.

These are grieved as the King’s eye communities. In the

ers, as their chiefs have not yet been installed for varied reasons.

In almost all these chiefdoms, it has been noted that development does not exist and that the day to day needs of the community, such as the use of the chiefdom stamps for scholarships and other needs, come at an extremely high cost for the impoverished



## Gelane, woman’s dispute referred to traditional structures

BY KWANELE DLAMINI

**MBABANE** – “I have the right to stop any construction of structures that have not been authorised as per the dictates of Swazi Law and Custom.”

KuNtshingolile Royal Kraal acting

inner council to stop her from continuing with the construction but to our surprise and dismay, she refused to stop construction,” said Zwane.

Zwane further told the court that despite several warnings and an alleged warning from Ndabazabantu, Dlamini continued to build her house

urgent because Dlamini allegedly continued to build her house.

In response, Dlamini said the High Court did not have authority to hear the matter. She argued that she followed all the requirements of acquiring a plot on Swazi Nation Land.

According to Dlamini, Zwane an-

## Illegal land sale lands man in hospital

By Bodwa Mbingo

The constant illegal sale of land cases are rising in number in the country and has landed an unsuspecting man in hospital after he was attacked following a quarrel over land at Mbekelweni in the Manzini region.

The 30-year-old man identified as Carlos, who was employed to do some land clearance on land that is otherwise reserved for cattle grazing, but is selling like hot cakes in the area despite stern warnings against such, is thanking his gods to be alive. While working on the land, another man who claimed to have bought a portion of the land argued that he was now digging and despite Carlos telling been hired to work on this land to stop a bigger argument. With an eye Carlos was down at his head with a rock he had re-

land. He had to be rushed to Memorial (RFM) Hospital treated and later discharged.

Of great note is that clear construction of new houses in Mpholi was stopped by the LMB Board (LMB) led by former LMB Chairman. Residents of the revealed that people are no tag of the fact that preparati al Incwala Ceremony have with His Majesty King Mswati III already commissioned the V off to the Indian Ocean.

“Under the current state, magnitude can no longer be the Mbekelweni Umphakazi end of the Incwala season. I are taking advantage of the continuing with the construction on the land. This will up with them,” said an irked

## ‘Our land taken by force’

BY NYEMBELE HATHUNYANO

**LOBAMBA** – When death strikes, sadness is the sudden reaction but for a family in Mahlanga, it came with more adversity than expected.

A Mahlanga family of Mahlanga that lost their grandmother two years ago is still living in despair as her death brought more misery for them.

Life has been nothing but hell for the remaining grandchildren as they cannot do anything on their land.

A portion of their land has been given out by the area headman who allegedly refused them permission to put up any structure within the homestead.

The children claimed they had been blocked from building any structure within the homestead by the headman who is demanding a cow.

As they related their sad story, desperation was written all over their faces.

They said they have been occupying the house which had been left by their grandparents but were refused permission from further constructing a new structure.

According to the siblings, they currently occupy a dilapidated stick and mud house which was constructed before they were born by their grandparents who left it under their care.

Each time it rains, the siblings’ worst fears that the house would bury them alive as it looks like it could



Vusi Mhlanga showing the structure he had started constructing. He was allegedly fined a cow by the Lobamba Lomdala umphakazi for the construction.



Jane Mhlanga who is the aunt of the siblings.



One of the five siblings pointing at the foundation belonging to his sister. They were told to stop construction.



Another dilapidated structure within the Mhlanga homestead.

“My fear is that we will end up with no land and the frustrating thing is that we are gaining nothing,” Vusi said.

According to her, before her late soldiers had fought for the country and came back alive,” Jane said.

Iterated when trying to drive a point that the children had no other home besides the one they have.



# WIDOWS' LAND TAKEN, FINED FOUR CATTLE

... fine was for allegedly raising concerns with regional administrator

BY ZWELAKHE MOAHLOLI

**M**BABANE – “You shall not mistreat any widow or the fatherless child.”

This verse, taken from the book of Exodus 22 verse 21 to 24, seems to address an issue of two widows of Maphalaleni under the umphakatsi of Chief Mashila II, who had part of their land given to a church minister.

The verse seems to answer the concerns of the Maphalaleni community who believe the widows are being treated unfairly.

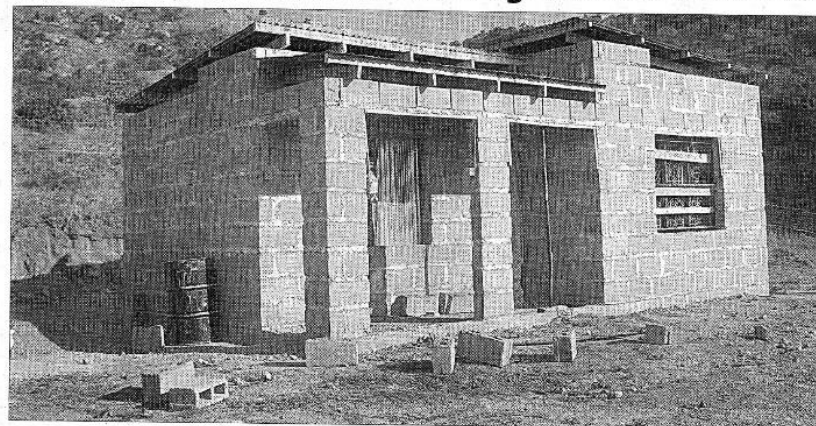
This was the case, more so as they also were allegedly further fined a herd of four cattle by their umphakatsi for alleged insubordination, which is said to have emanated from the elderly women's consistent fight for their right.

The widows, Gogo Vilakati and Gogo Shongwe, both reported to be in their 80s, were married to Magagula twin brothers.

## VICTIMISED

A family member, who did not want to be identified in fear of being victimised, said challenges started after the family was approached by a man cloth who wanted a piece of land from the widows.

“When he approached the family, he was told to return at a later date because the family was preparing for a certain ceremony, but he did not. Instead, after a couple of months, we were shocked to see some sen-



**ON ILLEGAL GROUNDS?...**The house said to belong to a church minister has been constructed on land alleged to belong to two widows. (Pics: Zwelakhe Moahloli)

erecting markers on the family's land.”

Seeing that no one had approached the family about the latest development, they decided to remove the markers, not knowing that would be the start of their problems.

The removing of the markers led to the family being allegedly summoned by the area's authorities where it was charged and fined a cow.

“Though we had been charged and fined, the family resolved that it should engage the person

introducing him to the authorities but that did not happen.”

While still pondering on their next move, they were shocked to see earth moving equipment levelling the ground and immediately approached the area's indvuna who allegedly told them he was not aware of the latest developments.

## PROCEDURE

Seeing that procedure was not being followed the family decided to report the matter to the police who in turn ordered the man of the cloth to immediatly

ter was being dealt with by the relevant authorities.

“Days after the police had issued the order, the priest continued to construct a foundation. Seeing that we were not getting the desired assistance from the local authorities, the family approached the regional administrator.”

Prince Tshekedi, Hhohho Regional Administrator, confirmed meeting with the parties involved at Maphalaleni Inkhundla Centre and after listening to both, it was agreed to resolve the matter amicably

still waiting for the report on what they had agreed on.

Wanting closure on the matter, the family requested the indvuna to schedule a meeting with the authorities.

“The authorities kept on rescheduling the meetings. However, their excuses were understandable because some included national events and assignments. We were eventually summoned after four attempts,” stated the family member. But it was not the meeting they had hoped for as it was where they were fined the four cattle.

“This basically means that they were fining the two widows because the land in question belongs to them,” the source said.

Following the ruling, the family was left with many questions, especially how the authorities arrived at the decision because they allegedly had not been called upon to give their side of the story.

## HANDLED

Indvuna Maziya advised that the matter was being handled by senior princes of the umphakatsi and other members of the inner council.

Meanwhile, Chief Mashila II he was not aware of the matter adding that such cases were handled by a certain council. However, that was after he had expressed his feeling about talking to the media.

He was called for clarification on the fine and if he was aware of it. Instead, he insisted on finding out who had given his number to this reporter.

“Where did you get my telephone number? I don't understand. There is a council working on such matters. I do not know the story you are asking me about?”

Before he ended the conversation, he again demanded to know who had given his number out and asked why the publication had approached

# Project Objectives and expected results

- Purpose is to provide tools and capacity for sustainable land administration at chiefdom level but also at *tinkhundla*, regional and national levels.
  - Tools are developed and used for more efficient land administration at chiefdom and *inkhundla* level.
- Building capacity of users of land and cadastral information to manage Swazi Nation Land more efficiently and sustainably.
- Proposed institutional arrangements for administration of land presented to and endorsed by key stakeholders





Sustainable Land Administration and Management

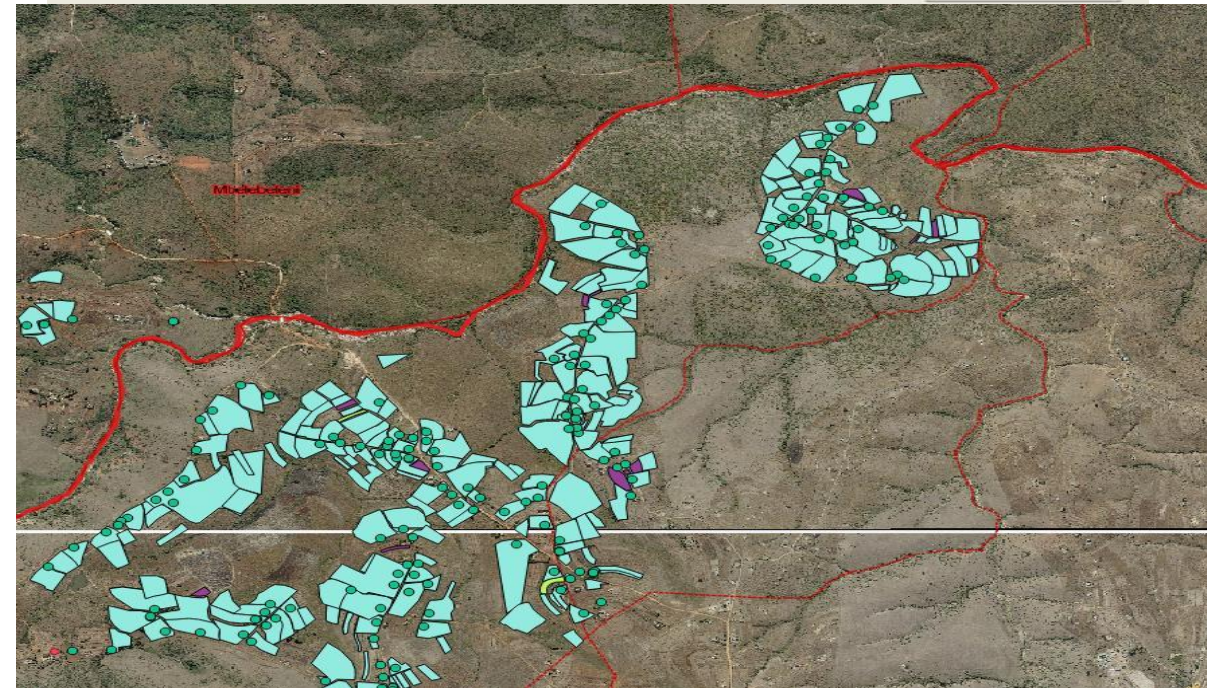
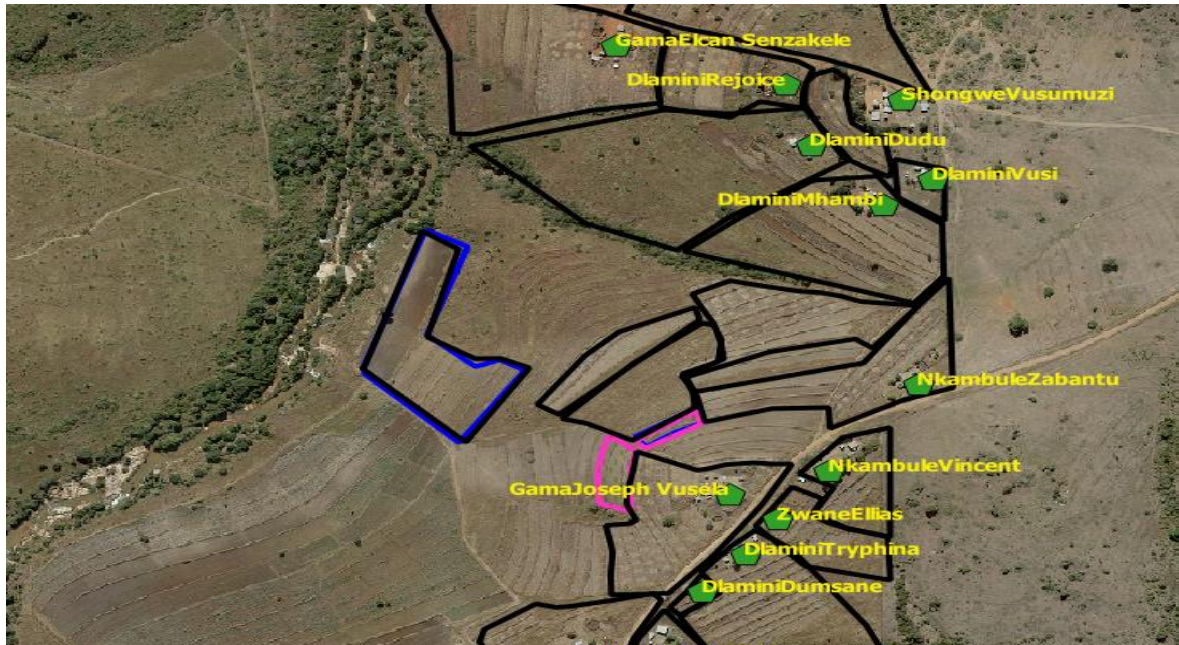
# Project Progress



Participatory mapping



# Land Holding Data Collection







# Capacity Development Activities



Result area 1 – tools are developed and used for more efficient Land Administration of Swazi Nation Land

- 1) Field work is complete and finished in 13 chiefdoms of the four pilot areas.
- 1) 13 out of 31 have their homesteads/landholdings in each chiefdom. Any constraints, and the imperative that all work, including final delivery and training, must be complete by the end of the project.



# Capacity Development Activities

## Swati Nation Land more efficiently and sustainably managed

- Continuous, hands-on training and support provided to SGD staff for data processing and results production.
  - Training for volunteer data collectors in each chiefdom.
  - Preparation of first and second drafts of guidelines on land administration.
  - Training for chiefdom land administrators had been programmed for the reporting period but did not take place due to delays in results validation, caused partly by traditional events and partly by chiefdoms attempting to resolve all overlapping
  - claims and/or disputes, and delays necessitated by observance of customary protocol



# Challenges

1. Resistance to change
2. Political Economy
3. Protocol
4. Resources





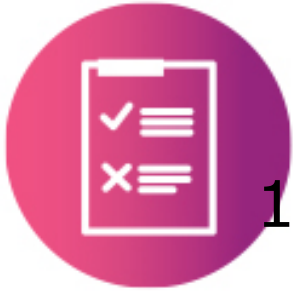
# Lessons Learned



1) A pilot project that commences with some assurances that, if it is successful, it may likely receive additional support and funding and continue and then after it has proved to be successful does not continue, disappoints and de-motivates stakeholders.



# Recommendations



- 1) The release of SZL 1.9 million by the Government into an account administered by ESWADE in January 2019 has enabled the continued employment of enumerators with resulting good progress for fieldwork. The GoE should continue to budget for the completion of the project.
- 2) Project extension should be approved (an additional three months to the end of August 2019). The project can then finalise additional chiefdoms, over and above the 13 targeted, which were recently started with GOE funding, thereby achieving greater results for the project.







## Next Steps



- Presentation of the Results thus far to His Majesty.
- Advocation for inclusion of project activities into the GoE to cover the whole country.
- Scouting for funding from other funders other than the EU for the project to cover the whole country.



UNON/DCS

# NDZINGENI SHEET 1







**Thank you!**

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