Land conflict and its resolution:

- 7.1 Boundary dispute
- 7.2 Land disputes
- 7.3 Ownership dispute
- 7.4 Different case study
- 7.5 Mediation
- 7.6 Arbitration and their role in land dispute and conflict resolution
- 7.7 Land court and its role in dispute and conflict resolution
- 7.8 Prevailing acts and rules relating to Nepal's Land System and conflict resolution

Definition

• "A land conflict can be defined as a social fact in which at least two parties are involved, the roots of which are different interests over the property rights to land: the right to use the land, to manage the land, to generate an income from the land, to exclude others from the land, to transfer it and the right to compensation for it."

 "A land conflict, therefore, can be understood as a misuse, or dispute over property rights to land." (Wehrmann 2005).



Fig: Land dispute between two parties



enyatta and Moi accused illegal land allocations

Presidents abused owers, says u report

LUSIVE



The purvey vected to the President to make grants have been grantly abused over the years both by the grantshooty of banks and their depoties. If you have to make any their depoties are their depoties of their depoties of their depoties of their depoties of their depoties.



Man kills sister for demanding land

BY PATRICK MURIUNG

POLITICAL CONVENIENT

A SINGLE mother's quest for land in Meru turned tragic on Friday when her brother shot her with a poisoned arrow, killing.

Ms Catherine Rigin, a mother of one, carned her elder brother's wrath when she allegedly demanded to be allocated a piece of her family's land to till after her marriage turned sour. The woman's persistent demand for land.

Daily Graphic November 15, 2001

Friday,

GHANA'S BIGGEST SELLING NEWSPAPER

60.000 Land Cases

choke our courts and slow development

It is estimated that more than 60.000 land related-litigations are pending before the various courts in Ghana.

Greater Accra Region tops the list with over 20.000 cases.

The scope of the problem

- Land conflicts are a widespread phenomenon.
- They can occur at any time or place.
- Both need and greed can equally lead to Land Dispute.
- Scarcity and increases in land value can make things worse.
- Land conflicts especially occur when there is a chance to obtain land for free – no matter if this land is state, common or someone's private property

The scope of the problem

Land conflicts occur in many forms:

- Land conflicts between single parties
 - => comparably easy to solve.
- Land conflicts that include several parties
 - => more difficult to deal with.
- Land conflicts that include corrupt land administration or state capture
 - => by far the most complex and most difficult to solve

The scope of the problem

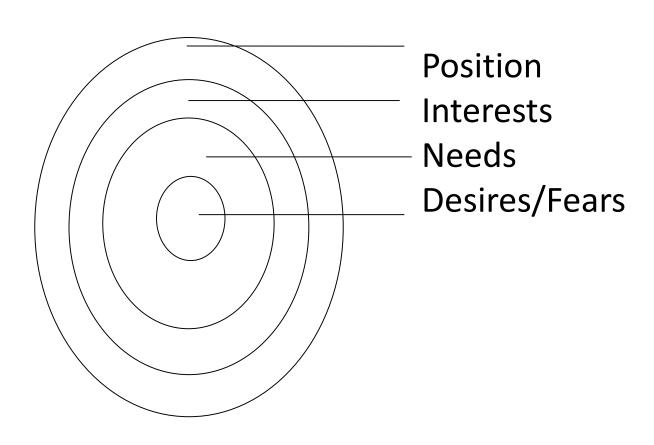


Contd....



Root cause of conflict

PIND



Land conflict Resolution

- Many developing countries uses either formal and informal institutions.
- Formal institutions central court, district court, local court, follow governmental structure.
- These court deals with not only land matters but also kind of conflicts.
- Usually time consuming and cost affairs.
- Furthermore, the number of lawyers and judges is not always sufficient to efficiently address the large number of the conflicts.

Land conflict Resolution

Mediation

- A form of alternative dispute resolution (ADR), aims to assist two (or more) disputants in reaching an agreement.
- Mediator use appropriate technique to open and/or improve dialogue between disputants, aiming to help the parties reach an agreement on the disputed matter.

Arbitration

A form of alternative dispute resolution (ADR), is a legal technique for the resolution of dispute outside the courts where the parties to a dispute refer it to one or more persons (arbitrators), by whose decision they agree to be bound.