Key Conceptual and Practical Considerations of LTA in Term of LTS

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Abstract

This paper is based on the assumption that the Land Tenure Administration (LTA) and the Land Tenure Security (LTS) are necessary to safeguard and protect the people rights and hence to provide the security of tenures. In this paper, Iraqi objectives of tenure were explored in detail in order to build an understanding of the concepts of LTA and LTS conducted in this research. Therefore, this paper is designed to provide an overview of the key evidence linked to the LTA and LTS aspects. In this context, land tenure types and how they are administered in different purpose and situations, and definitions of the key issues in both of rights and of the security levels were identified.

Keywords: Land tenure, Key factors, Iraq

Introduction

The English term 'Tenure' is derived from the Latin term which means 'the holding' or 'the possessing' (Basset and Crummey, 1993:12). This definition usually uses this term with "Land" to refer to the 'objects' to which ownership and other rights are to be connected. In practice, the land tenure term can incorporate various basic objects or units, land parcels being the most common. Other definitions adopting the same perspective included those who observed the term "Land tenure" to convey the multiple legislation elements involved in the rules regulating access to the land and its use and the management by different groups or individuals (White Paper, 2009:p.112). In this situation, the land tenure is not a new discipline. Much literature has focused on the tenure definition as a relationship between users and their rights to use the land (Dale, 1991; Fisher, 1995; UN-Habitat, 2003b). It is worth noting here that the link between the land and the tenure has been defined also as an administrative relationship between people with respect to land. More detailed definitions about this point have been provided in earlier reports where tenure has been defined directly as the reflection to

relationships between the people as the user of the land according to specific rules/policy (Payne, 2001; UN-Habitat, 2003a; FAO, 2012). Therefore, in a brief word; the term of the land tenure can be defined as the various relationships that are established in order to access and manage them regarding the users' rights. Based on these definitions, the land tenure is defined within the context of this study as a as a set of historically and culturally complex relationships that enable the land users, as individuals or groups, to use and benefit from the land resources within specific managements which are governed by determining authorities. Essentially, what is being considered under this definition in this research is a variety of arrangement names, such as community, customary, communal, and collective forms, and these related forms of rights established through a range of processes: statutory, customary, religious and even informal. It could say that this definition is more relevant to the promise of achieving this human beneficial right officially under defined rules and managements with which the end-users' rights are safeguarded.

In this section, the reviewing of literature has also focused on various rights associated with land tenure, in particular, these rights can be summarised into: cultivate or develop it, the right to transfer it to one's heirs, sublet all or part of it, use it to obtain formal credit, and access public services (see Payne et al., 2003; FAO, 2012). As with tenure status, all these forms of rights should be clearly acknowledged by the polity considerations using legal tools for protection of rights. In this respect, because the land tenure is a relationship among people, the holding of the rights may be associated with more than one person within the form of a bundle of rights. FAO (2012) speculated that the rules defining the rights of access to land reflect the balance, or imbalance, of polity power as much as anything else. Therefore, the users' rights of tenure are conventionally existed as a subset of the social relationships in policy considerations; apply to each of these rights.

While there are variations in the classification of tenures, the reviewing of literature also suggests that there is a board understanding of what considerations must be taken onto account to find an appropriate security. In fact, operational definitions of land tenure indicate the term of 'security' regarding the users' rights. According to FAO (2012), all forms of land tenure should provide all persons with a degree of tenure security. In addition, there is the fear of eviction characterise a significant exclusion of poor people from mainstream social, economic and civic opportunities. UN-Habitat (2006e: p.94) showed this issue by describing the Land Tenure Security (LTS) as a legal protection to the land users' rights obtained by authorities: "The right of all individuals and groups to effective protection from the State against forced evictions". In this context, UN-Habitat (2008:5)

was more specified provided outcome indicators on the different attributes including security of tenure, by defining LTS according to set of considerations.

In this context, White Paper (2009, p.47) echoed that legal protection and emphasis that the LTS is a vulnerable form and may not linked automatically with informal land rights of tenure: "Security of tenure is not so much derived from the legal status of the rights held, as from social consensus on the legitimacy of these rights and the reliability of mechanisms for arbitration should conflicts arise.", and therefore: "..Security of tenure takes various forms depending on the legal framework, social norms and value systems of each culture" (White Paper, 2009:p.115). This definition has become the main starting point of this research as it is relevant to the current situation in the Iraqi, where LTS is just the reflection to the satisfaction and success from the end-user's view, and also as a result of the legal status of the rights which are held under the legal mechanism of the land authorities. This definition also inspires the aim of this research nor only because it has an ability to describe the key fundamentals of LTS such as legal status, society, customs and legal context of attributes that are necessary for providing an effective LTA, but also because it highlights the significant point of end-users being satisfied and have secured their rights. In a brief word, the role of land governance/ institutional authorities is the protection of the user's rights and the reliability of mechanisms to build an effective LTS. Therefore, the sustainable institutional framework is the principal mechanism through which LTS can be sought. Thus, the absence of ability to address the more fundamental supply rights of land, inappropriate regulatory structures and an weakness of used mechanism; all lead to lack of the LTS.

Land tenure administration (lta): concept, and key institutions

The Oxford English Dictionary provides several definitions of the term 'Administration', including: both conformity to the law and also a degree of justification or ongoing social acceptance (Oxford, 2015). Similar definitions have been put forward by UN Habitat (2008:5), USAID (2013), and Payne (2002:5, 1997:3). Furthermore, the literature stressed that policies of land tenure need to be related to the clear legislative capacity of institutions, communities and other stakeholders associated with an administrative strategy (Abelson, 1996; Tebbal et al., 2001; FAO, 2002; Davis, 2004; UN-Habitat, 2006b; Gulyani et al., 2007). In this context, the globally negotiated Voluntary Guidelines on Land Tenure (FAO, 2012) uses the term 'legitimate tenure rights' to consist of all users of land, independent of legal status, including traditional settings and those using communal grazing areas and commons. In simple terms, the Land Tenure

Administration (LTA) defined by the UN-Habitat (2011: p. 15) as a governing system implemented by the state to "record and manages rights in land which can be determined as managing the public land and documenting and registration of freehold rights under the absolute ownership of properties". Also, LTA was defined as the way in which the rules of land tenure are applied and made operational (FAO, 2012). Consequently, UN-Habitat (2003a) describes LTA as a way of enhancing the peoples' rights in land and property within clear institutional forms.

In practice, the role of LTA as the engine of the security of tenure is promoted throughout. The LTA sets the framework for implementation of security policy and protects the user's rights. Also, the reviewed literature reveals that the land administrative key measures are the security level of land tenure, by managing users' prospects and solving their problems, enabling an effective management and monitoring of LTS and thereby reducing poverty (see Payne, 2012; FAO, 2012; Sietchiping et al., 2012). More detailed definitions about this administrative point have been provided in earlier reports where land tenure has been defined directly as the reflection to relationships between people ,the user of the land according to specific rules/policies (individuals/groups), and these land-related policies that govern and control their rights (Section 2.2.1). Focused on this triangular relationship of people, land and policy; in this research, the administration of land tenure has defined as a set of legal or customarily relationship among peoples with respect to land-related objectives, figure 1 is graphically illustrating this triangular relationship.
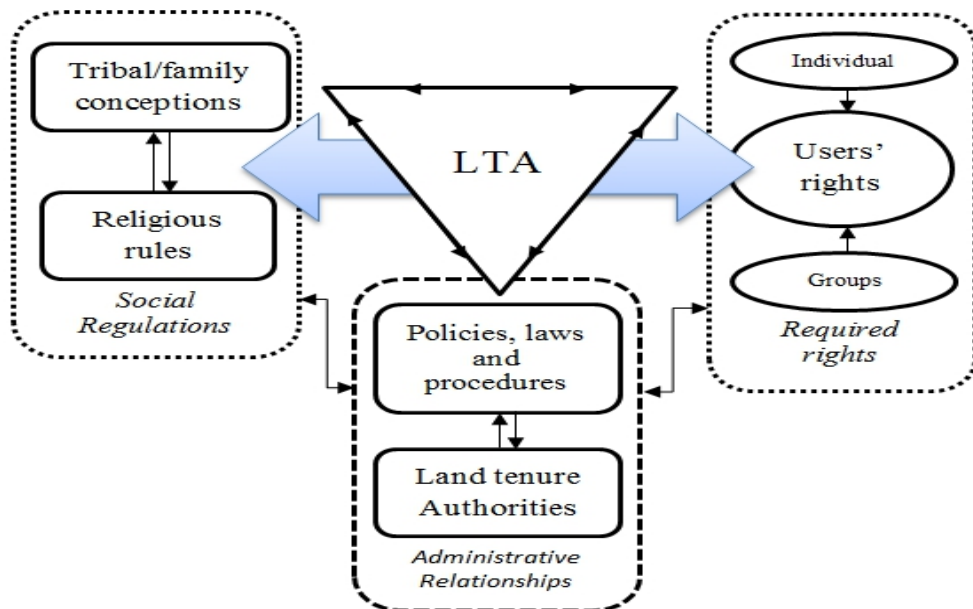

Figure 1: The land tenure administration's interactions (Author).

As an administrative process in which the individuals and group rights are protected by systems against the multiple claims from others, figure 1 showed that LTA can be interacted as a formulation of guidelines, norms, standards, rules, legal instruments, and the setting of a mechanism for managing and monitoring of tenures regarding the end-user's rights. However, this may be attributed to the fact that the land tenure as a concept has a vast diversity of its forms contributed to social, political, economic and even religious -related objectives.

Principles of the LTA implementation

The literature showed that the LTA is a crucial element in determining if and how peoples (end-users) can be able to acquire their rights, and associated duties, to use and control land, and how its implementation may be carried out by operational institutions, or even through customary authorities (see Payne et al., 2003; Cotula, 2004; Enemark, 2004; UN-Habitat, 2012; FAO, 2012). Many problems of implementation arise because of the obtained levels of Efficiency of the land authorities; in fact they are adversely affected by the quality of governance. Thus, Responsible governance of tenure conversely promotes sustainable social and economic development Social and economic conflict and the state instability, therefore, adversely affect the LTA implementation and encourage end-users rights. Furthermore, the implementation of LTA and secure access to land by the authorities requires an assessment of those circumstances that may influence or change this process as a result of the internal/external influences. The initial phases of emergency shelter provision and protect the end-users' rights require a clear resolution process arising from the authorities. Internally displaced persons are resulted as a result of those circumstances that linked to these impermanent situations such as war or even the post-war sphere, and then these initial phases of administrative weakness/misunderstanding that legally defined framework have during these critical related-situations. In identifying the LTA implementation principles, FAO (2012: pp4-5) summarised these principles of implementation which are essential to contribute to responsible governance of tenure of land:

a. **Human dignity**: recognizing the inherent dignity and the equal and inalienable   human rights of all individuals;

b. **Non-discrimination**: no one should be subject to discrimination under the law and policies as well as in practice;

c. **Equity and justice**: Recognizing that equality between individuals may require acknowledging differences between individuals, and taking positive action, including empowerment, in order to promote equitable tenure rights and access to land, fisheries and forests, for all, women and

men, youth and vulnerable and traditionally marginalized people, within the national context;

d. **Gender equality**: Ensure the equal right of women and men to the enjoyment of all human rights, while acknowledging the differences between women and men and taking specific measures aimed at accelerating de facto equality when necessary. States should ensure that women and girls have equal tenure rights and access to land, independent of their civil and marital status;

e. **Holistic and sustainable approach**: Recognizing that natural resources and their uses are interconnected, and adopting an integrated and sustainable approach to their administration;

f. **Consultation and participation**: Engaging with and seeking the support of those who, having legitimate tenure rights, could be affected by decisions, prior to decisions being taken, and responding to their contributions; taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes;

g. **Rule of law**: adopting a rule-based approach through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments;

h. **Transparency**: clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all;

i. **Accountability**: holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law;

j. **Continuous improvement**: States should improve mechanisms for monitoring and analysis of tenure governance in order to develop evidence-based programmes and secure on-going improvements.

Thus, responsibility and the role of land governance authorities promote sustainable social and economic development, therefore, the LTA implementation guidelines the state stability levels and then encourages sustainable rights of the end-users, and then protecting these rights officially (figure 2).
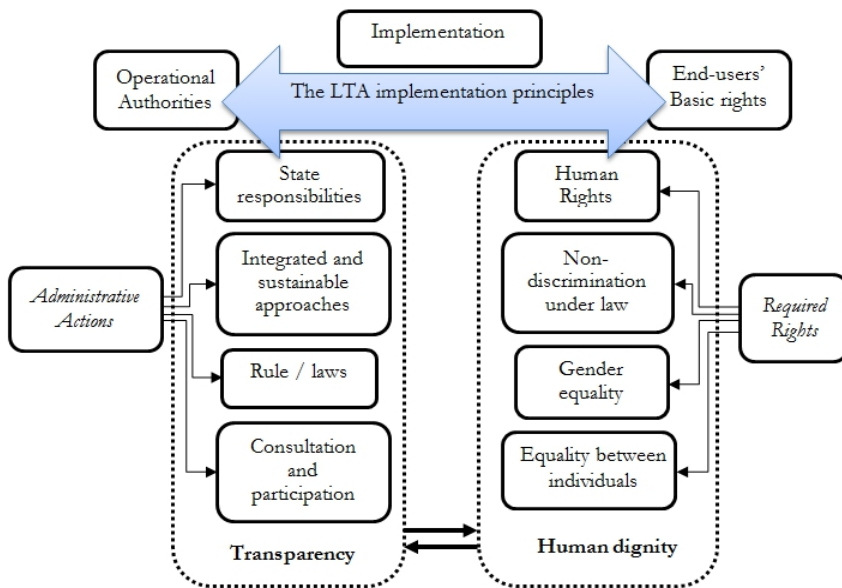
Fig. 2: The principles of LTA implementation (adopted from literatures)

From figure 2, it is seen that the role of authorities in their levels of implementation of LTA is based on their administrative mechanisms taken to manage and monitoring this administrative action. However, this process is required to be taken into a count that it deals with basic rights of human which are linked directly with Human dignity and then this, the administrative actions must work to protect and promote these basic rights regarding individuals or group discrimination such as the gender or beliefs under law and policies as well as in practice. The lack of adequate administration and implementation of LTA and secure access to land by the Authorities is one of the main causes of lack of rights and conflicts in the world. The most appropriate approach to identifying whether an LTA issue is likely to exist, and particularly at whether it is likely to give rise to conflict, is to seek answers to existing or not an integrated and sustainable approaches. In this context, the Implementation of LTA can describe as an indicator to the efficiency level of institutional authorities, the next section is deal with this point.

EFFICIENCY of LTA

From the literature reviewed in this chapter, it is seen that in order for LTA to be effectively implemented by institution authorities of land, keys elements of Efficiency of LTA should be addressed. In this context, this Efficiency requires the identification of the existing tenure arrangements adopted in the legally defined framework, and what formal legal interests

actually exist in the area. This is likely to involve an assessment of what the tenure situation is, and at the same time for what informal or customarily defined interests actually exist. This assessment, therefore, should take into account changes arising from external influences such as displacement and, migration and develop an effective resolution process. In general, these key elements can and do work at both lines of success or failure and both sides have its composite influences on the operational performance in institution authorities of land and also on the achieving of LTA. Emerging from these ideas is the belief that the Efficiency of LTA is developed as dynamics level of authority's effectiveness regarding the land tenure that carried out into the end-users' rights security in the system. It describes the administrative status under which the planning and implementation procedures and processes are achieved in way in which people have the secured rights and then be satisfied. In practice, this level of satisfaction needs to be managed to enhance the end-users' rights within balanced procedures and clear processes in the authorities performance. It means that the Efficiency of LTA system should not be successful in just the short term, but over whole working levels of system with a Continuous improvement in which the system can achieve sufficiently flexible to deal with negative challenges and do more attractive positive factors and then the end-user's Satisfaction. The components and the interconnections of these key elements are important in LTA. Figure 3 is graphically presenting an overall of keys elements of Efficiency of LTA.

From Fig. 3, it is seen that the administration of tenure is a crucial concern for land users' right individuals, households or whole communities; particularly those vulnerable groups of slum dwellers and millions of evicted poor people in urban areas the world over. The figure addresses a range of issues linked to the increasingly prominent and fundamental issue of the administration of land tenure which seeks to achieve the security of tenure. It explores a wide range of land tenure systems linked to secure tenure from the primary perspective of land users' rights and tenure authorities, augmented by administrative experiences. Keys Elements provide a review of policies that have been adopted to address tenure concerns, and they will be used to identify the administrative strengths and weaknesses factors of the most prevalent approaches taken to obtain LTA throughout the Iraqi case.
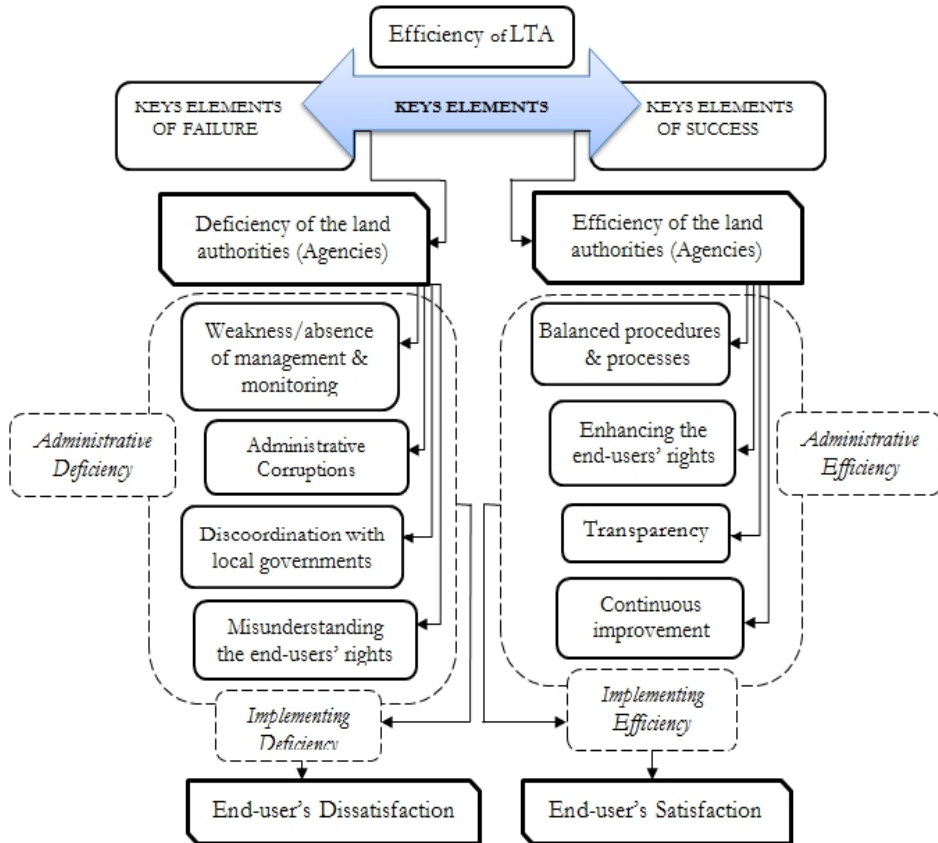
Fig. 3: Overall of Keys Elements of Efficiency of LTA (adopted from literatures)

Key factors and constraints of lta
Success/Failure Keys Elements

In general, these key elements can be summarised into two main groups according to their Success/Failure role influences on the efficiency/deficiency of performance of institutional structures regarding LTA:

A-Success Keys Elements of LTA

A good land administration system is a major element to improve urban planning and infrastructure development, and in essential in the Guarantee ownership and security of end-users' rights. A good land system includes flexible legitimate institutional authorities with clear hierarchy that are closely operated and linked to each other. In this context, key issues for administrative success of the LTA are associated with different models of land tenure and security goals, rights-based approaches, systems of formal/informal tenures, and quality of land authorities /holders. In simple terms, it is important to stress that the development of organizational

structure, legitimatise mechanisms, and technical issues are closely to success of LTA. Experiences indicate that issues related to these are frequently correlated to the possibility of applying an effective LTA. Establishing a successful system of the administration of tenures may be closely linked to land reform. Zimmermann (2006) focuses on the basic to the Governance capacity in the land sector to identify mechanisms under which the initial establishment of a land system can be implemented on ground. According to the World Bank (2004) the concern for success of LTA within land authorities in developed and developing countries can be contributed to increasing awareness levels in the core of system, and based on an understanding of security that involves influential factor related to the political, economic, ecological and social stability. In this connection, UN Habitat (2010) focuses on negative factors influence the success of LTA, with a lack of clear rules and regulations, and the corrupt system and management of land (private land, public land, and common property arrangements) as the most of the causes and negative factors contributing to week governance of LTA. Payne (2012) emphasis on crucial role of security levels that an institutional environment has under the operational system and these obtained rights that used to be planned and gained to people, and how they can benefit legally from it. In general, the need to control high levels of administrative system, best comprehensive and effective fashion of system must be built sustainably and addressed by complete institutional reform and capacity-building. These are clearly key elements that need to be addressed. FAO program (2006 to 2009) has initiated the closely relationship between good governance in land tenure and administration and the awareness for national development.

There is no doubt that the Success of governance of land tenure is increasingly competent and confident in the workings of all forms of tenure: public, private, communal, indigenous, customary, and informal. Thus, in order to achieve a best level of the land tenure security and to support the progressive realization of the end-user's rights; it needs to have mechanisms to hold all key issues to account; to strengthen the capacities and operations of actors to assess land tenure policy, and to recognise and strengthen customary tenure for resolving tenure disputes- formal and customary systems.

Failure Key Elements of LTA

The critical elements and application of the LTA can help to identify existing Constraints and required manages. It also helps to examine current practice and identify gaps which can potentially hinder the successful engagement of LTA and the obtained levels of LTS. It can be concluded that there are complex factors that control and govern negatively the LTA, and

these obtained lessons of experience and emerging issues can help to review the main features of an innovative need of land policies and legislations regarding the end-user's needs. In this research, reviewing the literatures showed a total of twelve key Constraints have been identified and evaluated as the main Constraints to LTA and their Interventions (see UN-Habitat, 2003a; Payne, 2012; FAO, 2012; USAID, 2016). In this research, the essential constraints of LTA identified in literatures were summarised as follows:

a)   **Weakness of governance or lack of institutional managements**: as previously reviewed, it is experienced that a land administration must be established with an affective capability of the relevant ministries, agencies that have a clear system to be able to govern the needs of peoples. In practice, this was evident across world that the effective governance of tenure can and do govern and protect LTA against multiply ownership claims and unfair expropriations. And so, USAID (2011) stresses on the fact that the unsecured tenure and property rights, poorly performing land markets, insufficient land/ housing laws, absent/ inadequate managements and a lack of tenure information, and livelihoods deprivation, all are vital consequences related to the weakness of governance and the ineffective legal performance in institutional structures. In this connection, Wiley (2013) focused on struggle over unfair shared rights and the Losing indigenous /minority rights by the social/ culture and religious conceptions and their old morals/ regulations that may be unfair and inadequate with modern administration systems of tenures. Weakness of governance encourages all these negative impacts in which the LTA is lacked;

b)   **Bureaucratic routine / corruption in system procedures**: In its 2014 Corruption Perception Index, the Transparency International report ranked Iraq 170 out of 175, and 156 out of 189 countries in its 2015 overall (The World Bank, 2015). Furthermore, international surveys on business bribery also show high levels of bureaucratic corruption in the Iraqi province level, meaning that bribery is the norm to win a governmental contract in Iraq (see World Bank, 2011b; Transparency International, 2011; IAIU Iraq, 2012). In this case, the weakness of governance to achieve an adequate performance role regarding LTA aspects can be the main reason of Bureaucratic corruption in system procedures. In fact, the Bureaucratic routine in some cases has eroded the trust in system by encouraging people to avoid the legal procedures of system (UN-Habitat, 2010, 2012). Furthermore, many studies emphasis that this administrative corruption is a significant misunderstanding about how to reform local regulations with modern judicial systems, which have shared international experiences and approaches of land managements and monitoring (see Palmer, 1999; Tahir, 2006; Payne and Durand-Lasserve, 2012). Therefore, the rigid and old laws

and regulations are reflecting deeply a series of inadequate and slow progress contributing to different aspects in system procedures such as the weak legal and ineffective institutional structures, insufficient land/housing law, inadequate arrangements and a lack of information regarding land tenures;

c)   **Lack of legal/rights awareness:** This is a vital problem in both levels of institutional managements and to land users, it is linked to ineffective institutional frameworks, inadequate arrangements and then to the Success of LTA. The person' situation in informal tenure can be resulted due to lack of awareness about their rights and misunderstanding about how to securing tenure through title / what legal documentations that they should have, this misunderstanding to the formal process and required documents can lead to severe consequences such as the forced eviction and informal occupancy (see Payne, 2001; UN-Habitat, 2003a; FAO, 2012);

d)   **Informal Settlements or Illegal Occupation:** Civil Violent Conflict/Post-conflict, instability and displacement affect LTA heightening the risk of forced eviction, confiscation, land grabs, abusive or fraudulent sales or occupation of land or housing (Rolnik, 2012: para. 92). Also, FAO (2012) endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs). According to FAO (2012: p.16) ,these guidelines emphasis that: "*Where informal tenure to land, fisheries and forests exists, States should acknowledge it in a manner that respects existing formal rights under national law and in ways that recognize the reality of the situation and promote social, economic and environmental well-being*". As noticed in the previous discussion, this illegal occupation can be resulted as a negative response to the weakness of the government and ineffective management and monitoring, the weak legal and ineffective institutional frameworks, inadequate arrangements and a lack of information, and all that can be empowered by instable state and insecurity situation such as a situation of war and even post- wars spheres (see Payne, 2003; USAID, 2005);

e)   **Constrained sales or Poorly Performing Land Markets:** Land Markets at public and private components can reflect the effects of land legal regulations and management and economic support. Land availability is also required for rebuilding damaged infrastructure and livelihoods, with contentious Violence, insecurity, chaos and land grabbing complex LTA problems; constrained sales or markets in land on a countrywide (see World Bank, 2003; Zimmermann, 2006). Thus, the effective implementation of land policies, legal regulations and law enforcement, sufficient land/ housing law managements are the best way in which land markets performing can be enormously executed;

f)   **Misdirected policy and poor executions:** The institutional performance adopted by the government at the national and local levels,

reflects the success or failure to provide an efficient ways for land users in order to enable them to obtain appropriate possession for safe land tenure and property rights. To decode the ineffective regulatory and legislative reasons that led to the inability or failure and even inequality in policies adopted by the government (see UN-Habitat report, 2012). Taking international experiences and approaches unserious and deeply inequitable and often unfair land ownership relations all led to wider land tenure crises, especially to vulnerable groups such as women and minorities, and then the insecurity dwelling.

g)   **Refugee's Relocation problems:** War/Post-war sphere is a main cause to displacements. As observed in the previous intervention, the refugees became an international crisis and recently about 15.2 million refugees and 26.4 million internally displaced persons, with a further 14.8 million live in displacement as a consequence of natural disasters, most of them from the Middle Eastern region (see Yonetani, 2012:INRWA, 2016). In 2010, the UNESCO (2011) registered that the number of displaced people in the world surpassed 50 million. The highest percent of these people live in war/post war areas in the Middle Eastern region. In 2015, the UN Refugee Agency, UNHCR (2016) registered a high wave in the number of migrated people, citing the figure of 4.8 million from Syrian and Iraqi, most of them are in need of resettlement. This humanity problem is a reaction to various factors such as the state insecurity and inter-communal violence triggers the refugee relocation problems and ineffective institutional frameworks can increase the number of refugee's conflicts. The percentages of the vulnerable refugees, most deeply affected by the critical situation in their regions, however, the reasons remain unchanged. For example, Amnesty International (2016) emphases that at least 10% of Syria's most vulnerable refugees were resettled by the end of 2016. Therefore, resolution policies undoubtedly have a vital role to play in relation to conflicts on land rights, access to land and other resources are a further example of the dynamic levels of Efficiency of LTA.

The main influencing issues and limitations of LTA are summarised in table (1) and figure 4, they describe these key failure elements of LTA as identified in the literature.

Table 1: Overview of criteria to LTA limitations (Author)

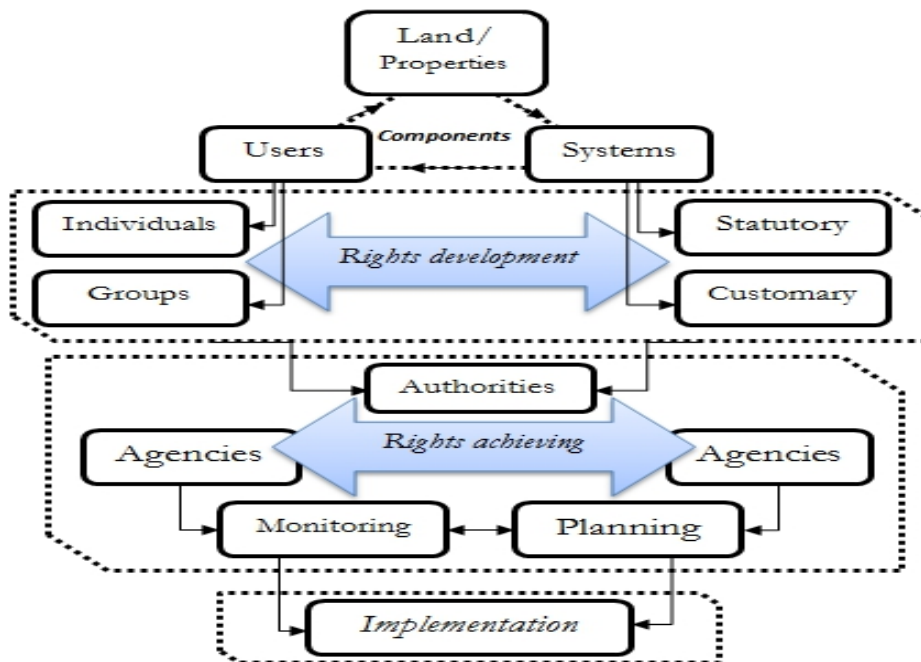| Judicial authorities	Limitations		
	Constraints	*Main reasons*	*Interventions*
1-National/inter-governmental agencies: • *Managing and Monitoring agencies.* • *Implementing agencies.*	▪ *Authority gaps and insecurity issues.*	• *War/Post-war sphere.* • *Inter-insecurity sphere.* • *The instability of state / regime.*	• *Weak governance and deficiency of law management and monitoring settings.* • *The refugees' relocation problems.* • *Misdirected policy and poor executions.*
2- Non-governmental authorities: • *Social/ Culture and Religious conceptions.* • *Tribal traditional regulations/ rules.* • *Family conceptions.*	▪ *Society's instability.*	• *Civil Violent Conflict/Post-conflict instability.* • *Tribal, ethnic clashes, violence/ conflict.* • *The complexity of social conceptions.* • *Old morals/ regulations that may be unfair and inadequate with modern administration systems.* • *Or according to gender and indigenous / minority rules.*	• *Taking international experiences and approaches unserious.* • *Data on land ownership usually is incomplete, and out of date.* • *A significant misunderstanding about how to reform local regulations with modern categories.* • *Transparency level; Bureaucratic corruption.* • *Inequitable land distribution* • *Conflict over unfair evictions.* • *Constrained sales or markets in lands.* • *Livelihoods deprivation.* • *Lost indigenous / minority rights.*
	▪ *Economics: Financial issues.*	• *Lack/ deficiency of financial support.*	• *Insufficient land/ housing law managements.* • *Informal settlements or illegal occupation situations are empowered.*

Fig. 4: The triangular relationship of LTA (adopted from literatures)

Conclusion

This paper has explored the literature to answer the objective of the land tenure and its administration and securing issues in Iraq. The paper presented the LTA as the administrative skills in which the land tenure and

rights of end-users may be legally defined and effectively managed and implemented within specific arrangements and process, and it has been confirmed that for the progress of the current study.

It has also discussed the role of the Iraqi authorities in their levels of planning and implementation of LTA as it is based on their administrative mechanisms, bringing to a light the features and lessons learned which have adopted to support the end-user's rights under the legally defined framework. From the literature review, it has become clear that there is agreement on role of LTA under the legally defined framework and the critical factors influencing the ability of success/failure in land authorities on what constitute common efficiency regarding the end-user's rights. These authorities are legal tools and administrative mechanisms for embedding laws to secure implementation of LTA and security of tenure for peoples, thereby; efficient LTA is a need of LTS in term of all tenure stakeholders.

Building on the discussion in this paper, the conclusion highlighted from the relevant literature, including the principles of LTA, as an engine of LTS issues in general, and then the challenges ahead. Literature reviewed showed that there is various land tenure types under which the tenure users' rights are issued. It can be noted that the absence of transparency, accountability and legal rule of laws in LTA can easily led to misunderstanding the end-users' rights and LTS by a sphere of insecurity of tenure in which the end-users' rights can be misused and loose.

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