Experiences of Cadastral Development in Southern and Eastern Africa

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Definitions

- Land tenure: The mode and content of rights to land
- Land administration: The governmental processes of administrating rights, use and values of land
- Cadastre: Land information system for rights, use and values of land
- Title: Evidence of a land use right



Poverty alleviation and land administration

- Sustainable economic development
- Secure tenure, equal access to land, individualistic rights, access to capital, promotion of underprivileged, low transaction costs ...
- Land administration can facilitate or obstruct (but not alone solve)



• LA for governmental administration

- Rationale for governments
- Promote sustainable land management
- Protect human rights
- Formulate, implement and monitor land polices
- Land use planning and enforcement
- Environmental protection
- Infrastructure development
- Land taxation

• LA for supporting land rights

- Provide information about rights (security of tenure, land market, others)
- Secure transactions of land
- Land registration
 - · oral witness (local courts)
 - deed registration (documents)
 - title registration (cadastral unit/parcel, maps)



LA in Africa

- · Traditional systems
 - no need to replace in order to promote economic development (security of tenure)
 - should gradually develop to accommodate new demands (democratic decision-making, rule of law, transparency, participatory, protective of social and environmental values, provide information for land markets and credits)
- · Colonial systems
 - in general not suitable to expand to rural Africa as they are



Ongoing development in Africa

- Recognition of traditional tenure in formal laws
- · Decentralisation
- · Land redistribution
- Land valuation and taxation
- Re-engineering of technical specifications
- · Urban land
 - access and prices
 - informal tenure
- · Technical development
 - GPS
 - Digital mapping
 - IT
- · Spatial data infrastructure
 - Standardisation and exchange of information



Human resource development

- Existing training possibilities not totally adequate
- Need for a new profession, land administrators, combining legal, economic, technical and social sciences in order to manage cadastral procedures?
- Capacity building for LA organisations to implement new land policies the most crucial issue.



Strategy for improved LA to alleviate poverty

- Improve cadastral information in areas with (systematic):
 - demands on investments in land development
 - areas where functional land markets are developing
 - areas affected by migration especially urban
- Establish countrywide procedures to (sporadic):
 - Protect interests of existing land use, women, ethnic minorities, migrated people etc.
 - Solve conflicts
 - Promote fair allocation and access
 - For taxation
 - Improved decision-making for sustainable land management



LIS in Zambia

- Developed 1998-1990
- First textual part of real property and land registry later also digital cadastral index maps (Lusaka).
- Centralised to Lusaka and one provincial office, Ndola.
- Provide easy case handling, good access to information and more transparent procedures
- Created a possibility to invoice land users for ground rent

- Created a possibility to considerably increase the ground rent through differentiation
- half of the income from ground rent is going to a land fund, from which districts can apply for support for development projects, urban and rural
- Difficulties to maintain the system due to a too small base of technical knowledge
- Politicians too eager to buy new systems from various vendors without analysing consequences



LIS in Botswana

- System developed for case handling within Survey Department, for allocation of Property ID, for examination of surveys, for approval and updating of the real property registry, which now is computerised.
- Development of an National Spatial Data Infrastructure.
- Land Boards for customary land allocation
- New land policy under development



Zimbabwe

- Real property register computerised
- Scanning of cadastral diagrams and linked to the registry
- · File recording system
- Redistribution of land implemented during short period of time with violence
- Total insecurity of the legal situation



Mozambique

- Land nationalised after independence
- A grace period of two years for former owners to reclaim land or compensation passed without any claims
- New land law recognising customary tenure
- Procedures for land allocation includes village land delimitation and village consultations Computerised case handling system for land allocations developed and implemented in all provinces
- Land legislation in urban areas obsolete.
 No transparent procedures established



Tanzania

- New land act and village land act recognising customary tenure, however not if the rules interfere with women's rights to land according to constitution
- New village land act gives power for land allocation to village assembly
- Village boundaries to be determined
- No demands on use of professional knowledge for village land registration, allocation or land use planning
- Boundaries should be agreed through walking
- · Village land registry
- Decentralisation of power to districts, who lack resources
- The new law not yet implemented
- · No digital registries







Lusaka City Council

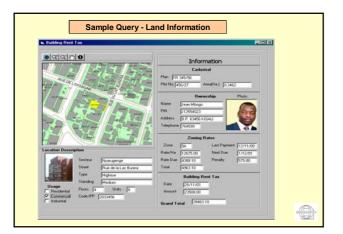
- Occupancy rights, limited in time
- Perimeter survey of the boundaries of a settlement area
- Numbering of each house and entered in a registry and on an orthophoto
- Local registration and updating in the area and connected to City Council through CD.
- Interest to pay registration fees and ground rents linked to the question what is coming back from City Council in forms of infrastructure improvements



Kigali City Council

- New concept, outscoring to a commercial company on commercial conditions
- New digital map base for identification of land parcels
- A real property registry established for identification of parcels and parcel owners or users, from the map and what remain of paper records.
- Modules for land allocation building permits, land and house rents, subdivision
- Billing and accounting modules for collection of fees and taxes





Egypt

- Old deed system based on the Ottoman cadastre (1460-)
- Reform to introduce title registration for rural land going since 50 years and will be finalised within the coming 10 years
- No computerised methods used
- The acceptance of the reform among the rural population can be questioned
- Divided responsibility between the land and cadastral registration
- Project going on to develop the Egyptian Cadastral Information Management System
- Prototype developed and tested in one province



Uganda

- Four different tenure system
- Simplified registration for mayo land
- New land law with decentralisation of responsibility to districts (land surveyor, registrar, planner)
- Systematic demarcation



