

## **XXIV FIG2010 Congress – SIDS Workshop**

### *Land Governance in the context of Land Tenure and Land Registration in Kiribati*

Presented By:

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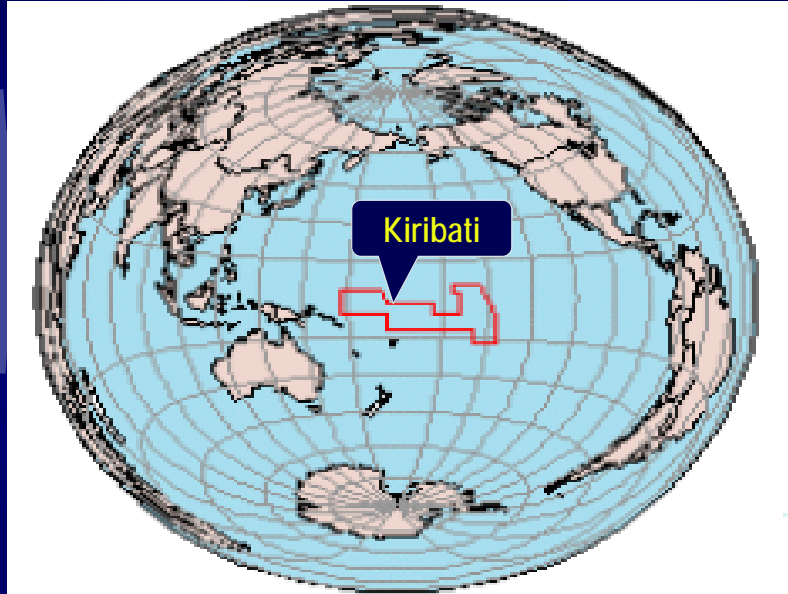
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## **Presentation Structure:**

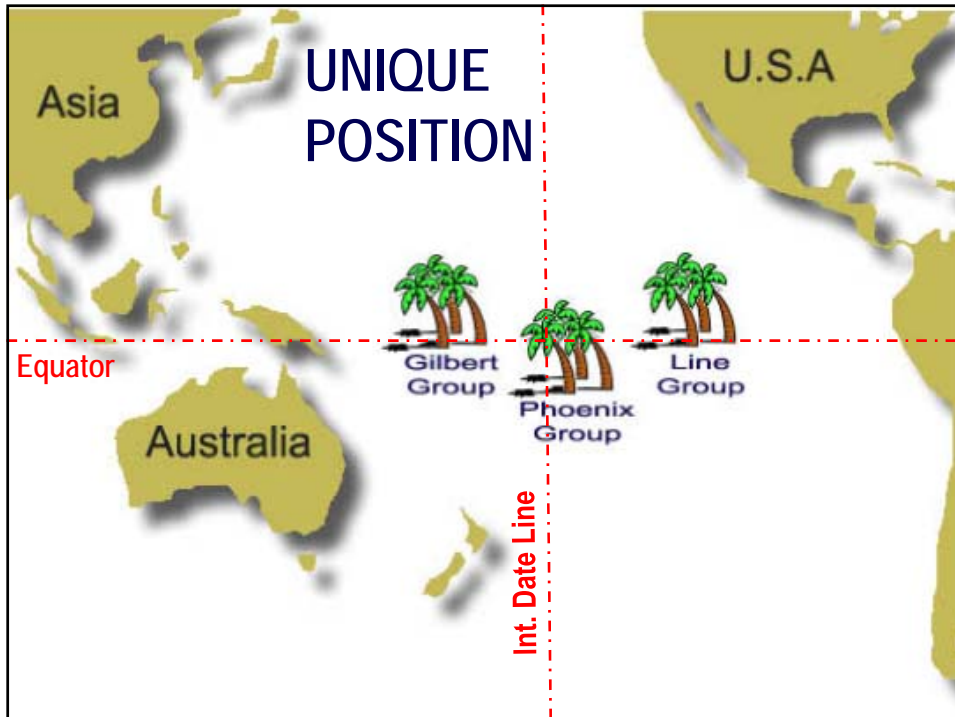
- **Overview of Kiribati and its Land Administration System**
- **Policy Framework on Land Tenure/Rights**
- **Legal System for Land Rights Registration**

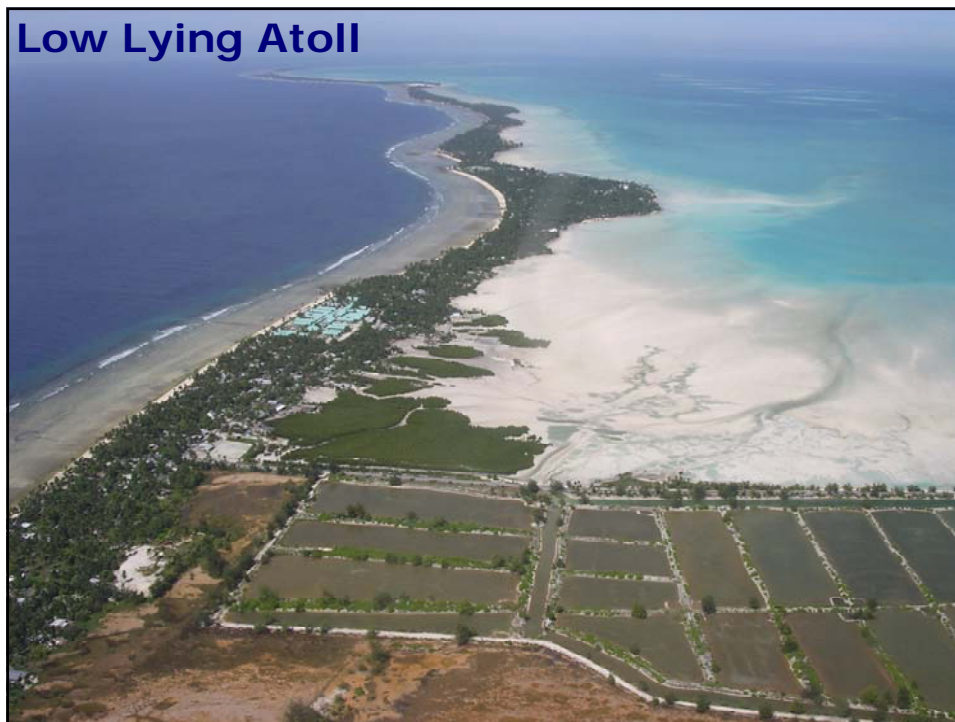
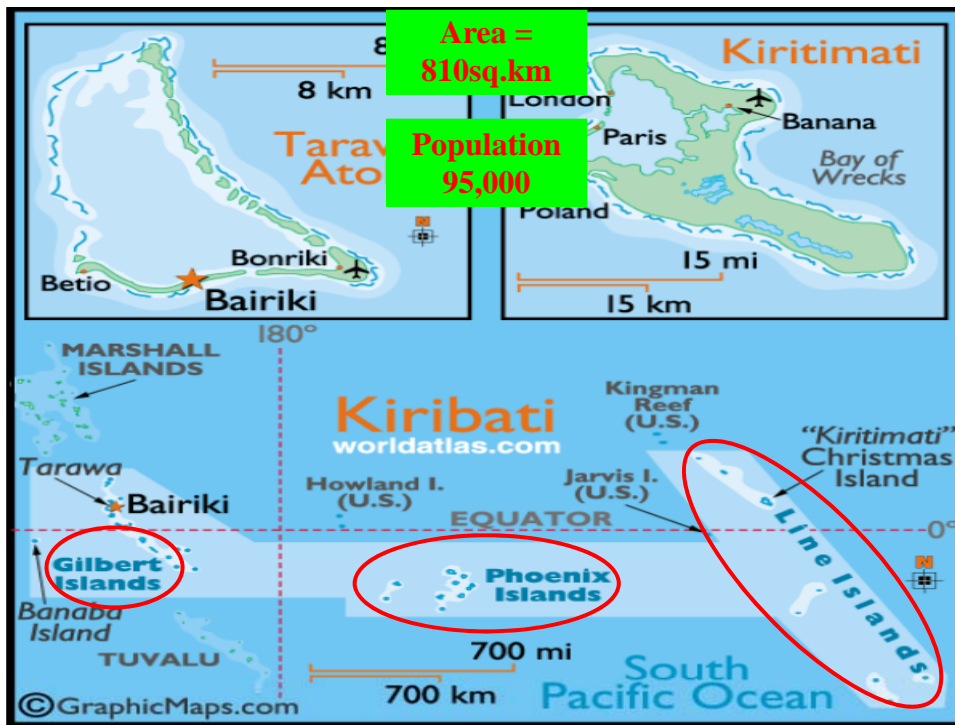
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# WHERE ARE WE?



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## Kiribati Situation and Land Administration System

- ☀ 37% is customary owned land, includes all land in the Gilbert group
- ☀ 63% is State owned, including all islands in the Phoenix and Line group
- ☀ Population 92533 (2005 census), 43% live in the urban capital South Tarawa

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## Land Administration System:

- ☀ Government leases on customary native land for 99 yr terms for public infrastructure
- ☀ Airfields, schools, hospitals, gov'n't employees housing, offices and ground water reserves
- ☀ Less than 50 yrs before the 99 yrs lease lapsed

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## Land Tenure & Land rights

- ✦ Squatter on govt leased lands – pop growth, urban drift – Landowner double benefits
- ✦ Landowners illegally entered into abandoned govt buildings & expired subleases
- ✦ Eviction process through Court adjudication
- ✦ Landowners put pressure on govt for the surrender of undeveloped portion of leased lands

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## Sublease arrangements:

- ✦ Landowners encouraged to apply for sublease from govt;
- ✦ Landowners given priority to develop unleased lands;
- ✦ Accessing land for development on these govt leased lands is mainly through applications for sublease arrangements with govt.
- ✦ Landowners consent to development – Policy – good to landowners, bad for development

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## Land rights registration:

- Registration of title carried out in 1920's
- Enactment of Native Lands Commission Ordinance
- Ordinance provides for the determination of ownership and legalisation and registration of the titles determined – importantly provides for security and indefensibility of the title
- Shortfalls of the registration system due to inadequate description of the land registered
- Increasing land cases over boundary disputes

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## Land rights registration:

- Establishment of the Kiribati Land Information System in 1998
- The system will compliment the current registration system and hard volumes of land title registers
- The Courts plays an important role in the title registration process and adjudications of land disputes – title or boundary disputes

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