

## 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)



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| <ul style="list-style-type: none"><li>• LA for governmental administration<ul style="list-style-type: none"><li>– Rationale for governments</li><li>– Promote sustainable land management</li><li>– Protect human rights</li><li>– Formulate, implement and monitor land policies</li><li>– Land use planning and enforcement</li><li>– Environmental protection</li><li>– Infrastructure development</li><li>– Land taxation</li></ul></li></ul> | <ul style="list-style-type: none"><li>• LA for supporting land rights<ul style="list-style-type: none"><li>– Provide information about rights (security of tenure, land market, others)</li><li>– Secure transactions of land</li><li>– Land registration<ul style="list-style-type: none"><li>• oral witness (local courts)</li><li>• deed registration (documents)</li><li>• title registration (cadastral unit/parcel, maps)</li></ul></li></ul></li></ul> |
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## 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

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|--|--|
| <ul style="list-style-type: none"><li>• Recognition of traditional tenure in formal laws</li><li>• Decentralisation</li><li>• Land redistribution</li><li>• Land valuation and taxation</li><li>• Re-engineering of technical specifications</li></ul> | <ul style="list-style-type: none"><li>• Urban land<ul style="list-style-type: none"><li>– access and prices</li><li>– informal tenure</li></ul></li><li>• Technical development<ul style="list-style-type: none"><li>– GPS</li><li>– Digital mapping</li><li>– IT</li></ul></li><li>• Spatial data infrastructure<ul style="list-style-type: none"><li>– Standardisation and exchange of information</li></ul></li></ul> |
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## 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, outsourcing 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



### Sample Query - Land Information

**Building Rent Tax**

**Information**

**Cadastral**  
 Plan: [11 145/56]  
 Plot No: [456/27] Area/ha: [0.1462]

**Ownership**  
 Name: [Jean Mugo] Photo: [Image]  
 PIN: [12954023]  
 Address: [B.P. 63456 70541]  
 Telephone: [744559]

**Zoning Rates**

Zone	Rate/ha	Rate Due	Total	Last Payment	Next Due	Penalty
SA	12675.00	1712.00	4963.10	12/11/00	1/12/00	578.00

**Building Rent Tax**

Date: [25/11/01]  
 Amount: [29500.00]  
 Grand Total: [30463.10]

**Location Description**

Secteur: [Nyarugenge]  
 Street: [Rue de la Lac Buzera]  
 Type: [Highrise]  
 Standing: [Medium]

**Usage**

Residential  
 Commercial  
 Industrial

Floors: [4] Units: [0]  
 Code RPP: [2033456]



## 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

