The Flexible Land Tenure System
The Namibian solution bringing the informal settlers under the register

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Hernando de Soto has said:

“I predict that in the next 150 years the countries in Latin America and elsewhere joining these 25 (countries with a developed economy) will be those that spend their energies ensuring that property rights are widespread and protected by law, rather than those which continue to focus on economic policy”.
Concept of the system

- New planned development
- Informal Settlement
- Starter Title
- Landhold Title
- Freehold Title
Starter title

- Individual type of tenure, however grouped based
- Statutory form of tenure to an undefined site
  - right to occupy a site in perpetuity
  - sell, donate and inherit
- Changes in matrimonial property regimes
- Impossible to register servitudes, mortgage, etc.
- Starter title registered electronically
Landhold title

• Statutory form of tenure to a defined site
  - sell, donate and inherit
• Changes in matrimonial property regimes
• Mortgage
• Landhold title registered electronically
• Land Registration Officer records transactions
• Land Measurer performs land surveys, adjudicates and prepares
Institutional model

• Land rights office:
  - land rights registrar
  - land registration officer (para-professional)
  - land measurer (para-professional)

• The partnership links local community to the professionals and authorities
Progress and conclusion

• The bill and regulations prepared
• Pilot implementation
• Institutionalisation in the Ministry
• Stakeholders are yet to see tangible results
Additional information

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Publication on the Flexible Land Tenure System:
www.oicrf.org
(search 'Namibia')