

Systematic Land Registration in Cambodia

Participation, Capacity Building and Team Work



Expert Group Meeting on Secure Land
Tenure " New legal framework and tool"
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BACKGROUND

Need to address issues that relate to natural resources

- | RGC established Ministry of Land Management Urban Planning and Construction (MLMUPC) in early 1999
- | Created a Council for Land Policy (2001)
- | Statement on Land Policy, 2001
- | Enacted a comprehensive Land Law in 2001
- | Interim Land Policy Strategy, 2002), 3 pillars: (a) land administration; (b) land management; and (c) land distribution.

Context for the work of LMAP

Land Management and Administration Project (LMAP) :

Target of one million titles in five years (2002-2007). Five components:

- | Development of land policy and regulatory framework,
- | Institutional development,
- | Land titling program and development of a land registration system,
- | Strengthening mechanisms for dispute resolution, and
- | Land management.

Financial support: World Bank (a credit of US\$ 24.3 million), and the Governments of Finland and Germany, US\$10.5 million as TA Grant and RGC US\$ 2.6 million, CIDA,

Key Innovative Elements in LMAP

- | Council for Land Policy was established to develop the vision and the legal framework to assist the implementation of LMAP.
- | LMAP was designed considering the context, culture and the capacity of Cambodia and developed a strategy for capacity building.
- | In early stages, LMAP management concentrated on developing mutual trust and building team spirit.
- | Project Management: Moving from donor-ship to ownership with improved capacity, no parallel structure against any existing government structure.
- | Project management structure: A co-ordination function with matrix management at centre and driven management at provincial level.

Key Innovative Element in LMAP

- | Quality Commitment: “Quality First” is assured by the commitment of LMAP Staff and satisfying the stakeholders with service standards, a feature of TQM.
- | M&E System: Combined with regular reporting systems and independent reviews to report results, impacts and benefits.
- | LMAP has commenced the move from project to program
- | Donor co-ordination and cooperation: the role and responsibilities of all development partners have been clearly defined to avoid possible overlaps and gaps.
- | Host country to lead and coordinate, in line with the national policy and strategy in order to improve aid effectiveness. The vision of cooperation is country- oriented, not donor oriented.

Innovative Elements in Systematic Registration

Why and how participation and team work together with the development of capacity are the corner stones to implement LMAP and achieve its goals.

- | Land registration is working with people especially land owners, if they do not participate in land titling process, we could not register the lands.
- | Important to note that if people come to LRT, which do not have the capacity then the desired results will not be achieved.
- | Other two critical factors are capacity of LRT, leaders of local authorities and communities, and a good team work.

Procedure for the Systematic Land Registration in Cambodia

I Six main phases:

1) Public awareness and community participation;

2) Adjudication;

3) Demarcation;

4) Surveying;

5) Documentation;

6) Public display.

I The effective basic principle in Systematic Land Registration is “one parcel–one visit”.

PARTICIPATION

In order to bring people to join in land registration process, LMAP uses:

- | Public awareness community participation (PACP)
- | 2+1 Approach (two LRT Officers and a village assistant / volunteer)
- | Fair and affordable systematic land registration fee structure

Public Awareness Community Participation (PACP)

Objective of PACP: To promote land owners and stakeholders participation in systematic and sub-sequent registration process.

Activities of PACP: To promote awareness and participation of people in land registration and PACP officers have to inform about:

- | Legal framework related to right and obligation of people in land registration
- | Land registration process in systematic and subsequent land registration
- | Services (no other payment except land registration fees)
- | Land management information
- | Good governance issue
- | Brief of LMAP components and objectives.

2+1 Approach (two LRT officers and village assistant/volunteer)

- | The tasks of the *village assistants / volunteers* (local resource person) are to help field team to do proper planning and mobilize local people to join the demarcation, surveying, adjudication and public display processes.
- | The village assistant is the key person who supports the systematic land registration process.

Fair and affordable systematic land registration fee

- | The first registration fees are very low and more symbolic and psychological than cost recovery-based, for example in rural areas the fee is 1 (*one*) Cambodian Riel per square metre (US\$ 2.50 per hectare).
- | The fair fees means small landowner pay small and big landowner pay big, proportion to land size belonging them.

CAPACITY BUILDING

LMAP develops capacity through:

- | LRT training, learning by doing, leading by teaching, and teaching by showing approaches,
- | Lesson learned workshops follow a path of teach less, learn more and perform much.

Training Systematic Land Registration Team (LRT)

- | The participants will first go to the field to see what happens in practice and reality in the field work for one week
- | The reason behind this is making the trainees to raise questions and awareness in their mind.
- | Theory training on adjudication, demarcation, surveying, GIS, public display, public awareness and community participation and team management (incl. planning and M&E) takes three weeks.
- | After the training, the new LRT team will work in the field with and to learn from the old team and is coached with practical experiences

Training the Local Leaders and Representatives (Administrative Commission)

- | Each adjudication area, an Administration Commission (AC) is established and oriented on legal and technical procedures related to systematic land registration.
- | Administrative Commission (AC): representatives of all levels of local authorities from village elders and Village Chief via Commune Chief to the provincial Governors as well as Cadastral officers.

Lesson Learnt

- | Best provincial project managers trained others as the same level, as well as best field managers trained others.
- | **Using the local experienced trainers to train the new teams at provincial level or district level could be said as “Don't Use Elephant to Train the Frog” On the other hand it could also be said that not to bring expensive high quality trainers from overseas, who does not have the local knowledge.**

TEAM WORK

- | In order to implement and achieve targets set as in LMAP, it is necessary to work as a team.
- | To work as a team we need to trust, understand, teach and help each other.
- | To make team members to trust each other requires them to be transparent.
- | Trust is the core element of teamwork.
- | A fair performance based incentive scheme is implemented in in LMAP to promote and strengthen team work.

Team Building Workshops

The overall objectives of the workshops were:

- | To extend personal relationships;
- | To broaden understanding about roles and responsibilities;
- | To enhance cooperation and qualities of teamwork; and
- | To strengthen understanding about the goals of LMAP.

This team building workshop was a very positive step forward.

Incentive - Based on Performance and Result

LMAP devised a performance based incentive scheme to ensure team work and maximize the overall production of Land Titles, where variations are maintained to balance the hierarchical positions as shown below:

- | GIS staff receives a field allowance of less than 10% of the common LRT Staff.
- | Deputy Field Manager receives 105% of the common LRT Staff
- | Field Manager receives 110% of the common LRT Staff
- | Deputy Director of Department of Land Management receives 112% of the common LRT Staff
- | Director of Department of Land Management receives 115% of common LRT Staff
- | In the case of more than one team working in the province an average will be calculated for the Directors and Deputy Directors of Department of Land Management

Incentive – Based on Performance and Result

- | When a LRT goes into the second year the field allowance will be determined as follows: (a) first land title is US\$ 2.70; (b) second land title US\$ 3.40; and (c) third land title US\$ 2.30.
- | This shows very clearly that LMAP target is to achieve two good quality titles per day per team member. It means that **quality comes first and quantity second**.

GOOD GOVERNANCE IN ACTION

Good governance is a vital element in implementing LMAP. It is a cross-cutting issue, where Good Governance is ensured through participation and teamwork.

- | *Building Up a Culture of Commitment* “building land registration cultures”.
- | *Building LRT self-discipline and morale* (self-removal strategy).
- | *Develop and Implement a Transparency and Accountability Framework* good performance and compliance with the codes of conduct.

CONCLUSIONS

- | Strengthening individual and institutional capacities, participatory approaches at all levels, emphasizing on team work combined with team and performance based incentives are the pillars of LMAP.
- | Firstly, the foundation for LMAP's work is built on good governance and a commitment to quality and standards.
- | Secondly, LMAP's work has introduced new methods to transform traditional capacity building from government-based to include community leaders and representatives.
- | Finally, LMAP is building public confidence through high quality performance and service standards.

Thank you for your kind attention!

