The Cadastral system in Morocco

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Rabat, Morocco
Introduction

Land tenure in Morocco

Nature of the cadastral system

New aspects

Conclusions
The Moroccan cadastral system
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Introduction

- Morocco: the Kingdom country
- Surveying Education System
- The Cadastral system
The Moroccan cadastral system

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Morocco: the Kingdom country

Kingdom of Morocco is located at the northwest of Africa

Head of State: His Majesty King Mohammed VI

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Morocco: the Kingdom country

- The Moroccan coast extends over 3,500 km
- Whole area: 710850 sq km
- Total population: 30 millions
- Life expectancy at birth: 69.5 years old
- Boundaries: 17° West – 1° East / 20° N – 36° N

About 14 km from Europe

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Introduction

Institute of Agronomy and Veterinary Medicine
- 5 Schools of Engineering + 1 Veterinary Medicine School
- Unique University delivering surveying education

School of Geomatic and Surveying Engineering
- 2 Departments: Geodesy & Photogrammetry
- Lab. Of digital photogrammetry
- Lab. Spatial Positioning Technology
- Lab. Of Surveying
- Lab. Of GIS

Morocco: the Kingdom country

Surveying Education System

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Surveying Education System

- Graduated Students
  - Average of 50
  - Diploma of Engineer Surveyors
  - Directly Enrolled as Licensed Surveyors
  - Recruitment:
    - 1975 – 1994: 100% by the Government
    - 1995 – 2000: 90% private sector / 10% by Government
    - 2001 – Now: 70% by government / 30% private sector
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Before 1912: diversity of land statutes based on Islamic legislation

Public Heritage:

- **Collective lands**: kind of lands owned by the local communities (tribes),
  - Governance: Leader of the tribe
- **Habous lands**: lands belonging to religious institutions (mosques, schools),
  - Governance: Leader of the specific institution
- **Guich lands**: owned by military communities (historical ownerships: guerrilla tribes protecting the nation against opponents and enemies),
  - Governance: Local authority commander (Pasha)
- **Makhzen Lands** (Lands of the central authority),
  - Governance: king

Private ownership: Individual property (Mulk / Mulkia)

- Governance: Local Judge (QADI) according to islamic percepts
Beginning of the 20th century: Cadastre with new regulations by the protectorate

**Public Heritage:**
- **Collective lands:** Ministry of Interior
- **Habous lands:** Ministry of Islamic affairs
- **Guich lands:** Ministry of Finance & Ministry of Interior
- **Makhzen Lands:** began Domain Lands
  - **Sate Public Lands:** Ministry of Equipment and Transportations
  - **State Private Lands:** Ministry of Finance.

**Private Ownership:** Introduction of the Torrens System

A dual legislation: Islamic Law and Torrens system
- **Individual property:** Mulkia (Islamic Law): Ministry of Justice
- **Individual Title:** (Torrens system) National Agency of Land Conservation (ANCFCC)
Beginning of the 20th century: their characteristics

Public Heritage: Non-transferable
Non-adverse possession
Non-seizesable
Non-expropriable except for the public utility

The public heritage in urban and suburban areas
### The Moroccan cadastral system

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#### Multiple goals

<table>
<thead>
<tr>
<th></th>
<th>Efficiency</th>
<th>Equity</th>
<th>Sustainability</th>
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</thead>
<tbody>
<tr>
<td>Title (Torrens system)</td>
<td>✔</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Mulkia</td>
<td>✔</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Habous lands</td>
<td></td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Collective lands</td>
<td>✔</td>
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</tr>
<tr>
<td>Domain lands</td>
<td>✔</td>
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<td>✔</td>
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<tr>
<td>Guich</td>
<td>✔</td>
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## Opportunities for the Owners under various statutes

<table>
<thead>
<tr>
<th></th>
<th>Sell</th>
<th>Lease</th>
<th>Mortgage</th>
<th>Inheritance</th>
<th>Land Market</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title (Torrens system)</strong></td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>Formal and informal</td>
</tr>
<tr>
<td><strong>Mulkia</strong></td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>Informal / formal</td>
</tr>
<tr>
<td><strong>Habous Lands</strong></td>
<td>Transferable to domain lands Under conditions</td>
<td>10 to 20 years Under Agreement</td>
<td>No</td>
<td>Yes / No</td>
<td>Government</td>
</tr>
<tr>
<td><strong>Collectif</strong></td>
<td>Reimbursement</td>
<td>+</td>
<td>limited</td>
<td>+</td>
<td>Internal</td>
</tr>
<tr>
<td><strong>Domain Lands</strong></td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>No</td>
<td>Government</td>
</tr>
<tr>
<td><strong>Guich Lands</strong></td>
<td>Reimbursement</td>
<td>+</td>
<td>limited</td>
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</table>
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Nature of the cadastral system

➢ Torrens : Register Book

- Establishment: 1st Land Conservation in 1915
- Principle of Register book
  - Adjudication: purge juridique
  - Absolute advertisement (publicity)
  - Specialty
  - Convincing force of the inscription (booking)
  - Non-adverse possession = imprescriptibilité

➢ Titling system = Juridical cadastre

- Land facilities: Land Conservation / Cadastre
- Titling and Surveying operations

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National Cadastre
- Created in 1972
- Agricultural development projects

National Land Agency
- Created in 1983
- Public land inventory:
  - urban/suburban
Analysis of the cadastral system missions

- Juridical Cadastre:
  - Optional and sporadic system
  - Evolution of the processed affairs by the cadastral services
  - Covers only 9% of the whole country (71,085,000 ha)

- National Cadastre:
  - Non optional: chosen areas for agricultural project,
  - Economical system,
  - Covers 1,600,000 ha
    - 2% whole country area
    - 18% Potential Crop Area (SAU),

- National Land Agency:
  - Public land inventory: urban/suburban areas,
  - Covers 650,000 ha (3.5% of the public land),
Achievement: Demarcation requested from customers

Evolution of the expressed request from customers

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Achievement of final titles: various periods

Nature of the cadastral system

Colonial period

Independence

National cadastre

Modernization: vision 2006

National Land agency

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Nature of the cadastral system

Amount of Final Titles compared to Requested Titles

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Areas of Achieved Titles compared to Requested Titles (ha)

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New challenges

Customer needs
- **Efficiency**: short time
- **Accuracy**: exact and global definition of land

World global changes
- **Increase security**: globalization
- Reinforce land regulations

Technology evolution
- **Collecting**: photo., Rem.Sens., GPS
- **Processing**: GIS, digital mapping
- **Editing**: huge platforms

Society requirements
- Efficient land administration
- Monitoring land market
- Enhancing legal framework
- Land management and valuation

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New trends

1995: Decennial Plan 1996-2005

- Cadastre and Titling:
  - Involve the private sector
  - Generalization

- National Cadastre:
  - Generalizing: Potential Crop Land (PCL) in 10 years
  - Establishment according to the requests
  - Three processes: 650000 – 80000 – 40000 ha/year PCL

- Mapping: 70% of non updated heritage
  - Rehabilitate and update the existing basic maps
  - Maps 1/25 000: regions of strong economical activities
  - Modernizing the production process: Spatial Databases
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New trends

- 2002: Strategic Vision 2006
- 2003: New organizational structure

- New Mission: Law 58.00
- Action 1: General Cadastre
- Action 2: Involving the private sector
- Action 3: Outreach program
- Strategy:
  - Simplify the procedures
  - Involve the private sector
  - Generalize the computation experience
  - Establish a better Customer Service
Requirements: Don’t reinvent the wheel
Draining experiences to experience gain
Standardizing the procedures
Sharing costs and benefits with customers
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1915
First Land Conservation: Unique National Service

1924
Sherifian Service of Topography: Directorate of Finance

1948
Division of Land Conservation: Ministry of Agriculture and Agrarian Reform

1972
Directorate of Land Conservation and Topographic Works: DFCTT

1982
Directorate of Land Conservation, Cadastre, and Mapping: DCFCC

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1994
Administration of Land Conservation, Cadastre, and Mapping: ACFCC

1915 - 2002
Land Conservation, Cadastre, Mapping

2003
Autonomous Agency
National Agency of Land Conservation, Cadastre, and Mapping: ANCFCC

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New Aspects

Land Conservation
Cadastre
Mapping

More than 60 Local Services:
✓ Provinces
✓ Municipalities

8 Central Directorates

National Agency of Land Conservation, Cadastre, and Mapping

ANCFCC

National Level

Local Level
Avoid Shortcoming

- Nature of the Moroccan cadastre:
  - The Land Titling is optional
  - The Juridical Cadastre is sporadic
  - The National Cadastre: rural areas
  - The National Land Agency: public lands (urban / Suburban)

- Institutional Barriers to overcome: Regulation arrangements
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- Agriculture and environment:
  - Convenient policy to manage land resources
  - Modeling production factors related to spatial features
- Infrastructures/Engineering design: Equipment and transportation
  - Continuous and homogenous framework
  - Monitoring system for network facilities
- Land management: Urban Agencies
  - Administrating territorial lands: zoning and planning
  - Defining Restrictions/Obligations about lands
  - Best governing urban areas and neighborhoods
- Economical and social impacts:
  - Decision making: large partnership
  - Reliability and social confidence
  - Justice: by avoiding Anarchy/corruption
  - Promoting Land and estate Market

Conclusion
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Bibliographical references


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Thank very much

Welcome to Marrakech

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