Experiences of Cadastral Development in Southern and Eastern Africa
Tommy Österberg
Swedesurvey

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)

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

LA for governmental administration

- Rationale for governments
- Promote sustainable land management
- Protect human rights
- Formulate, implement and monitor land policies
- Land use planning and enforcement
- Environmental protection
- Infrastructure development
- Land taxation

LA for supporting land rights

- Provide information about rights (security of tenure, land market, others)
- Secure transactions of land
- Land registration
  - oral witness (local courts)
  - deed registration (documents)
  - title registration (cadastral unit/parcel, maps)

Ongoing development in Africa

- Recognition of traditional tenure in formal laws
- Decentralisation
- Land redistribution
- Land valuation and taxation
- Re-engineering of technical specifications

- Urban land
  - access and prices
  - informal tenure
- Technical development
  - GPS
  - Digital mapping
  - IT
- Spatial data infrastructure
  - Standardisation and exchange of information
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.

**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