Land Governance in the context of Land Tenure and Land Registration in Kiribati

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Presentation Structure:
- Overview of Kiribati and its Land Administration System
- Policy Framework on Land Tenure/Rights
- Legal System for Land Rights Registration
WHERE ARE WE?

Kiribati

UNIQUE POSITION

Gilbert Group
Phoenix Group

Equator

Int. Date Line

Asia

Australia

U.S.A
Low Lying Atoll
Kiribati Situation and Land Administration System

- 37% is customary owned land, includes all land in the Gilbert group
- 63% is State owned, including all islands in the Phoenix and Line group
- Population 92533 (2005 census), 43% live in the urban capital South Tarawa

Land Administration System:

- Government leases on customary native land for 99 yr terms for public infrastructure
- Airfields, schools, hospitals, govn’t employees housing, offices and ground water reserves
- Less than 50 yrs before the 99 yrs lease lapsed
Land Tenure & Land rights

- Squatter on govt leased lands – pop growth, urban drift – Landowner double benefits
- Landowners illegally entered into abandoned govt buildings & expired subleases
- Eviction process through Court adjudication
- Landowners put pressure on govt for the surrender of undeveloped portion of leased lands

Sublease arrangements:

- Landowners encouraged to apply for sublease from govt;
- Landowners given priority to develop unleased lands;
- Accessing land for development on these govt leased lands is mainly through applications for sublease arrangements with govt.
- Landowners consent to development – Policy – good to landowners, bad for development
Land rights registration:

- Registration of title carried out in 1920's
- Enactment of Native Lands Commission Ordnance
- Ordnance provides for the determination of ownership and legalisation and registration of the titles determined – importantly provides for security and indefensibility of the title
- Shortfalls of the registration system due to inadequate description of the land registered
- Increasing land cases over boundary disputes

Land rights registration:

- Establishment of the Kiribati Land Information System in 1998
- The system will compliment the current registration system and hard volumes of land title registers
- The Courts plays an important role in the title registration process and adjudications of land disputes – title or boundary disputes
THANK YOU FOR YOUR ATTENTION