Reformation of Land Administration in Botswana

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Facts and Figures on Botswana

• Population  1.8 million
• Area       586,000 sq km
• Former British protectorate
• Rainfall ; average 450mm per annum
Land Tenure before independence

- Native Reserves
  - Crown lands
  - Freehold land

Land Tenure in Botswana

- Freehold land 5%
- State land (Crown) 25%
- Tribal land (Native) 70%
## Summary of tenures

<table>
<thead>
<tr>
<th>Tribal land (70%)</th>
<th>Freehold land (5%)</th>
<th>State land (25%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ownership perpetual</td>
<td>Ownership perpetual</td>
<td>Defined lease period</td>
</tr>
<tr>
<td>Transferable (if developed)</td>
<td>Transferable</td>
<td>Transferable (remainder of lease, if developed)</td>
</tr>
<tr>
<td>Inheritable</td>
<td>Inheritable</td>
<td>Inherit (remainder of lease)</td>
</tr>
<tr>
<td>Can not hypothecate (if not transformed to common law lease)</td>
<td>Can hypothecate</td>
<td>Can hypothecate</td>
</tr>
<tr>
<td>No survey prior to allocation ??</td>
<td>Survey before allocation</td>
<td>Survey before allocation</td>
</tr>
<tr>
<td>No planning prior to allocation ??</td>
<td>Planning prior to allocation</td>
<td>Planning prior to allocation</td>
</tr>
<tr>
<td>Compensation based on improvements introduced</td>
<td>Compensation based on market</td>
<td>Compensation based on market</td>
</tr>
</tbody>
</table>

## Ministry of Lands and Housing departments (organisations)

- Dept of Surveys and Mapping
- Dept of Town and Regional Planning
- Dept of Lands
- Dept of Housing
- Dept of Technical Services
- LAND TRIBUNALS (2)
- Deeds Registry
- LAND BOARDS (12)

✓ Plus 41 subordinate Land Boards
Land administration processes and systems are not providing the services and information that society needs.

Caused by insufficient land administration

Symptom

140,000 on Mogoditshane land waiting list

People scrambling for land certificates at the Thohoyandou Land Board offices.
Achievements of Land Administration in Botswana

- Landless class has been avoided
- Land freely available to those who need it in tribal areas
- Equitable distribution largely attained
- Communities have a direct say in land administration in their areas
What is LAPCAS?

• Improvement of Land Administration Procedures, Capacity and Systems in Botswana (LAPCAS)
• The project is owned and managed by MLH
• It is a partnership project between Lantmäteriet (Sweden) and MLH (Botswana)
• It is about identifying opportunities for excellence in Land Administration
• It is about facilitating the economy

LAPCAS has 7 components

1. National systems for unique referencing of parcels and addresses
2. Improvements of land administration processes
3. Deeds register computerization
4. Systematic adjudication on tribal land
5. IT operations and maintenance organization
6. Information exchange and dissemination
7. Capacity building
Component 1; National systems for unique referencing of land parcels and location addresses

- Developed unique plot numbers in all plots in the country, including villages
- Developed a system of street/location addresses in both urban and rural areas

Component 2; Improvements of Land administration processes

- A holistic approach to Land Administration
- A strategy developed including;
  - Business process reengineering
  - Organisational effectiveness
  - Legal changes required to simplify processes
The Problem is…
That the various organisations and functions under MLH are acting like independent silos each doing its own thing in its own world

Instead of…
working together in a coordinated effort to achieve commonly held MLH and Departmental goals and objectives
The Helicopter Perspective on the LA
Component 3: Deeds register computerization

- Introduce a computerised deeds register
- Linkages to other organisations
  - Scanning of Deeds registry documents
  - Introducing unique parcel ID in Deeds Registry

Component 4: Systematic adjudication on tribal land

- Capture all plots (Ownership & location) in the country
- Sorting out Land Board records
- Developed and tested a procedure for systematic adjudication in tribal areas:
  - One pilot project completed
  - Second pilot project ongoing
To facilitate verification during adjudication there is need to sort and systematically arrange files now.

- To have easy access for retrieval

Aim of systematic adjudication

Complete information on who owns what and where
Component 5: IT operations and maintenance organization

- Developed an IT strategy which will:
  - Ensure that IT drives the business needs of MLH
  - IT systems work all time, consistently and reliably
  - Optimise IT structure

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**MLH System Layout**

**Benefits of Common Data**

- One source of data defines the current legal status.
- Each organisation is responsible for updating its own specific data, the rest is shared.
- Ideal as source for e-Gov services.

<table>
<thead>
<tr>
<th>PlotID</th>
<th>Geometry</th>
<th>Land Use</th>
<th>Ownership</th>
<th>Mortgage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>xyz</td>
<td>R</td>
<td>Aa Bbbbbbb</td>
<td>Standard</td>
</tr>
<tr>
<td>2</td>
<td>xyz</td>
<td>R</td>
<td>Cc Ddddd</td>
<td>Barclay</td>
</tr>
<tr>
<td>3</td>
<td>xyz</td>
<td>C</td>
<td>Ee Ffffff</td>
<td>FNB</td>
</tr>
<tr>
<td>4</td>
<td>xyz</td>
<td>1</td>
<td>Gg Hhhhhh</td>
<td>CEDA</td>
</tr>
</tbody>
</table>

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Component 6: Information exchange and dissemination (NSDI)

- Establish the NSDI
- Create spatial infrastructure (SDI) and National SDI awareness
- Establish data sharing standards

Component 7: Training and study trips

- Planning and implementing training activities
- Implemented short term and long term courses with the UB and UoG
- Bench marking visits
- 384 officers of MLH trained so far
Conclusion

• Land reform is about sustainable economic development
• Development is about change
• The need for change in mind set, to address prevailing problems
• We have the political support for change
• More about the results in the next FIG Working Week

THANK YOU
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