Building Public Confidence towards Cadastral Systems: the case of Honduras

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MAIN MESSAGE

• The cadastre is a public institution, serving public and individual interests.
  • It is not only technical.
  • It is not only a tool at the service of few private interests.
• Cadastre is about people… not only data and land surveying!
• Bridging the gap between cadastral specialists and people.
INTRODUCTION

- Research works on the recent cadastral reform of Honduras
  - Ley de la propiedad (2004)
  - Why is the cadastral reform of 2004 a success, while those initiated from 1960’s were failures?
  - Comparative analysis with the Quebec’s cadastre

CADASTRAL INSTITUTION

- The cadastre is a PUBLIC INSTITUTION.
  (Deininger, 2005)
  - Legal framework
  - State data infrastructure
  - Standardised processes
  - Recognized specialists
  - Accessibility
  - Adaptation
  - ...
CADAstral INStItuTION

• What makes a viable cadastral institution?
  • One under-estimated factor is the public (popular) confidence expressed towards the cadastral institution.

• How can we build this public confidence?
  • Time
  • Participation / Involvement (owner, occupant, interested)
  • Equity
  • Wholeness
  • Organisational stability
  • Public officer

HONDURAS

• Few data
  • 112 500 km² area / a lot of mountains
  • 8 millions people
  • 18 departments / 298 municipalities
  • 1700 $us per capita income
    • 60 % of the people under the poverty line
  • Before 2004:
    • 90% of rural lands and 50% of urban parcels without land title
LAND AND CADASTRAL REFORMS

- 1960’s = Agrarian reform programs
  - Reorganise the unbalanced distribution of land
  - Very few land titles / Inaccessible for the poor
  - Cadastre for fiscal purpose not for registration

- 1975 = National Agrarian Cadastre

- 1980’s = Agricultural Land Titling Program
  - 174 175 parcels / 32 024 titles
  - Creation of a National Cadastre (Ley sobre el catastro)
    - No land surveyor / Delineador = Topographic technician
    - Political objectives = Scepticism of the population
    - Spoliation of those who couldn’t afford to pay for their title and the land itself

- 1990 = Fiscal Cadastre
  - Municipal responsibilities
  - Lack of standardisation / Not technical uniformity
  - Notion of simplified cadastre

- 2002 = Need for “another” cadastral reform
  - No possibility to recover the national cadastral data stored on no further used digital support (main frame disks)
  - No legally habilitated land surveyor
    - What the Honduran do when there is a property boundary conflict?
PROPERTY LAW (2004)

- Ley de la propiedad
- Creation of a national cadastre
  - Matriculate each individual parcel
  - Legal link between the cadastre and the land register
  - Property Institute
  - Public participation (in order to acknowledge and approve the cadastral plan and each individual parcel)
CADASTRE OF QUÉBEC

- Created in 1860
  - 1449 original plans (in paper)
  - 30 years period
- Centralized administration
- Base of the land rights security system (according to the Civil Code of Lower Canada)
- Contribution of (private) land surveyors
- Weak process of updating
- Reform since 1985

After all these years, people tends to take the cadastral institution for granted.
- Cadastral surveys and Examination of titles
- New issue at stake
  - Land Title Insurance
CONCLUSION

• Land surveyors should focus their attention to the people rather than to the measurements.
  • Keep alive the dream of the next generations
• Land surveyors should think of themselves as the blue helmets of the land tenure peace and spatial organisation.

QUESTIONS?