THE DILEMMA OF RESTRUCTURING THE LAND GOVERNANCE SYSTEM IN NIGERIA

BY

UKAEJIOFO, ANDRUS N.
SECRETARY PRESIDENTIAL TECHNICAL COMMITTEE ON LAND REFORM
AND

NNAEMEKA, IJEOMA S.
CENTRE FOR LAND RIGHTS AND ENVIRONMENTAL DEVELOPMENT
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INTRODUCTION

• Land is an invaluable factor of production and a source of wealth.
• Land governance is concerned with decisions about access to land and its use
• It is also concerned with the method of implementing the decisions with regard to competing interests.
• The system of land governance affects the level of socio-economic development of a nation.
• Good land governance is key to national growth, national security and stability
OVERVIEW OF LAND GOVERNANCE IN NIGERIA

• The prevailing land tenure system is essentially statutory and it provides the legal basis for governance activities.

• Private conveyancing exists but attracts less premium.

• About 30% of the States (36 States) in addition to the Federal Capital Territory and Federal Government, have initiated improved land governance, mainly computerization and application of GIS/LIS.

• The Federal Government is piloting a National land reform and titling programme through the Presidential Technical Committee on Land Reform.

EFFORTS TO IMPROVE LAND GOVERNANCE IN NIGERIA

• Land Use Act introduced in 1978 was then revolutionary.

• Restructured and unified tenure system.

• Effectiveness of its implementation has been affected by poor understanding of provisions.

• Current effort by Govt. is to standardize operations in land administration, establish appropriate infrastructure and undertake inventory of land holdings across the country.
THE ESTABLISHMENT OF THE LAND REFORM COMMITTEE

The Committee was established to entrench a reform programme that will:

- Facilitate easy access to registered Certificate of Occupancy
- Ensure land tenure security and facilitate hitch-free land transfers and subsequent transactions
- Optimize the use of land as a source of revenue to both Government and individuals
- Provide basic information on land-use development and build up a proper national cadastral database
- Strengthen the economic base of land holders.

IMPLEMENTATION OF PILOT PROGRAMME

- The PTCLR is currently implementing Systematic Land Titling and Registration as a pilot land reform programme
- SLTR works to comprehensively record all types of land uses and the holders within a declared area
- Record collection in the field is jointly undertaken with the cooperation of adjoining owner(s)
- The pilot projects are being implemented in five Local Government Areas spread over two States.
- Target of pilot project is 5,000 parcels per Local Government in one or two wards within 6 months.
PROGRESS REPORT OF SLTR IN THREE LGAs FROM NOVEMBER 2013-MARCH 2014

BENEFITS OF SLTR (1/2)

- It is an inclusive, transparent and participatory approach to land titling
- Litigation is reduced to the barest minimum
- A large volume of titles are brought into the Registry’s database.
- Data capture process is simplified
BENEFITS OF STL R (2/2)

- Titles are delivered quickly at low cost
- Comprehensive inventory of parcels are made available to Government
- Dispute resolution simplified
- It provides a common tool for standardizing land titling and administration
- Data sharing among relevant departments is made easy
- Base map provides invaluable data for valuation

DILEMMAS

- Any attempt to restructure any operation in land is viewed with suspicion because land is socially embedded in Africa, as in many other nations
- Dilemmas arise from political, social, technological, technical, institutional and other impinging factors.
POLITICAL DILEMMA

- Political leaders are unwilling to allow anything that would erode their authority and influence

- The stakeholders are sceptical of reform efforts because Government officials and traditional rulers use land for political advantage

- Interfacing and convincing stakeholders of the advantages of the reforms is beyond political statements

- Extra time is required to assuage politically motivated biases

- Assurances and guarantees are literally extracted before field work could be done

- Heavy and consistent enlightenment required.

COMMUNITY AND OPINION LEADERS JOIN IN SENSITIZATION
SOCIAL DILEMMA

- Land holders who depend on the land for agriculture demand an assurance that they would not be dis-enfranchised.

- The cost of securing an alternative site after losing present holding could be high and in some cases unaffordable.

- The chances of being compelled to pay fees, even if low, is difficult to accept.

- To extract cooperation, a lot of sensitization is required.

TECHNOLOGICAL DILEMMA

- Technology is not appropriately matched with capacity to use.

- Poor access to internet facilities to share data on/from public infrastructure.

- Appropriate institution to monitor standards for empirical data used under different situations not guaranteed on ground.

- There are often divergent choices of software and hardware which may affect system integration and data sharing.
TECHNICAL DILEMMA

• Different professionals in the land sector make effort to ensure that their professional inputs are not relegated

• Agreeing on standards and format for data to be used become an issue

INSTITUTIONAL DILEMMA

• Necessary institutions that would facilitate the operations may not be functional at the start of the project

• Relevant manpower to take over is required

• Registries need to be established and manned at the appropriate levels to manage data generated.

• Other units and offices required within the institutions need to be duly established. (e.g. Land Use Allocation Committee; Land Use Advisory Committee)

• In their absence data collation and management remain ineffective
DILEMMA OF FUNDING

• Funding for the Pilot projects has mainly come from the Federal Government, with support from Development Partners

• States need to adopt and support the project.

• Prospects of investing funds from the revenue generated from title processing would go through bureaucratic process

CONCLUSION 1/2

Where properly restructured, good land governance will:

• All the political, technological and social support to succeed

• Provide title to land holders.

• Be a factor to unlock wealth for a large number of holders

• Strengthen national property market

• Provide property inventory for land management and other purposes
CONCLUSION 2/2

• Provide Government with a source of revenue
• Bring transparency in land allocation and use
• Contribute to poverty alleviation
• Engender political security and stability
• Encourage economic growth

THANK YOU FOR YOUR ATTENTION.

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