

Land Governance in Timor-Leste – Where to go to from here?

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SUMMARY

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Land governance in Timor-Leste is deeply marked by the country's past, including centuries of Portuguese colonial rule and a 24-year violent Indonesian occupation. Indonesia punished the overwhelming vote for independence in 1999 with the complete obliteration of the physical and administrative structures of the country – a destruction that was stopped only by international intervention. Since then, the country has been trying to rebuild its land governance structures, with special focus on the formal land tenure system. However, such process has been slow and difficult; the need to address the past injustices of colonialism, occupation and dispossession is further complicated by new challenges accompanying rapid urban growth, a fast-growing population, and large-scale infrastructure projects. Politicians often mention other elements of land governance, such as land use planning and land taxation, as priorities, but since independence, no legal or administrative mechanisms have been created to address these topics.

After almost 14 years of independence, it is already possible to draw some conclusions regarding what has gone right and wrong in the development of the land governance mechanisms, especially a formal land tenure system, in independent Timor-Leste. This paper analyses this development using two key frameworks: first, it measures the current state of land governance in Timor-Leste against the Voluntary Guidelines for Responsible Governance of Tenure; and second, it analyses the options pursued by previous governments and the future actions to be taken in light of the principles of Fit-for-Purpose Land Administration, a concept developed by the World Bank and FIG.

Identifying the achievements and the failures of the Timorese land governance mechanisms is essential for their improvement. It is hoped that this paper can give contribute for this improvement.