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Introduction to Land Tenure Administration

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WHAT WE'LL COVER

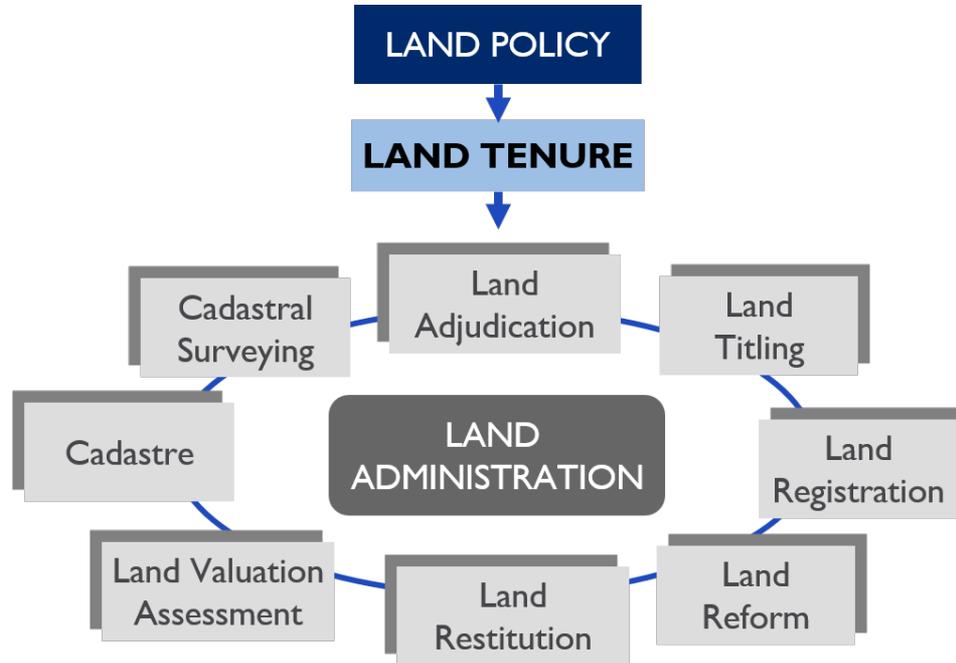
- Background and Definitions
- Challenges and Issues
- Technology and Change
- Technology to Solve Problems – Examples
- Best Practices
- Key Take Aways

— BACKGROUND AND DEFINITIONS



LAND ADMINISTRATION

HOW GOVERNMENTS ADDRESS LAND AND PROPERTY RIGHTS



WHAT IS LAND ADMINISTRATION?

- Systems that register ownership and other rights to land and property
- With a goal of strengthening and securing land tenure
- Enhancing the reliability and efficiency of land and property markets
- And reducing land and property disputes
- Good land administration systems share the following characteristics:
 - Transparency
 - Accessibility
 - Precision
 - Gender Equality
 - Providing access to reliable information at reasonable cost

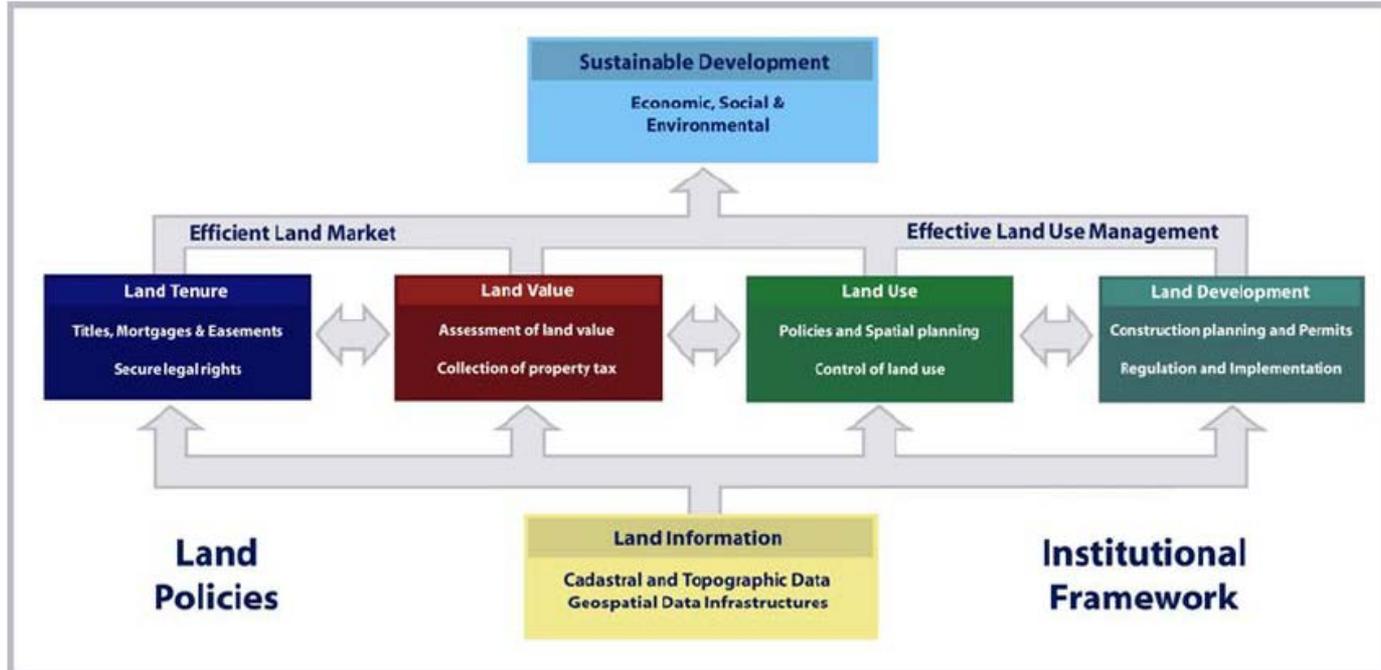
A GOVERNMENT SERVICE

- Land Administration is a service typically provided by government
- Often at local and provincial/regional levels (& often not financially self-supporting)
- Local offices collect information about a parcel – boundaries, owners, encumbrances
 - Capacity issues and lack of resources often frustrate good service provision
- Information is verified, recorded and stored
- Documentation can be issued to prove ownership or use rights
- In many countries information is primarily located at the provincial/regional level – some countries have a national cadaster/registry – US has a highly decentralized system
- Communal/customary systems need to be integrated into these systems
 - Example: USAID's Tenure and Global Climate Change project in Zambia

WHY IS LAND ADMINISTRATION IMPORTANT?

- Creates rules for how land and property should be transferred and valued (how may I exercise my tenure rights?)
 - Allowing people/organizations to leverage property for investments/credit
- Creates a valuable inventory of private, communal and state properties
 - So long as it is up-to-date and precise
- Creates a unified database to support efficient land use, land & resource management
- Provides information to support land dispute resolution
- Captures information to support a system of land valuation and land taxation
- **A strong land administration system increases stability, predictability and helps support a business enabling environment**

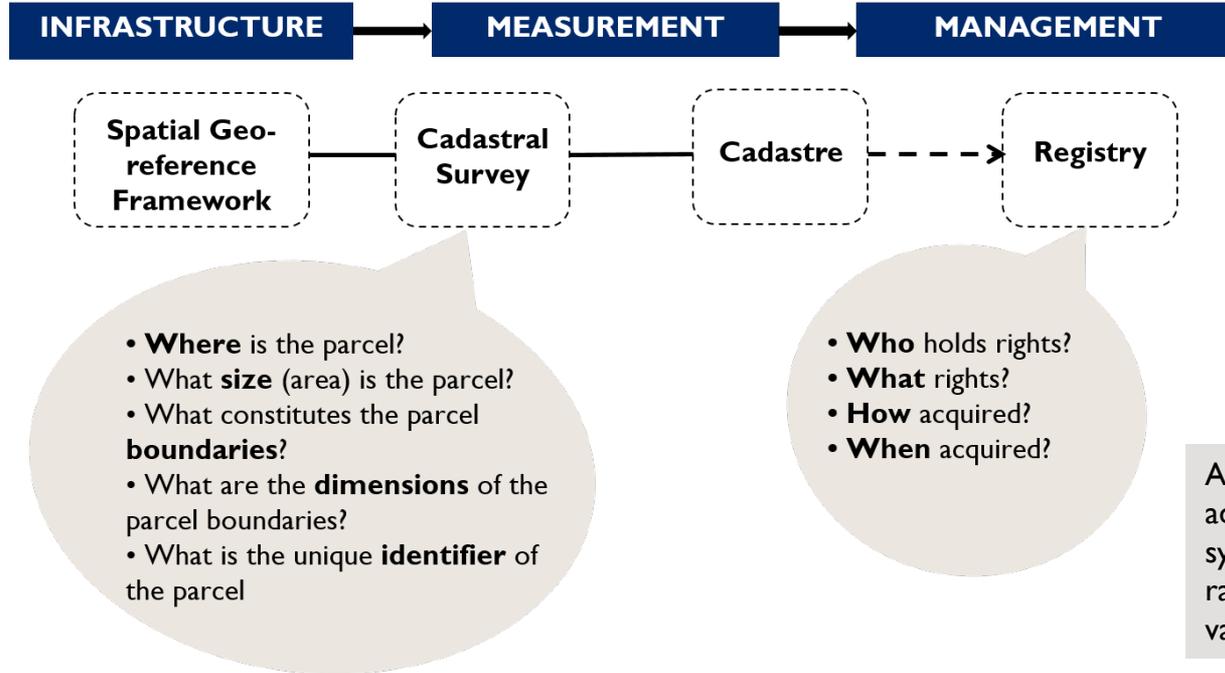
LAND ADMINISTRATION SUPPORTS MULTIPLE DEVELOPMENT OBJECTIVES



COMMON ELEMENTS OF A LAND ADMINISTRATION SYSTEM

- Cadastre - a comprehensive register of real property matters, including ownership information, parcel boundaries (via cadastral maps), and land value (where? how big? who?)
- Cadastral or parcel map – contains geospatial information about registered parcels
- Title - formal documentation of an ownership claim over real property
- Deed - document that transfers title from one person or entity to another – deeds do not prove ownership
- Certificate of Use – (typically) formal documentation of a use right
- Encumbrance – a claim on a parcel (such as an easement or lien)

CADASTRAL / REGISTRY SYSTEM



TITLING AND REGISTRATION

- Land Administration can capture the continuum of rights
- Formal registration may include deeds or titles
- Countries also use a variety of Certificates to secure rights
- Clarity and precision support investment/property markets



— CHALLENGES AND ISSUES



WHAT FRUSTRATES GOOD LAND ADMINISTRATION?

- Conventional approaches are too costly
- Often overly bureaucratic
 - Too many steps, few one-stop shops
- Maintenance problems of registry/cadastre
- Lack of satellite imagery
- Too few trained staff & excessive professional requirements
 - Surveyors, notaries, conveyancers



OTHER CHALLENGES

- Paper records are difficult to search & vulnerable to loss
- Land information is often be fragmented
 - Do ministries share info?
 - This frustrates good land use planning & land management
- Need more local participation and ownership
- Need current geospatial data



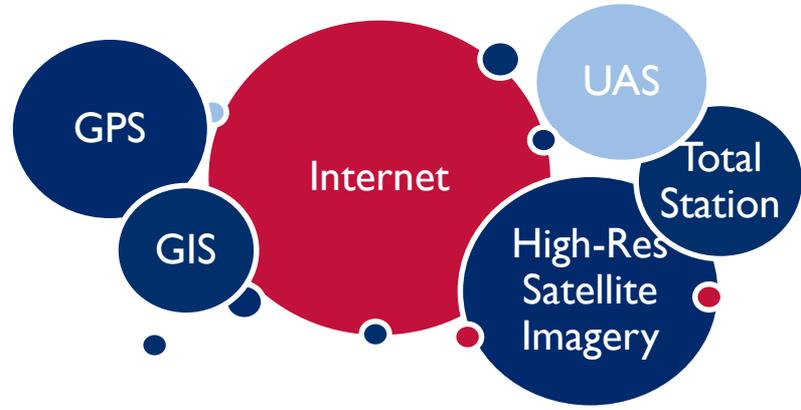
LAND ADMINISTRATION AND CORRUPTION

- These can be among the most corrupt government systems
 - As land values rise, incentives for corruption may also rise
 - Costs of abuse can be enormous – lost land, livelihoods, cultural spaces, environmental degradation
- Cumbersome processes may encourage corruption
- Physical layout of land administration offices may contribute to corruption or harassment
 - Are offices/windows open
 - Are women required to talk with officials behind closed doors?
- Long delays in service delivery may encourage use of bribes
- Solutions: publish steps/prices prominently; e-services may help; participatory processes

— INNOVATIONS



INNOVATION AND CHANGE



ADDRESSING THE PROBLEM

GPS

- GPS does not require line of sight on the ground
- Satellites act as control points in the sky
- Accuracies increased by factor of 10
- Offers time and cost savings (10 x)
- Introduces new global datum different from traditional mapping datum
- Easy to use (participatory)



ADDRESSING THE PROBLEM

SMALL UNMANNED AERIAL SYSTEMS (sUAS)

- High resolution small footprint
- Shortens mapping supply chain
- Current geospatial data on an as needs basis
- Provides mapping capability to small operators
- Fit for purpose
- Participatory



ADDRESSING THE PROBLEM

NEW PLATFORMS & TECHNOLOGY

- LandMark – a way to map & share information about customary land
 - <http://www.landmarkmap.org/>
- Cadasta Foundation – private digital registry
 - <http://cadasta.org/>
- Blockchain technologies – private digital registry
 - Being used in Republic of Georgia
- And much can be done with low tech participatory mapping

USAID SUPPORT FOR INNOVATIVE SOLUTIONS

- Mobile Applications to Secure Tenure
 - Tanzania – using mobile technology and participatory mapping approach to provide formalized land rights in support of government commitments
 - Burkina Faso – using mobile technology to map land rights in a Francophone country
 - Zambia – using mobile technology to map land and issue customary certificates
- Responsible Land Based Investment Pilot
 - LandMapp - Ghana
 - Community Mapping and Certification - Mozambique

BEST PRACTICES

- Understand how a stronger land administration system will help meet country/donor goals
- Address key local needs (mapping public lands? Communal lands? Land valuation?)
- Adopt participatory approaches (e.g. mapping, crowd sourcing)
- Integrate gender and needs of vulnerable groups
- Work with customary systems where appropriate
- Use fit for purpose technologies



KEY TAKEAWAYS

- Sound Land Administration is an important foundation for good governance, economic growth and conflict prevention
- Strengthening land administration systems takes time and may take substantial resources
- Changing technology offers innovative approaches, but building capacity to use technology can be a challenge
- Technology changes rapidly, try to anticipate this in program/system design
- New technology can further embed inequality – be aware of this
- Technology should be ‘Fit for purpose’ - fanciest may not be best



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