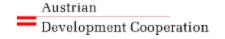
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Some Observations and Recommendations of the EGM



Expert Group Meeting
Nairobi 11-12 Nov 2004







Guidelines

- ToR Expert Group Meeting
 - secure land tenure
 - new legal framworks
 - new tools



Observations land tenure

- Residential licenses in urban areas to be converted to full title later (Tanzania)
- ☑ Flexible land tenure system: individual starter title but groupbased (Namibia)
- Certification in 2 phases related from local to spatialframework (Ethiopia)
- Certificate of ownership (Uganda)
- Certificate of occupency (Uganda)





Observations Land tenure

- Three forms of leases, primary, demarcated, registrable (Lesotho)
- Possessory title recognition, transfer into formal system + remedy (Jude, Indonesia)
- Land tenure certificates (Benin)





Observations process

- Land owners to prepare their own plans (Zambia)
- Demarcation of 'big' boundaries of group ranches and trust lands (Kenya)
- Working backwards to reconstruct process (SA)
- evidence from different sources (SA)
- Predictable processes provide certainty (SA)
- Hierarchie of evidence SA)
- Informal land delivery processes effective where formal are not (Rakodi)



Observations processes

- Access for the poor only plotsharing and inheritance (Rakodi)
- ☑ Formal registration urban and rural >5 ha en local registration <5 ha (Rwanda)
 </p>
- Demarcation on local demand (Uganda)
- ☑ Identifying and mapping land rights through Plan Foncier Rural (IC, Benin, Burk Faso, Guinee)
- Land tenure certificates (Benin)





Observations processes

- Creation of land records prior to land registration (Lesotho)
- Let people decide which customary rights should be recorded (Benin)
- Malpractice resistent processes (Zambia)
- Neocustomary land delivery good alternative for formal (Durand)
- Viability on the on the long run questionable, land policy (Durand)



Observations processes

- ☑ Kenya from individual titling 1956 to also group ranches and trust land 1968
- ☑ Tribal Land Integrated Management System (Botswana)

- Public Private land
- Urban Rural Land

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Various

- Subdivision group ranches; Relation with wildlife
- Role of chiefs
- Delivering functions land boards
- Social legitimacy but no local political interference
- Customary systems borrow from formal
- Decentralisation
- Gender in Rwanda and Zambia
- Role of universities





Recommendations

- All options are open and should be explored
- Innovative (land tenure, deliery, administration, evidence, technology)
- Informal land delivery should be tolerate and accomodated (weaknesses, strengths)
- Evolutionary approach (Ethiopia, Tanzania, Namibia, Rwanda, Lesotho, indonesia)
- Inclusion of derived rights (water, grazing, pastoralists)





Recommendations

- ☑ Policy + effect implementation (Kenya, Uganda).

 Relationship institutional and operational.
- Taxation to fund reform and upgrading
- Capacity building: better performance through education, research and consulting and deceralsied institutes



Recommendations

- Technology (orthophotos, satellite images, GPS) provides good base in case fulfilled conditions
- Develop standards with industry (data & processes)

- Dynamic (start with fiscal cadastre?)
- Maintenance guaranteed
- Sustainable investment



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Publication

- <u>www.fig.net</u>
- <u>www.oicrf.org</u>
- Proceedings

- ☑ Rapporteurs, please sent reports to lemmen@itc.nl
- Deadline for paper submission: 15 December