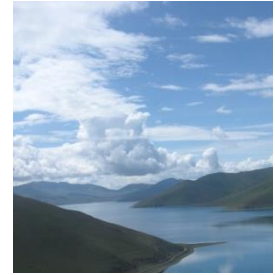


Are Local Registers the Solution?



Richard Baldwin, Clive English, Christiaan Lemmen,
Ian Rose, Alexander Solovov, Andrew Smith,
Tressan Sullivan



World Bank Conference on Land and
Poverty, 22nd March 2018.



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1. Introduction

Are Registers the solution?

Across Africa almost no nation wide land administration systems are in place with supporting IT, infrastructure

- Africa
 - Land Administration services are patchy – vary quite a lot.
 - Almost no nation wide land administration system in place with supporting infrastructure able to offer nationwide service to all levels
 - Land and property markets still emerging
 - Is there a broad acceptance and appreciation of benefits of registration?
 - only Rwanda has completed country wide registration and has a national IT system in place deployed to district

Can we work from local solutions upwards?

1. Introduction

Some interesting developments

- Technology, methodology, costs
 - Fit- For Purpose (FFP) methods now accepted
 - Low cost Registration using FFP is a reality
 - New Technology solutions – digital images, mobile tech, gps enabled, security
 - More focus on field activities – outreach, recording, verification, social inclusion
- New Generation of Platforms Emerging
 - Tools for Facilitating data capture and management
 - Services for registration (fee paying)
- Local v Central
 - Data capture is at local level, traditionally our land admin systems are built top down big developments (Need to align local and central data models)
- Support
 - Digital technology can embed business rules, is it possible to simplify the support requirements at local level?

We have our Fit-For-Purpose data capture methods – is there something similar for creating and operating registers?

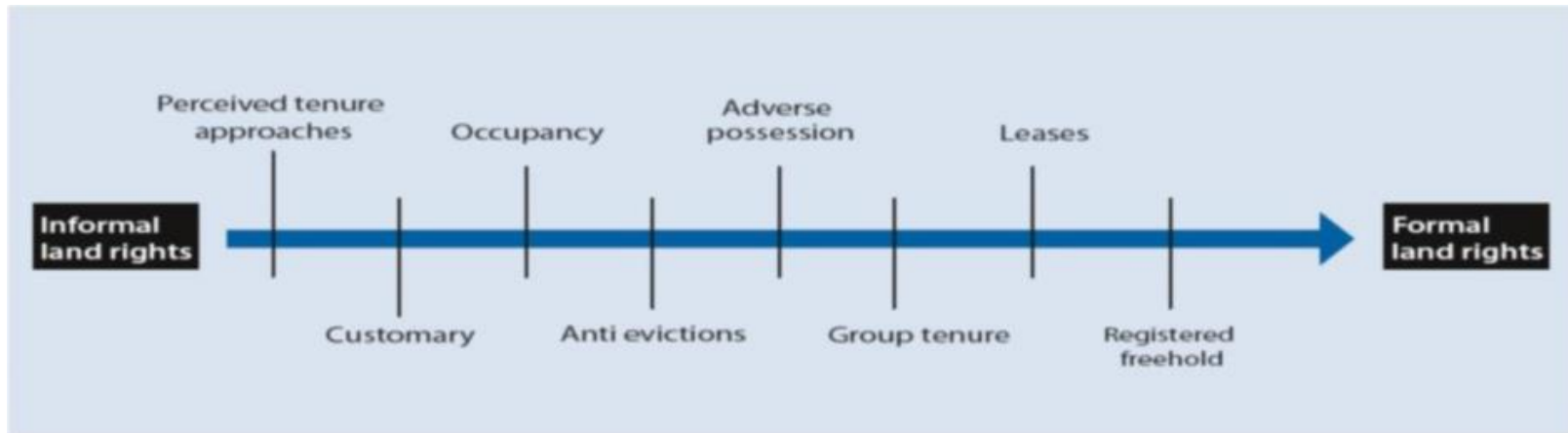
1. Introduction

Innovative registration and transaction support tools and services

- **SOLA**: (open source solutions for land administration), developed with FAO support, Nigeria, Cambodia, Uganda <http://www.flossola.org/>
- **STDM**. Social tenure domain model. <https://stdm.gltm.net/>
- **Cadasta**: Tools to collect and document land rights (<http://cadasta.org>)
- **Meridia**: transaction services for individual registration (<http://www.meridia.land>)
- **LAND** initiative: Dutch Kadaster – Fit-For-Purpose solutions – currently in Benin, DR Congo, Uganda <https://www.kadaster.com/partnership-land>
- **USAID MAST** (Mobile Application to Support Tenure): originally piloted in Tanzania and now active in Burkina Faso, Zambia, Tanzania <https://www.land-links.org/tool-resource/mobile-applications-to-secure-tenure-mast/>
- **BenBen**: digital land transaction services in Ghana. <http://www.benben.com.gh/>
- **TRUST (Technical Register under Social Tenure)** USAID LTA project Tanzania. Free to use Local register solution linking to MAST. <http://dai-global-developments.com/articles/from-land-tenure-regularisation-to-a-sustainable-land-register/>

2. Land Rights – What to Register?

Continuum of Land Rights (UN Habitat 2010)



Think of it as metaphor rather than linear progression (Barry, Augustinus, 2015)

What should we register?

systematic registration

Informal local recording

What is role of documentation (why) ?

National systems

Formal Registers

Can local registers help? –people-place-relationships -rights

3. Examples of different initiatives

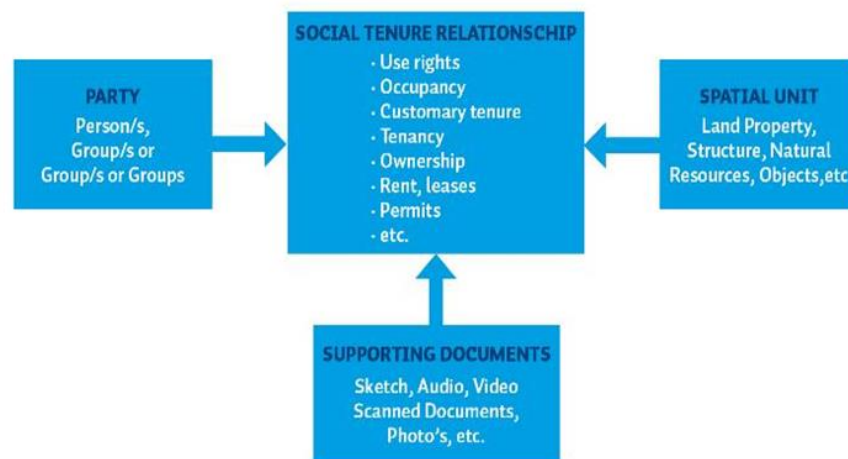
We will look at some different situations that include both formal and informal situations

- a) STDM - Social Tenure Domain Model
- b) Rwanda LTR programme
- c) Ethiopia LIFT programme
- d) Tanzania USAID LTA programme
- e) South Africa - Incremental Tenure Improvement in Informal Settlements
- f) Also SOLA, Open Tenure / Community /Server

3a. STDM – Social Tenure Domain Model.

- Launched at FIG Congress, Sydney 2000
- Lemmen (2010), UN Habitat
- Developed as Pro-poor land tool
- Concept highly influential
- People – land relationships independent of formalisation
- Specialisation of LADM
- STDM software originally based on ITC ILWIS, now QGIS /PostgreSQL/ PostGIS

STDM Conceptual Model



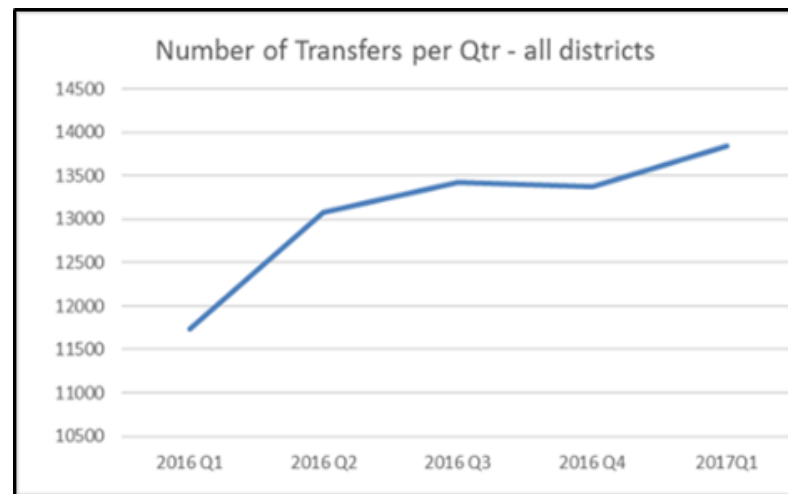
Lessons

- Records “social tenure relationships”, not just formal land rights.
- Can record transient and overlapping relationships;
- Can use the STDM approach for informal or formal occupancy rights etc.
- Available as open source software
- Big impact has been the conceptual model that expands our concept of land rights and recording/registration
- In use: Uganda, Kenya, DRC, Namibia, Philippines, Nepal, Zambia, Iran, Sudan amongst others

3b. Rwanda – massive systematic registration.

- Phase I 2005-2008: preparation
- Phase II 2009-2013: LTR implementation
 - 10.4 million parcels registered in Phase II.
 - Fit-For-Purpose approach
 - Low cost around \$7 per parcel
- Phase III 2013-2018: post LTR support
 - Complete the land administration system to local level including IT system
 - From 2015, more than 400 local Sector Land Managers (SLM) appointed
 - IT development, capacity building

Supported by UK DFID, NL, SIDA, EU, Gov Rwanda



Lessons

- Developed and proved concept of low cost, fit for purpose registration at scale
- The land administration system to manage secondary transactions arrived much later than the registration data
- Public need to understand benefits of registration and land administration
- Once SLM in place and public awareness increased, transactions accelerated.
- Innovate! --- New services (e.g. mobile query developed – more than 600,000 queries in 18 months)

3c. Ethiopia LIFT Second Level Land certification.

- UK DFID - 2014-2019 ongoing
- 14 million parcels in 5 years ~ \$5 per parcel
- NRLAIS national system under development but not yet ready?
- Local solution iWORLAIS installed woreda by woreda as registration proceeds
- Economic empowerment component to deliver economic benefits encourages registration and transaction recording
- Distance to woreda office can be 20-50km
- Looking at kebele level “application windows”



Sodo (SNNP) Woreda Land Administration Office before (2014) and after (2016) rehabilitation

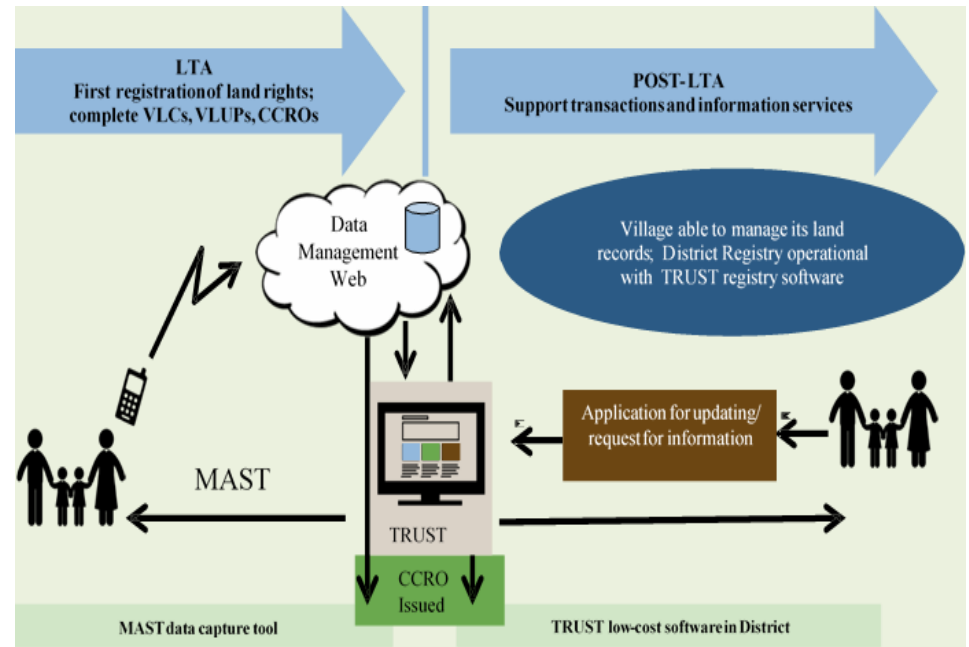


Lessons

- Demonstrates the low-cost FFP approach can be replicated in larger country
- Land administration system installation and registration proceeding in parallel with local register (iWORLAIS) at Woreda level
- iWORLAIS designed to be compatible with national NRLAIS system
- Local solution ensures the sustainability and integrity of the registration data is protected until NRLAIS is ready and operational.
- Economic Empowerment component to realise benefits (Leckie, Mayr, Fiesta)
- Decentralize further to kebele level with “application windows” ?

3d. Tanzania LTA village land registration

- USAID 2015 – 2019 ongoing
- 41 villages Iringa and Mbeya districts (50-60,000 parcels)
- MAST – Mobile Application to Support Tenure adapted to Tanzanian standards
- TRUST – Technical Register under Social Tenure to manage data and support transactions under test.
- 22,000 CCRO issued in 22 villages at average operational cost \$10 parcel
- National ILMIS system still under development.



Lessons

- Low cost, licence free software can efficiently capture local land rights (MAST) and also provide local registry solution (TRUST).
- The local TRUST register is being introduced and will be operated by DLO staff in accordance with legislation and regulation.
- National ILMIS system not ready – does GoT have resources to deploy nationally across 170 districts?
- TRUST ensures the sustainability and integrity of the CCRO registration data is protected and supports transactions, information requests, reporting etc..

3e. S Africa -Incremental Tenure Improvement

Example --- drawn from Cape Town (Schreiber and Barry, 2017)

- Township – Monwabisi Park, Cape Town
- Incremental tenure improvement approach (Urban LandMark DFID) <http://www.urbanlandmark.org.za/>
- Local Registry office - 6470 occupation certificates issued.
- The Local register is maintained with changes
- Allows access to services, provides level of security of occupancy, protects against intrusion.
- NOT ownership certificate

Lessons

- Local registries can provide community-based ledgers that identify and track occupancy, households and changes in informal communities benefitting the local inhabitants
- These registers do not replace formal systems. Rather they are a stepping stone towards formalisation as they map existing people-place relationships
- These registers provide real benefits for the community (access to services, protection against incursion, incremental tenure improvement).

3f. SOLA /Open Tenure & Community Server

LADM compliant software - <http://www.flossola.org/> - no licence costs

- Now a suite of solutions including (amongst others)
 - **Open Tenure** - A mobile application developed for both Android and iOS devices that facilitates recording of tenure rights by a community
 - **Community Server** - A web based portal for recording and moderating the tenure rights captured by a community. Community Server is integrated with the Open Tenure mobile solution but can also be used independently.
- SOLA Pilots have been in Ghana, Nepal, Lesotho, Nigeria, Sierra Leone, Samoa
- Open Tenure pilots in Myanmar, Angola, Uganda, Guatemala, Sierra Leone, Nigeria

Lessons

- There is a growing availability of open source platforms and tools that can be used to capture, validate and manage land rights at the local level which can be relatively easily commissioned and deployed.
- These systems are digital and based on simple platforms (android devices, phones, tablets etc.).
- This approach allows communities to initiate their own programmes, however where existing laws and regulations exist, it is important that these are reflected in these tools or there is a risk they will lack legitimacy, including official approvals

4. Conclusions

Local Registers are here already:

- LIFT Ethiopia, LTA Tanzania are putting in place local register systems compliant with the rules and regulations as the national systems are not ready
 - These systems support transactions and ensure sustainability
 - Elsewhere, off the shelf tools are being used/adapted for local purposes including creating local registers in informal areas (eg STDM, SOLA, Open Tenure etc)
-
- The Fit for Purpose approach combined with technology allows us to initiate both small and large-scale registration programmes at low cost compared to traditional approaches -Examples from Rwanda, Ethiopia, Tanzania
 - Local Registers can be developed and deployed at district or even village level that can be compliant with national laws and regulations.
 - Examples – LIFT Ethiopia, LTA, Tanzania
 - Development of the land administration system needs to run in parallel with any systematic registration programme – at national or local level
 - Look at Rwanda experience – now parallel development in Tanzania, Ethiopia

4. Conclusions

- While the software may be free, there are costs for customization and there need to be clear arrangements in place for system management and data security.
- Data captured on local systems can be migrated to national systems when they become available providing there is agreement on the underlying data model, coding and content.
- There has to be clear, visible benefit to citizens and communities arising from a registration programme and an improved land administration system
- In informal communities such as townships where there is no tenure legitimacy, local registers can facilitate an incremental improvement in tenure.

These developments are taking place and involving actors other than just the traditional technical and professional staff from land administration agencies

4. Next Steps

Is there a paradigm shift coming?

If local registers can embed the business rules of “traditional land administration” systems – do we need large scale top down IT systems?

We have not considered more advanced technology solutions (e.g. blockchain). How could this technology link with local registration?

4. Next Steps

Is there a paradigm shift coming?

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So that leads to the Next Question

Who will be the operator and custodian of these systems?

Map

Zoom to extent Zoom in Zoom out Pan Plot information Maximize

Layers

- Plots
 - Pending
 - Active
 - Historic
- Google Map
- Google Earth



Thank You !

Background – Land administration development - observations

- ECA (Europe and Central Asia) Region
 - extensive experience with modernisation of land administration systems
 - World Bank - \$1.4 billion over 20 years.
 - Established or re-established cadastral systems and registers countrywide
 - Systems mostly in place for updating
 - Were many problems with development of large centralised land admin IT projects (*Adlington, Tonchovska, 2012*)
 - Active land and property markets in most countries
 - Broad acceptance and appreciation of benefits of registration
- Africa
 - only Rwanda has completed country wide registration
 - Substantially less investment across the sector
 - More than 50% of land is unregistered?
 - Land Administration services are patchy – vary quite a lot.
 - Almost no nation wide land administration IT systems in place
 - Land and property markets still emerging
 - Not yet any broad acceptance and appreciation of benefits of registration