

Thinking Local: Can Local Land Administration Systems Avoid the Pitfalls of National Land Systems?

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Abstract

Growing recognition of the importance of secure land rights to a robust and sustainable economy has prompted the international development community to invest heavily in efforts to create and support modern, national land registrations and cadastral systems in emerging markets. These expensive projects have, time and again, struggled with cost, sustainability, and technological challenges.

This has prompted some in the land sector to investigate the feasibility of local, smaller scale systems. Land information systems have a better track record when implemented at a smaller scale; whether due to the size of the country and the transaction volume, or because the systems are implemented at more localized levels – municipalities, customary groups, or self-identifying communities such as slum dweller associations. These local groups often have more of a vested interest in maintaining the data, whether because of an interest in potential property tax revenue, a need to protect the property rights of community members, or interest by outside investors in acquiring land. Localized systems have another edge on national systems, they do not require the same complexity in terms of workflows, historical data integration and information technology infrastructure. Lastly, because such small scale systems are often implemented by community members with local knowledge, they tend to be more equitable, provided the responsible actors are committed to addressing the rights of disadvantaged groups within the communities, including women, and are trained in the nuances of laws pertaining to land rights. This paper explores the potential for local land information systems to avoid the pitfalls of national systems and outlines a planned pilot to test the feasibility of local land information systems.

Overview

According to the World Bank, an estimated 70 percent of the land in emerging economies is undocumented. This lack of documentation creates insecurity, inefficiencies, and is a significant barrier to development. To address this, countries around the world have launched efforts to create modern national land administration systems — with mixed results.

Sustainable modern computer based workflow driven national land registration and cadastral systems have proven to be difficult to sustain.Adopting countries have found that the systems are costly, both to implement and to maintain, require significant expertise that is often unavailable in emerging economies, are difficult to keep up to date, and can be unwelcome and actively undermined by entrenched bureaucracies.

Given the failure of many emerging economies to establish and sustain functional, up to date, national administration systems, land management is currently still largely a local affair across most of the world.

It is often conducted informally – whether through collective memories, visible monuments, generally accepted boundaries or reliance on a trusted leader. While effective at a small scale, it is difficult for outsiders to access and understand, and is often unrecognized and undermined by actions at the national level.

As pressure on land increases both because of population growth and increased interest in land purchases and leases from outsiders, more local institutions – such as slum dweller associations, religious organizations, traditional rulers, neighborhood associations or local governments are eager to formalize their currently informal land system to strengthen security.

This has prompted local organizations, communities, and non profits to explore the feasibility of creating and sustaining local level land information systems supported by communities, local officials, or non-profits.

This comes at a time when recent innovations in technology are revolutionizing efforts to document and strengthen land rights around the world. These technologies present an opportunity for sustainable local level land information management – in effect putting robust tools into the hands of local scale land governance actors.

Technology, such as global position systems (GPS) and drones now allows us to collect information and document land rights efficiently and effectively. Off the shelf smartphones and tablets now can be used to easily capture and transmit evidence of land rights. In addition, cloud computing allows this information to be stored and accessed by anyone with an internet

connection. These tools are also becoming more accessible and user friendly, and with much of data collection and management possible by mobile phones, a technology that in Africa is used to access the internet far more often that traditional computers or tablets, the barrier to entry presented by a need for technical expertise is significantly lowered.

This paper considers the challenges faced by national systems, examines early evidence of

suggesting strong benefits to a more localized approach to implementing land information systems, analyzing under what conditions such a system would be applicable and successful, how to ensure sustainability, and finally how it might be tied to local level tax collection.

Challenges of National Enterprise Systems

National land information systems, whether built on open source or proprietary solutions, have had very limited success rate. Despite many tens of millions of dollars having been spent by donor agencies, the simple fact remains that the vast majority of citizens have not been incorporated into formal tenure regimes.

This poor track record for long term sustainability and success of land information systems in emerging economies can be partially attributed to a number of issues: government capacity, scarcity of IT professionals, lack of funds for maintenance, government centralization, transitioning paper-based systems, corruption, lack of political will and technological hurdles. We will discuss each of these below.

The Benefits of a Local Approach to Land Information Systems

Land information systems have the potential for a better track record when implemented at a smaller scale, for a variety of reasons: system size, simple workflow, no legacy issues, local vested interest, fewer geographic barriers, less opportunity for corruption, reduced cost, and local expertise. We will explore each of these below.