

# The Challenges of Developing Cadastral System in Eritrea

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To be Presented at

FIG International Conference,  
Facing the Challenges-Building the Capacity

Sydney, Australia, 11-16 April 2010

## **1. Introductory Background**

### **1.1 Colonial Period (1890-1941 & 1962-1991)**

- Cadastre System established- end of 19<sup>th</sup>c during Italian occupation
- Objective: guaranteeing security of property ownership for Italian settlers
- Registration system: voluntary basis mainly confined to urban centres
- Registered property had simple survey plan, plot no, area, owner details

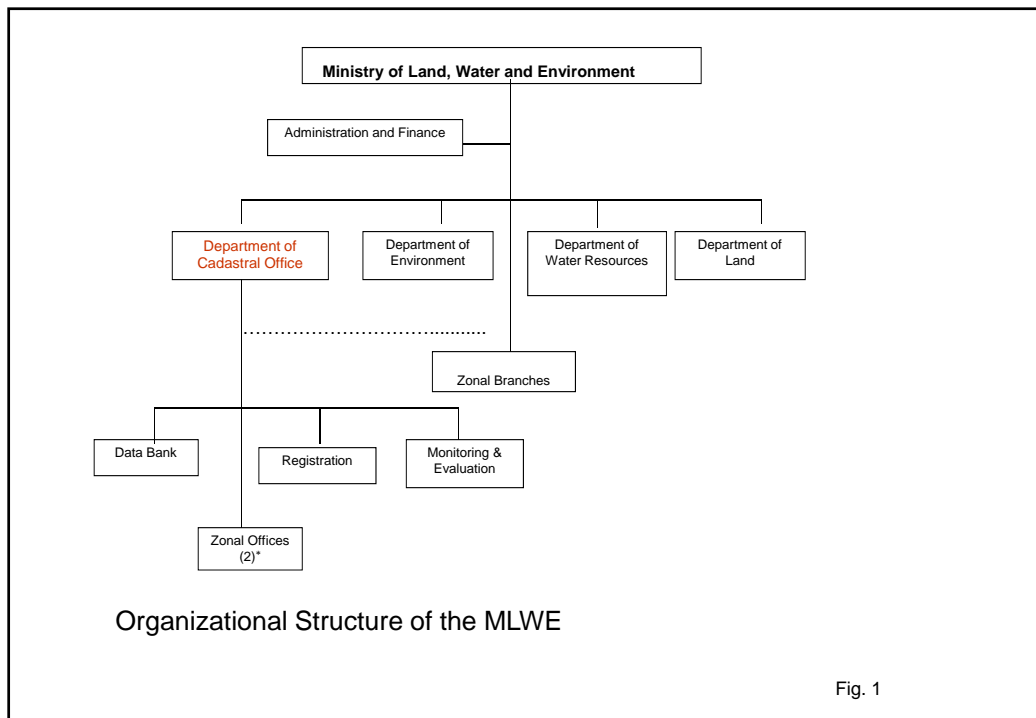
- Cadastral Office & Notary Public worked in close collaboration
- During the Ethiopian military rule (1970s) all extra houses were confiscated
- legal private owners lost security of property ownership
- Registration of private houses discouraged as a bourgeoisie practice
- Both Offices of the Cadastre & Notary narrowly escaped elimination

### **1.2 Post independence period (1991-to date)**

- Nationalized houses returned to rightful original owners
- Cadastre Office served as reliable treasure of evidence
- New land policy, land & registration laws proclaimed
- Land policy goals: economic development, social justice and equity, security of tenure, political stability, etc.
- Registration of property made mandatory

### Main features of the land Law

- All land put under the state ownership
- Eritrean citizens have equal right to '*tiesha*' land (residence)
- Agricultural plots of land accessed on usufruct basis
- Usufruct rights given for life-time of the individual
- Leaseholds are provided for housing, commercial, other social services
- Women have equal rights to land as men



## **2.Global Overview-Cadastre systems**

- Purposes of cadastre systems vary
- Modern cadastre systems-multi-purpose
- Cadastre & land registry systems in W. Europe closely linked
- French cadastre as a pioneer not progressed in the two's link
- French cadastre influence also seen in former African colonies

- Spanish & Italian cadastre systems also partially developed
- Compulsory registration in Anglo-Saxon of recent phenomenon
- Torrens system influenced by English law & practices: impact seen in
  - E. Africa & W. Canada
- Swedish & Finish cadastre systems closely linked, 'title registration'
- Both developed through 'progressive cadastre'
- Swedish system: automated, online, integrated system of cadastral,
  - land register, land taxation and population census

- Cadastre systems in E. Europe developing into multiple purposes
- African countries introducing land register systems as land is primary asset for survival & dev't, but still poor land governance
- Informal settlements present major cadastral challenge to developing countries, e.g. 360 separate settlements around Johannesburg
- Upgrading squatter settlements, a challenge in terms of resources for construction & titling
- Dev't of mapping institutions imperative for cadastral systems & land mgn't
- Lessons: Cadastral systems not uniform in applications & objectives depending on tradition, policies, etc.

### **3. The Eritrean Cadastre System (ECS)**

- The ECS still in its infant stage: Long liberation & 'Border Wars'
- Mission , Vision & Core Values
  - Mission: Provide high quality services in transparent & accountable ways, protect & guarantee security of property ownership & right over land that facilitate proper mgn't of real asset & other resources, contributing to sustainable dev't
  - Vision: Making primary & secondary registrations of land rights & other immovable property erected over land speedy, transparent & easier for all clients through the dev't of modern cadastre
  - Core values, Beliefs & Guiding principles  
Objectivity, integrity, team work, innovation, professionalism

### **Main tenets & mandate of ECO**

- 1) Register all land, rights over land, & immovable property & issue license
- 2) As necessary register all *tiesha* land, agricultural usufruct, leasehold, land utilized and unutilized by the state
- 3) Give information on transfer of immovable property for any encumbrances
- 4) Register right holders together with immovable property erected

### **Data in the ECO: textual & spatial**

- Property description: zip code, property address, land use, land plot & building size, building purpose, license, boundaries, etc
- Proprietorship section: Owners/right holders name, address, personal Id No, spouse name, date of purchase, vendor's name, address, etc
- Encumbrances: mortgage, pledge, & their release
- Registered property: 68, 428 immovable property, 23, 935 mortgage/pledge, & 19,221 release of mortgage/pledge

## **Objectives & Strategies**

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- 1) Establish parcel- based multi-purpose cadastre
- 2) Establish a modern computerized cadastral system

### **Strategies**

- 1) Establish and consolidate regional offices
- 2) Develop institutional infrastructure and capacities

- 3) Introduce and utilize up-to-date technology
- 4) Training & skill upgrading
- 5) Develop awareness within the public about benefits
- 6) Register land rights, transfers & mortgages in time
- 7) Appropriate fees to ensure self-sustainability

#### **4. Challenges**

- Long Liberation wars & the 'no peace, no war' situation resulting resources compromised to other priorities
- Incomprehensive cadastre: textual & spatial data not integrated
- Inadequate human capacities & limited resources for training & procurement of equipment
- Inadequate capacities of regional technical offices
- No Notary at regional level: No credible & fast updating of property transfer

#### **5. Lessons Learned & Prospects**

- Progressive cadastre from simple cadastre & land registers to highly developed operating systems; future oriented
- German adaptation of flexible approach- developing system of titles, instead of deeds
- Despite poor land governance in many African countries, recognition of rights for women & stakeholder involvement in land policies
- Learning others' experiences demand insight & skilful application
- Comprehensive capacity building efforts



## 6. Concluding Remarks

- Modern cadastre (computerized) a must to develop
- Progressive cadastre looks more appropriate
- Compulsory registration needs serious commitment
- Facilitate sustainable dev't through the dev't of cadastral systems

Thank you!

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