SUCCESSFUL CAPACITY BUILDING OF THE CAMBODIAN LAND ADMINISTRATION:

Finnish Technical Assistance Combined with the Local Khmer Expertise, Traditions and Culture

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1. ACHIEMEVEMENT OF THE MAIN GOALS OF THE FINNISH DEVELOPMENT CO-OPERATION POLICY BY INCREASING LAND TENURE SECURITY THROUGH SYSTEMATIC LAND REGISTRATION AND WELL-FUNCTIONING LAND ADMINISTRATION SYSTEM IN CAMBODIA

- **POVERTY REDUCTION** through:
    - Increased security of land tenure
    - Access to cheaper credit
    - Support to increased investments on land
    - More productive use of land and natural resources
    - Increased state revenues
    - Capacity building and good governance

- **SOCIAL STABILITY** increased through:
    - Reduction and prevention of land disputes in participatory and transparent processes

- **HUMAN RIGHTS** promoted through:
    - Securing land rights of all legal landowners

- **ENVIRONMENTAL PROTECTION** through:
    - Improved state land administration and management
    - Clarified state land boundaries, incl. protected areas
    - Increased public awareness on land use and land management issues

• **EQUITY** achieved through:

– Full and equal participation of all people, women and men, poor and rich, in transparent land registration processes covering all parcels

• **DEMOCRACY** promoted through:

– Decentralised and transparent land registration processes
– Local-level responsibilities and decision-making on land registration
– People's participation
– Strengthened rule of law

CONCLUSION:

SUCCESSFUL IMPLEMENTATION OF LAND ADMINISTRATION PROGRAMMES INCLUDING SYSTEMATIC LAND REGISTRATION WILL CONTRIBUTE POTENTIALLY TO THE ACHIEVEMENT OF <u>ALL</u> KEY GOALS OF THE FINNISH DEVELOPMENT CO-OPERATION POLICY AND SPECIFIC MILLENNIUM DEVELOPMENT GOALS (MDGs).



2. THE KINGDOM OF CAMBODIA AT GLANCE

- Late great Khmer Empire and part of former French Indochina
- Independence: 1953
- Final peace: Not until 1998!
- Political system: Democracy
- Area: 181,035 km2
- Population: 13.5 million
- Rural population: 80%
- Capital city: Phnom Penh
- Provinces/municipalities: 24
- Districts: 186
- Communes: 1,622
- Land parcels: 10 million (rough estimate)

3. RECENT HISTORY AND ISSUES OF CAMBODIAN LAND ADMINISTRATION

1975 – 1979:

Democratic Kampuchea

(Khmer Rouge genocidal regime)
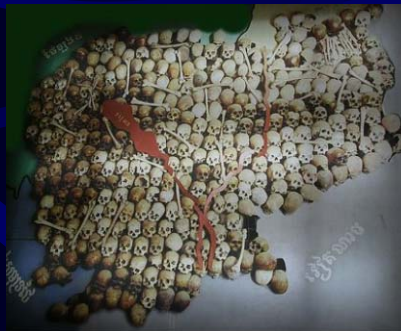
- Private land ownership abolished

- All land-related documents systematically destroyed:
  - Land Register
  - Maps (cadastral, topographic, all)
  - Geodetic networks

- Surveyors and other professionals eliminated

1979 = YEAR ZERO

3. RECENT HISTORY AND ISSUES OF CAMBODIAN LAND ADMINISTRATION (Cont.)

1979 - 1989	People's Republic of Cambodia: No private land ownership; Collectivisation
1989 – 1991	State of Cambodia: Re-introduction of private land ownership in 1989
1990's -	Start of sporadic registration of privately possessed lands
1998 -	Ministry of Land Management, Urban Planning and Construction (MLMUPC), including the General Department of Cadastre and Geography (GDCG) established

3. RECENT HISTORY AND ISSUES OF CAMBODIAN LAND ADMINISTRATION (Cont.)

Key issues of the Cambodian Land Administration:

• **Lack of covering land register and cadastral index map:**

Insecurity of land tenure; Negative impacts and hindrance to economic development, social stability and poverty reduction!

• **Weaknesses of the then-existing sporadic land registration system (1989-):**

- Too slow, complex and expensive: Out of reach of poor landholders!

- Technically inaccurate; No geo-reference (coordinates), i.e. lack of proper surveys and cadastral maps: Potential overlapping and land disputes!

- Paper-based manual system; No cadastral data: Slow, labour-intensive, expensive and difficult to check, update, maintain and operate!

- Lack of human, technical and financial resources at the Cadastral Administration!

- Very few professional surveyors in Cambodia!

=> SYSTEM WAS UNABLE TO MEET THE URGENT NEEDS OF THE SOCIAL AND ECONOMIC DEVELOPMENT OF CAMBODIA.

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3. RECENT HISTORY AND ISSUES OF CAMBODIAN LAND ADMINISTRATION (Cont.)

CONCLUSION:

THERE WAS AN URGENT NEED TO DEVELOP, ESTABLISH AND IMPLEMENT:

AN EFFECTIVE AND EFFICIENT, CHEAP AND ACCURATE SYSTEMATIC LAND REGISTRATION SYSTEM AND THE WHOLE LAND ADMINISTRATION SYSTEM TO BENEFIT ALL SOCIAL AND ECONOMIC DEVELOPMENT OF CAMBODIA!

4. FINNISH-CAMBODIAN DEVELOPMENT CO-OPERATION IN THE FIELD OF LAND ADMINISTRATION SINCE 1997

1997 – 1999:
Land Registration and Cadastral Mapping Pilot Project (LRCMPP): Development and testing (parallel to German-supported Land Management Project, LMP)

2000 – 2002:
Cambodia Cadastral Project (CCP): Piloting and implementation (parallel to German-supported LMP)

2002 – 2009:
Land Management and Administration Project (LMAP), supported by WB, Finland, Germany (and Canada from 2008): Implementation at large scale and further development

2009-2012:
Land Administration Sub Sector Programme (LASSP), supported by Finland, Germany and Canada and led by Cambodia: Implementation, expansion, further development, new topics

5. ACHIEVEMENTS AND RESULTS SO FAR

SYSTEMATIC LAND REGISTRATION:
- 1.8 million land parcels (1.3 million titles issued)
- Participation rate: More than 99 %
- Cost per parcel: 10 USD

CAPACITY BUILDING:
- 1,000 Cadastral Officers trained, equipped and supervised in 16 provinces/municipalities
- 8,000 Administrative Commission members trained
- 3,500 Cadastral Commission members trained
- Faculty of Land Administration and Management established, 350 B.Sc. educated (GTZ support)

POLICY AND LEGAL DEVELOPMENT:
- Necessary policies and legal framework drafted and officially established for land registration and the Land Administration system

5. ACHIEVEMENTS AND RESULTS SO FAR (Cont.)

TECHNOLOGY TRANSFER:

- From paper-based manual to multi-purpose digital cadastral system (first in the SEA region)

- Modern surveying and information and communications technology (ICT) introduced and in daily use

LAND INFORMATION SYSTEM (LIS) DEVELOPMENT:

- Modern local digital orthophoto production line established, aerial photography and orthophoto production: 190,000 km2

- Geodetic network countrywide: 5,000 ground control points established

- Cadastral Database developed, established and in daily use in 16 provinces/municipalities

- Land Information System (LIS) Policy drafted for further development in 2010

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5. ACHIEVEMENTS AND RESULTS SO FAR (Cont.)

CAPACITY BUILDING AND HUMAN RESOURCES DEVELOPMENT:
- CMLRPP 1997-99:   6 staff
- CCP 2000-02:   50 staff (+50 with GTZ LMP = 100)
- LMAP 2002-08:   800 Staff
- LASSP 2010:   1,000 staff

INSTITUTIONAL DEVELOPMENT:
- Decentralisation and deconcentration of land registration from national to provincial level
- Plan for a new IT Department at GDCG

COVERAGE OF THE CADASTRE (2010):
- 16 provinces/municipalities (out of 24)
- 48 districts (out of 186)
- 270 communes (out of 1,622)
- 2,200 villages

Districts under systematic land registration in Cambodia
January 2010
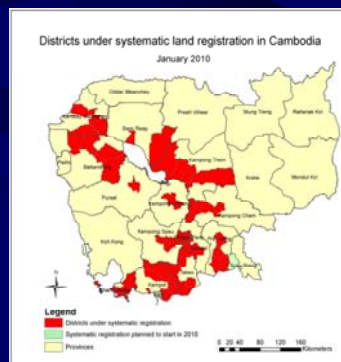
5. ACHIEVEMENTS AND RESULTS SO FAR (Cont.)

LAND POLICY AND LEGAL DEVELOPMENT'S MILESTONES:

2000	Sub Decree on Systematic Land Registration
2001	Statement of the Royal Government on Land Policy: 3 key areas; Land Administration, Land Management, Land Distribution: Tasks and tools
2001	New Land Law: Full land ownership
2002	Sub Decrees on Systematic Land Registration (update), Sporadic Land Registration and Cadastral Commission (land dispute resolution)
2002	Strategy of Land Policy Framework
2003	Policy and Sub Decree on Social Land Concession (land distribution)
2005	Sub Decree on State Land Management
2009	Declaration of the Royal Government on Land Policy: 3 key areas; Land Administration, Land Management, Land Distribution: Goals and main fields of activities
2000-10	Other Sub Decrees, Ministerial Instructions and Manuals for the implementation of the legal framework

5. ACHIEVEMENTS AND RESULTS SO FAR (Cont.)

COMPARISON OF THE CAMBODIAN RESULTS WITH OTHER LAND ADMINISTRATION AND LAND REGISTRATION PROJECTS IN SOUTH-EAST ASIA (SEA):

• Systematic land registration: Annually more than 10 times more than in e.g. Lao PDR and 1,000 times more than in e.g. The Philippines (Cambodia: 2010 target new 350,000 parcels)

• Cost per registered parcel: 10 USD, while in other SEA countries 20-50 USD/parcel

• Cambodia is the only country in the region utilising fully the latest modern digital survey and IT/GIS/DB technology in land registration and producing real cadastral data (no need for expensive, time-consuming and labour-intensive digitalisation campaigns later)

• Cambodia is the only country in the region receiving serious long-term European (Finnish and German) technical assistance (other countries have largely relied on Australian TA focusing on old-fashioned manual paper-based approaches...)

6. CHALLENGES AND NEXT STEPS

CREATION OF LAND REGISTRATION CULTURE:

- Increased public awareness (legal rights, duties, benefits of land registration)
- One-Window Cadastral services (subsequent registration, up-to date Cadastre)

INCREASED FINANCIAL SUSTAINABILITY:

- Land valuation system development
- Increased official subsequent land registration
- Increased fees and land-related taxation

ENSURING TECHNICAL SUSTAINABILITY:

- New survey and computer equipment
- Free open-source software
- Establishment of a new IT Department to GDCG
- Public-Private Partnerships (PPP)

6. CHALLENGES AND NEXT STEPS (Cont.)

INCREASED PRODUCTIVITY AND QUALITY:

- Expanding the coverage of land registration
- New technology options (surveying, DB/GIS software)
- Public-Private Partnerships (PPP) in land administration
- Continuous training, supervision and monitoring

7. KEYS TO SUCCESSFUL TECHNICAL ASSISTANCE (TA)

• TA HAS TO BE BASED ON:

- Local needs

- Local official requirements

- Local capacities and resources

- Mutual trust and understanding

TA HAS TO:

- Be culture-sensitive

- Build heavily on the history, practices, traditions and existing systems of the country

- Be long-term support for ensuring sustainable transfer of knowledge and technology

- Be properly coordinated with all donors, TAs and other inputs in the sector for maximising benefits and minimising waste of efforts, time and $$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$

CONCLUSION

JOUNI JOHANNES ANTTONEN SEZ:

"Should there be enough will, financial and human resources and professionals...

CAPACITY CAN BE BUILT!"