

THEME: LAND ADMINISTRATION FOR THE 21ST CENTURY

TOPIC: THE FUTURE OF LAND ADMINISTRATION IN NIGERIA

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MY BACKGROUND

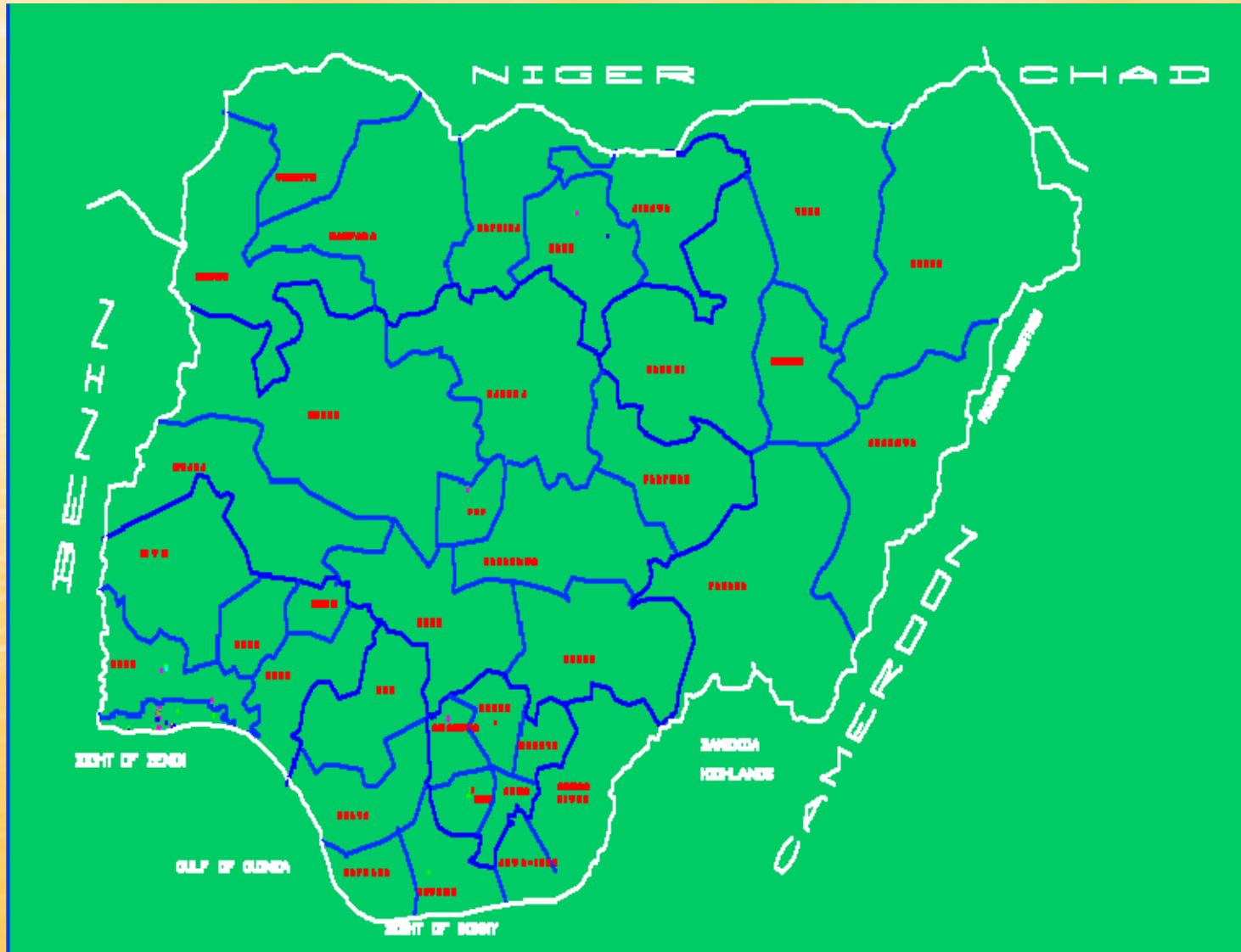
- I am a Lands Officer (Estate Surveyor and Valuer) in the service of the Federal Government of Nigeria
- I have been in service for 25 years, 10 of which were spent as Field Officer of Lands Department in four States of the Federation

Primary discipline - Estate Management

- Second discipline Geographic Information System
- Member, Nigerian Institution of Estate Surveyors and Valuers (NIESV) and Geographic Information Society of Nigeria (GEOSON)
- Coordinator, Federal Land Information System and the National Technical Development Forum on land administration



STATES OF NIGERIA



INTRODUCTION

- Land administration is the process of determining, recording and disseminating information about ownership, value and use of land when implementing land management policy – (UNECE Report 1996)
- It is a process and an instrument for government to offer security of tenure on land, regulate land market, implement land reforms, protect environment, levy taxes, etc. as well as serve the peculiar development needs of her citizens
- A good land administration system aims at equitable distribution of wealth to encourage economic growth and development
- Social, political and economic life of most African countries are closely tied to land



THE NIGERIAN STATE

- Nigeria is endowed with vast land mass of approximately 924,768 sq. km
- She is a federation of 36 States and the Federal Capital Territory, Abuja
- Some level of modernisation and reforms are on-going to ensure effective and more efficient administration of the land to bring it to optimum use and benefits
- Further reforms envisaged include system restructuring and policy changes, institutional re-orientation and appropriate regulatory framework
- The ultimate aim is to network all registries for land records, across the States, with the proposed National Land Depository to be domiciled in the appropriate Federal Ministry



BEGINING OF FORMAL LAND ADMINISTRATION IN NIGERIA

- Before the British Colonial Administration in Nigeria, land was vested in chiefs, emirs and family heads in trust for members of the community or family under native land law until the Treaty of Cession of Lagos to Queen Victoria of Britain in 1861
- Strict formal documentation was not required for any transactions on land (before the advent of British rule)
- Formal recording of rights and interests started with the British Colonial Administration in 1863 (with the land registration law) because of European economic and social ideas
- Initially, only Lagos area was covered by the Land registration law, but it was later extended to other parts of the country by "Registration Ordinance" No. 2 of 1894



BEGINNING OF FORMAL LAND ADMINISTRATION (contd)

- Land tenure was later governed by the “Land and Native Rights Proclamation” law introduced in the Colony of Lagos and the Southern Protectorate in 1900 and in the Northern Protectorate in 1901. The two laws were not exactly similar in content because of political exigencies
- Under the those land tenure laws, customary, freehold and statutory rights were permissible in Lagos area and the Southern Protectorates while exclusive leasehold (statutory) rights existed in the Northern Protectorate
- Until 1914 when the Northern and Southern Protectorates of the country were amalgamated, the Colonial Government operated two different land tenure laws in the country



LATER STATUTES THAT GUIDED LAND ADMINISTRATION

- At the advent of amalgamation, Nigeria was divided into three regions namely North, West and Southern Regions
- Crown Lands Act was introduced in 1918 to govern the administration of State lands in Lagos, the Western and the Eastern Regions, while Land and Native Rights Proclamation Law, which later became the Land Tenure Law of 1962 governed land administration in the Northern Region
- While the law in the north consolidated the nationalisation of all lands within the Region, the Crown Lands Act covered only public lands in Lagos and the Southern Regions but did not cover the administration of freehold interests



THE NEW ERA - THE LAND USE ACT

- The current law guiding land administration in the whole territory of Nigeria is the Land Use Act, Cap L.5 of 2004 (originally promulgated as Land Use Decree No.6 of 1978)
- The law adopted the nationalisation of all lands in Nigeria as introduced by the Land Tenure Law of 1962 (of the Northern Region)
- Under the law, all lands within a State (except land belonging to the Federal Government) vest in the Governor of that State who holds the land in trust for all Nigerians
- It abolished freehold interests in land nationwide
- To enter any land requires that prompt compensation be paid for unexhausted improvements on the land
- Problems of adequacy of compensation is determined by Land Use and Allocation Committee
- The Governor's (or Minister's consent) is required for any secondary transaction on any land allocated by the State Government (or Federal government) as the case may be



THE AIM OF THE LAND USE ACT

- The Act harmonised the different land tenure laws which operated in the Southern and Northern parts of the country
- It also aimed at reducing bottle-necks in land acquisition to encourage rapid national development by vesting the radical title to land in the Governor (or Minister)
- It aimed at providing a guiding document for effective land administration in the country



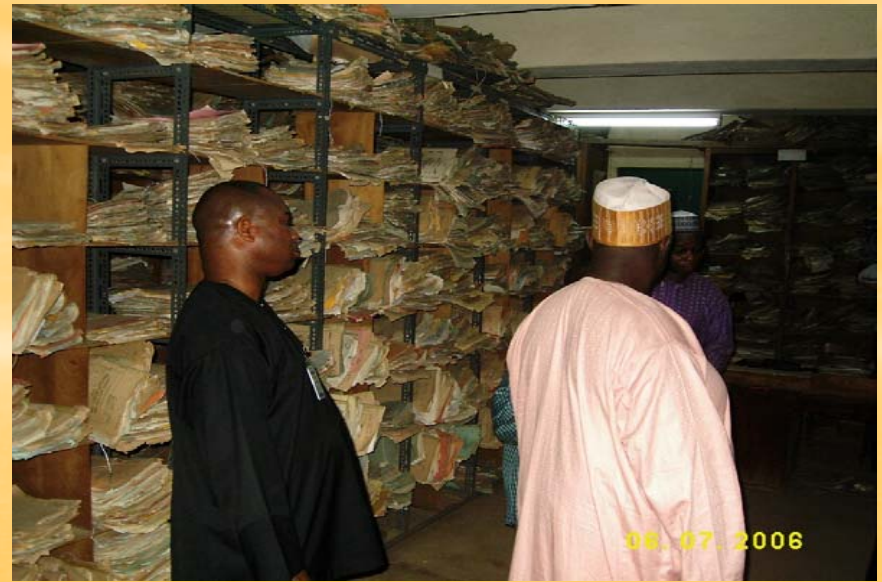
MATTERS ARISING

- The Act did not adequately address land administration matters
- Administrative and procedural guidelines to facilitate effective land titling and lease administration were not fully addressed
- Government is both the trustee of land and an investor as well as the administrator. Citizens have limited interests in land
- There are still disparate land administration practices across the States
- The issue of Governor's (or Minister's) consent for subsequent transactions has often been an issue of controversy





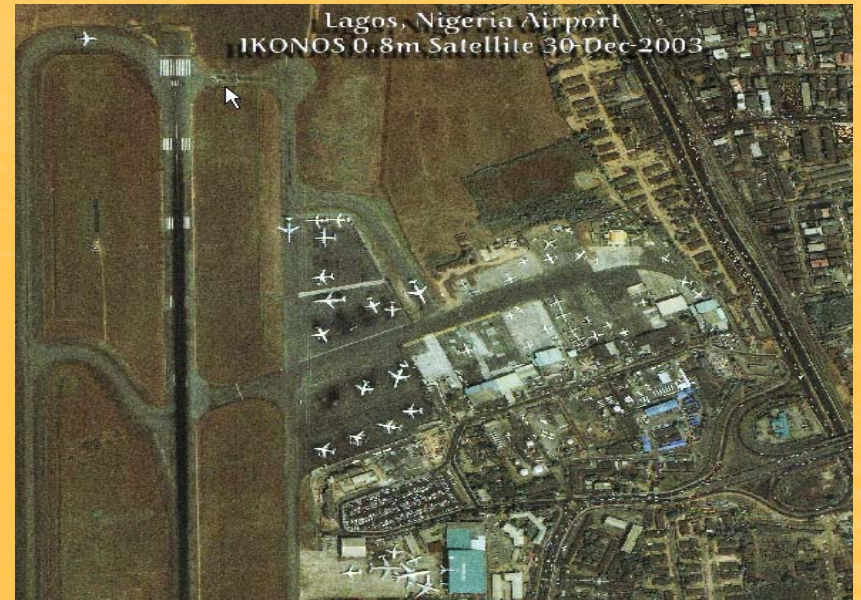
A typical analogue land registry



An organised analogue registry



The new system and set up



Satellite imagery of an area in Lagos, Nigeria



THE WAY FORWARD

- A national programme has been initiated to appraise the state of affairs regarding land administration in all the States of the federation
- The programme is working to harmonise existing systems across the States of the federation
- Part of the reform programmes of the government as it affects land is to isolate the Act from the national Constitution for a review
- Efforts are also being made to provide cadastral maps at the appropriate scales for title preparation
- The aim is to formulate a comprehensive national land policy and a common land administration guidelines for the entire country



NEW INITIATIVES

- Nigeria is collaborating with Her Majesty's Land Registry for professional and technical support to improve our land administration system through the Federal Ministry of Environment, Housing and Urban Development (FMEHUD)
- To ensure efficiency in our national land administration, the Government has established a computerisation programme for all lands held and allocated by Federal Government under the Federal Land Information System (FELIS)
- Similar computerisation projects have also been established for the Federal Capital Territory (Abuja), Lagos, Enugu, Abia, Benue and Ondo States for records of lands allocated within their territories
- To facilitate the harmonisation of land administration practices nationwide a National Technical Development Forum on Land Administration was inaugurated by Government
- To quicken property rights transfer the Federal Ministry (for land matters) introduced *band of value* system for different categories of properties to reduce transaction time
- A 21-day Minister's Consent is in view as against the present average of nearly 274 days.



THE FEDERAL LAND INFORMATION SYSTEM (FELIS)

- It is the computerisation programme that captures records of lands held and allocated by the Federal Government of Nigeria nationwide with reference to their particular spatial location within the country, but only for properties with appropriate survey information and title documents
- It holds details about ownership of the land, location, use and subsequent transactions on it and it is able to use available information for some analysis
- It offers a relational central database management system for the control and management of such land records



FELIS (contd)

- It has improved the preparation and production of title documents (Certificates of Occupancy) to beneficiaries. The rate of preparation of title document has jumped from about 100 titles per annum to about 1,500 titles over the same period
- It helps to introduce transparency in the management of Federal Government lands across the country
- It is intended to form the hub of the expected network of land records across the 36 States of Nigeria and the Federal Capital Territory, Abuja in the National Land Depository
- The development of the system is on-going to provide access to stakeholders and investors through the world wide web



COMMISSIONING OF FELIS



NATIONAL TECHNICAL DEVELOPMENT FORUM ON LAND ADMINISTRATION (NTDF)

- To ensure consistent operations in land administration across the country as well as system harmonisation, the National Council on Housing and Urban Development (comprising State Commissioners responsible for land matters presided over by the Federal Minister) approved the establishment of the NTDF in year 2005
- The Forum has three nominees, namely, Lands Officers, Deeds Registrars and Cadastral Surveyors from the 36 States of the Federation and the Federal Capital Territory as members
- The Lands and Housing Department at the Federal level provides the leadership and the policy thrust
- Due to the realisation of the critical role of the Forum, the heads of Lands Departments, Surveyors-Generals and Chief Registrars of Deeds of the different States now participate in the activities personally



OBJECTIVES OF THE NTDF

- To agree on ideals for uniform operation of land administration throughout the country and establish a uniform data recording format
- To improve the procedures and processes of land administration and registration
- To work towards a uniform environment for property ownership and land rights throughout the country
- To agree on software standards that would enable future interoperability
- To generate process description and operational manuals for effective staff training
- To establish a common cartographic features representation convention



OBJECTIVES (contd)

- To provide a platform for spreading best practices among States as a cost effective way of delivering improvements in land administration
- To promote a cordial relationship between the Federal and State Governments and between individual State Governments
- To instill a sense of national common purpose
- To provide a network of mutual support and open exchange of ideas



DELEGATES AT NTDF ZONAL WORKSHOPS

DELEGATES AT THE NORTH-CENTRAL ZONE



DELEGATES AT THE SOUTH-EAST ZONE



IMPLEMENTATION OF NTDF PROGRAMMES

- The activities of the Forum are implemented through workshops and zonal meetings in all the six geo-political zones
- Efforts are made to appraise and understanding the intendment of the Land Use Act in different aspects
- The British Council and the Department for International Development through Security, Justice and Growth Programme have given the Government of Nigeria, through FMEHUD some financial support and motivation for executing the projects
- FMEHUD also offers technical equipment and training assistance to the States



CHALLENGES IN LAND ADMINISTRATION IN NIGERIA

- State autonomy creates problem of control especially in the selection of systems
- There is a dearth of suitable indigenous technical expertise
- Low level of training and capacity building programmes
- Financial requirements are high, and technical support for the implementation of modernisation programmes is low



CHALLENGES (contd)

- The level of property development is low because of the absence title documents (to land)
- Precise cadastral maps required for the preparation of title documents (certificates of occupancy) are not easily available
- Low level of the use of appropriate technology affects efficiency



THE BENEFITS FROM NTDF

- For the first time in Nigeria all relevant professionals and stakeholders in land matters were brought under one umbrella to discuss national land administration issues as they affect the implementation of the Land Use Act
- Compensation rate for crops and economic trees have been harmonised and agreed upon in some contiguous geo-political zones
- Communication gap between Governments has been bridged helping to erase mutual prejudices inimical to economic growth and development

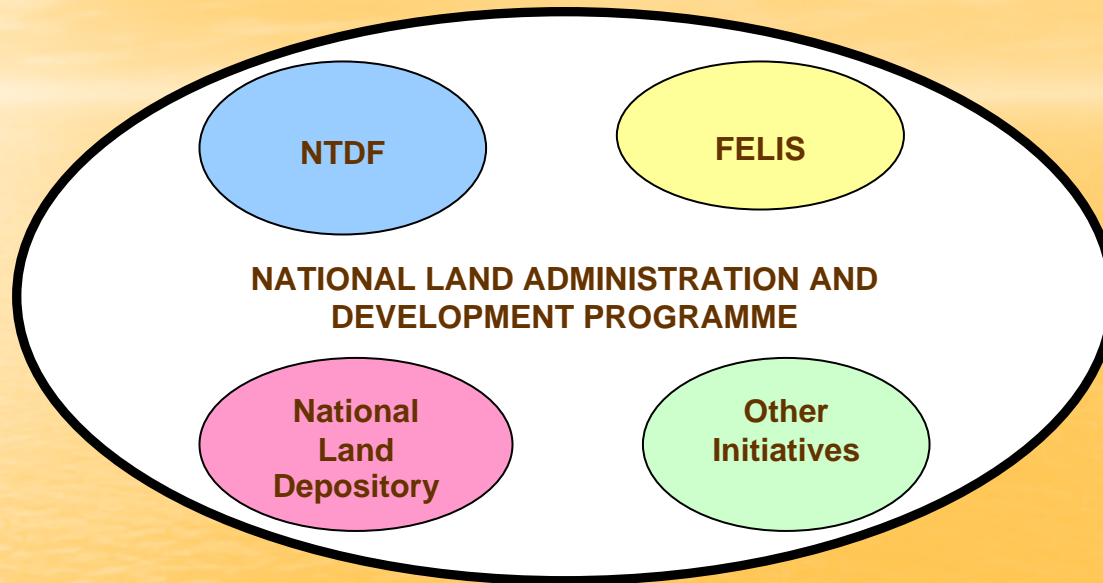


FUTURE PROPOSALS

- Nigeria is working to participate in the UN-Habitat programme for Global Campaign for Secure Tenure (GCST) as well as the United Nations' programme for slum clearance to ensure that "red light street dwellers" are provided with secure rights to land
- Nigeria is also working to ensure that the processing time for title documents is substantially shortened
- To address land rights infrastructure, an Inter-Ministerial Committee was set up by the Federal Government to recommend a national programme for computerisation of land records and for the cadastral mapping of the whole country.



FUTURE PROPOSALS (contd)



- The major recommendation of the Cabinet Committee on the computerisation of land records and mapping of the country is that a National Land Administration Development Office be established at the Federal level to coordinate land administration development in Nigeria



FUTURE PROPOSALS

- The Office is expected to incorporate FELIS, NTDF and the National Land Depository and to seek international support and funding for initiatives that relate to digital land information development in Nigeria
- The office is expected to become the official source of land record information for the whole country
- It is hoped that imageries from Nigeria Satellite project would substantially reduce the cost of producing cadastral maps



CONCLUSION

- Land Reform issue is one of the seven-point agenda of the President of the Federal Republic of Nigeria, Alhaji Umaru Musa Yar'Adua
- The reforms are expected to revitalise land market in Nigeria, increase investment opportunities, encourage mortgage lending, empower the citizens, reduce poverty, assure security of lives and property, and reduce transaction time for property right transfer
- There is therefore an open window for international investors and property developers in Nigeria
- Nigeria solicits the support of development partners and donor-agencies to avail her of appropriate professional, technical and financial support to boost our land reform efforts



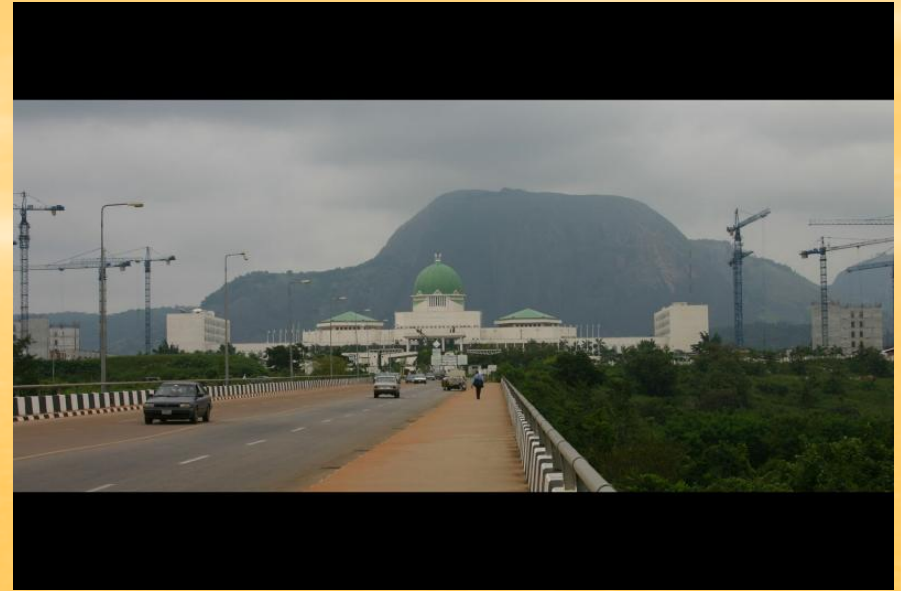
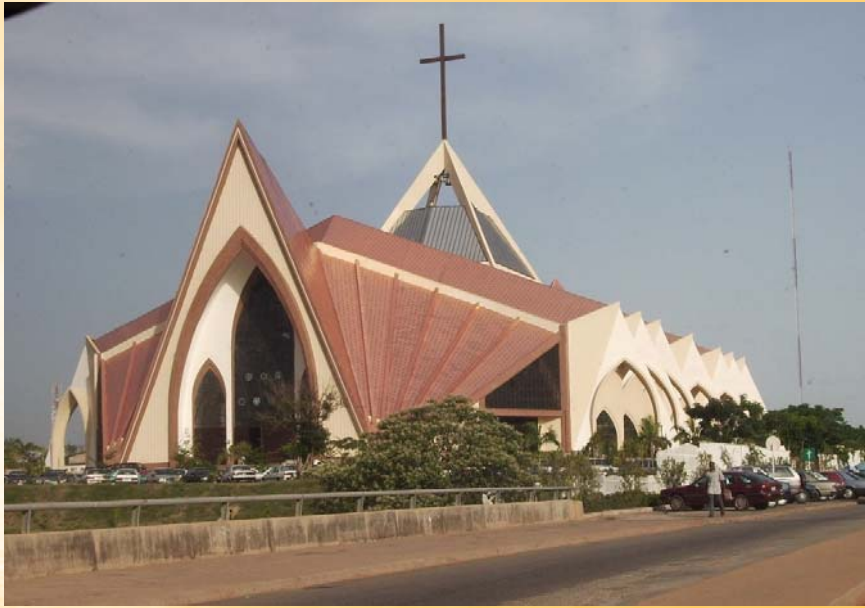
THE FEDERAL CAPITAL TERRITORY, ABUJA, NIGERIA



SIGHTS AND SOUNDS IN NIGERIA



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2007-06-07



Thank you

July 16, 2007

