Sida

gtz

Land Registry in BiH
after the war

Jean-Luc HORISBERGER

History

Sida

gtz

Real estate cadastre

New land survey

Land survey

Land registry

1878 1880 1920 1930 1945 1984 1992 2004

Ottoman Emp.
> 450 years

Austr.-Hung. Empire

Yug. Kingdom

WW II

Yug. Fed. member of Socialist Republic,

WAR

Independent country
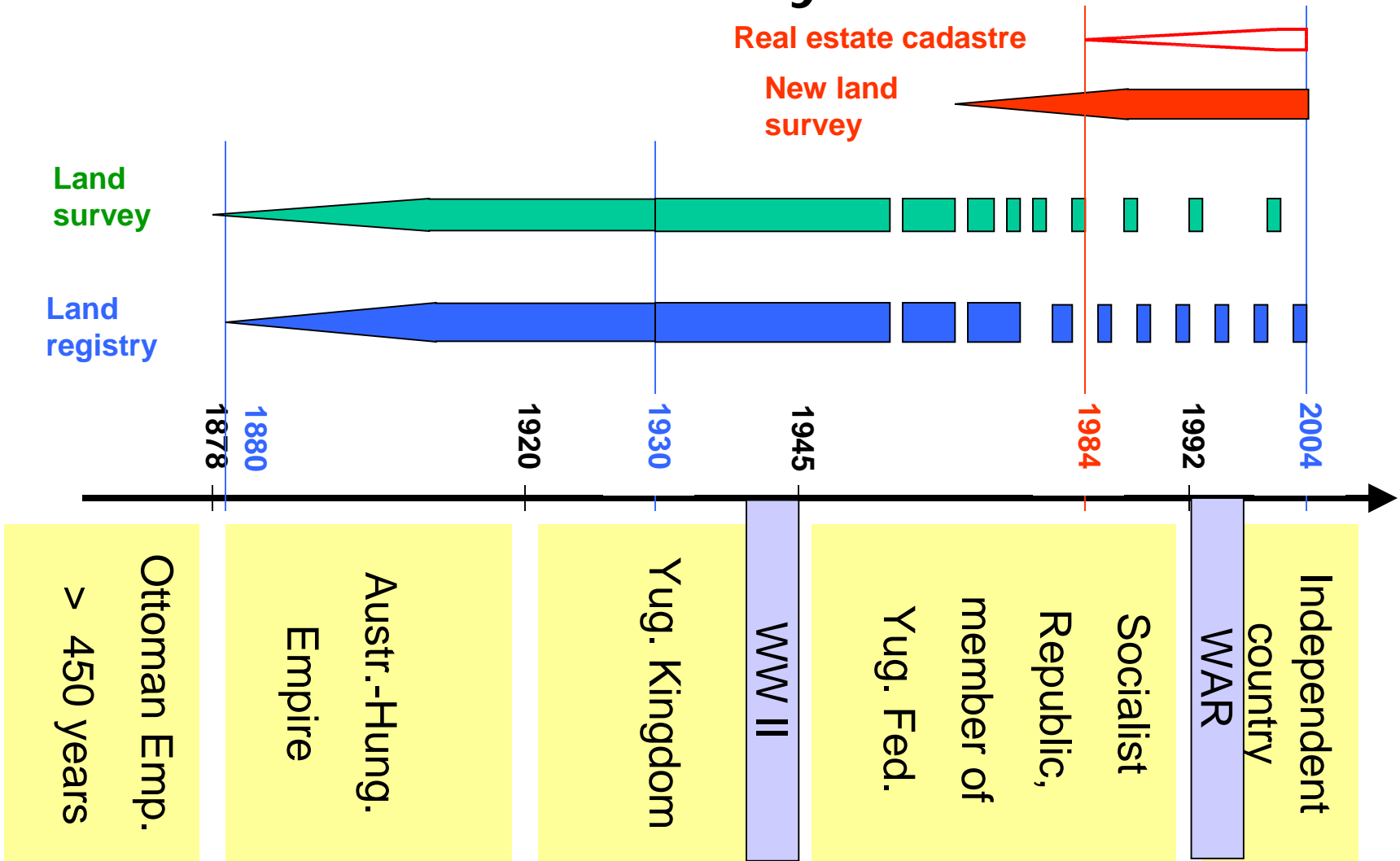
War consequences

- Disappearance of people (fatality, emigration, refugee, displacement) without return

- Destroyed social relationships

- Loss of confidence in political Authorities and in Institutions

- Destruction of documentation

Consequences of socialist regime

- General policy of abolition of private property

- Confiscation, impoundment, nationalisation and expropriation

- Disappearance of independant justice

Major legal problems

- More than 100 laws concerning property are still in force! Unsecure property rights situation

- Existing registration patchwork:
  - Old Austrian-Hungarian « Grundbuch »(not up-to-date) in about 80% of the country
  - No ownership registration, only register of possessors with the cadastre survey
  - New real estate cadastre (less than 10%)

Major operational problems

- Lack of modern standards (data catalogue, data processing procedures, quality control, data access)

- Insufficient/inadequate professional capacity of staff for both land registration and survey

- Insufficient available infrastructure

- Too complicated administrative organization

New unified legal framework

- New law on land registry + 3 by-laws already adopted:
  - Land registry practice
  - Land registry maintained with IT
  - Education and state exam for land registry clerks
- New law on cadastre survey in drafting
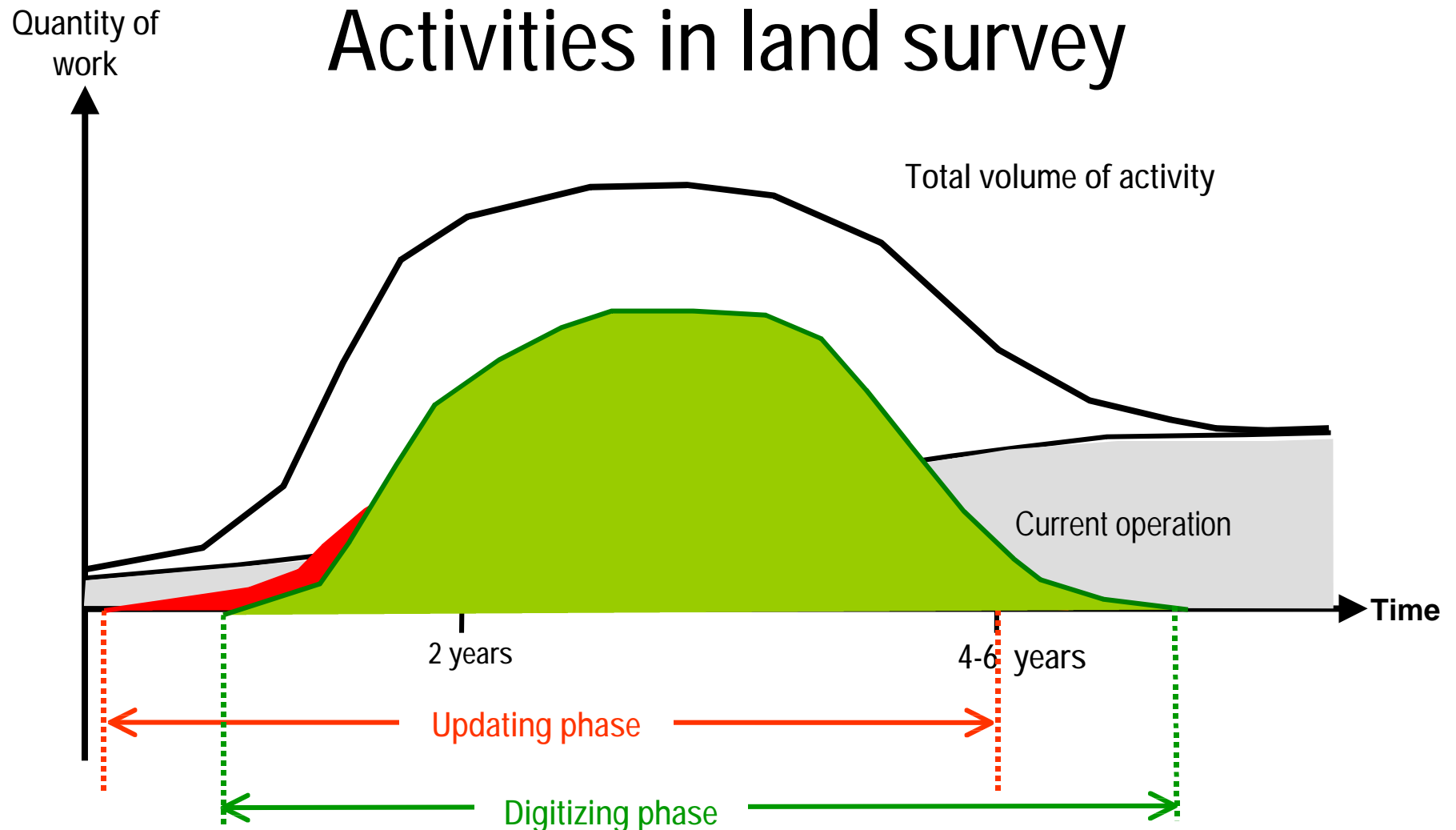- New law on property in drafting

New operational framework

- Institutional reform (Geodetic Administrations and Courts, involvement of private sector)
- New methodology and standards
- Modern tools
- Education and Training
- Public infrastructure
- Financing

Methodology for land survey

- Technical quality of maps from new survey is OK, but not always up-to-date

- Updating of maps

- Digitization of objects from maps

- New database management system

- Current exploitation

Activities in land survey

Quantity of work

Total volume of activity

Current operation

Time

2 years

4-6 years

Updating phase

Digitizing phase

FIG 7 Geneva

Methodology for land registry

- Current practice has not changed since 1880

- Step 1   Data entry and management in modern database, but all data shall still be printed out (land registry in paper form with computer support)

- Step 2   Giving up to paper form to go to fully electronic maintained land registry (when staff and clients mentally ready)
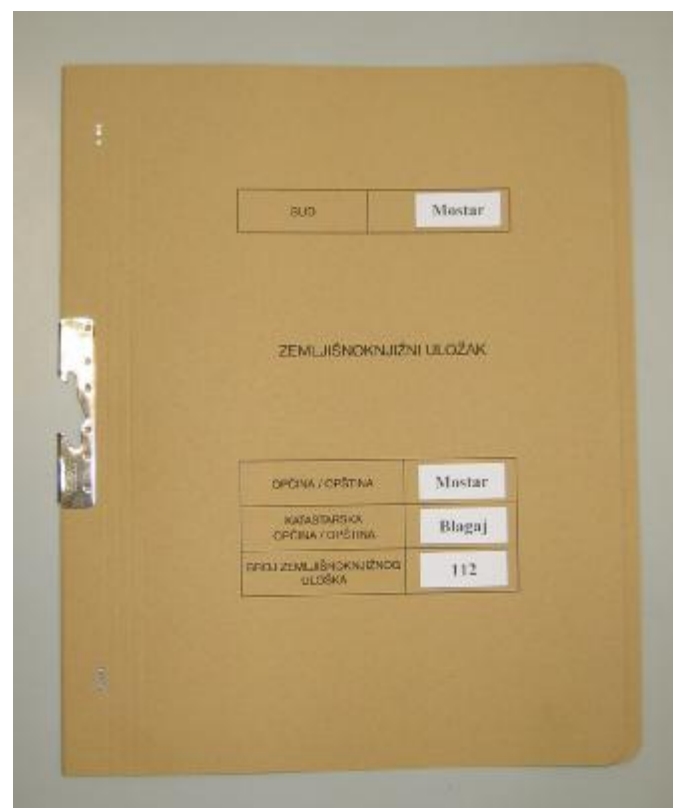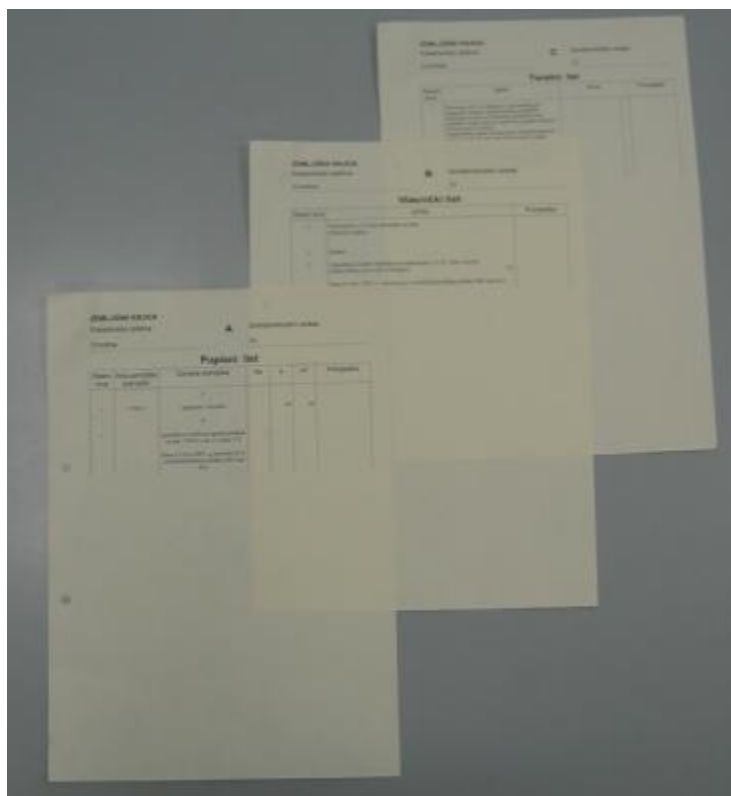
![Sida logo] Sida   gtz

From 19th century ...

Old land book
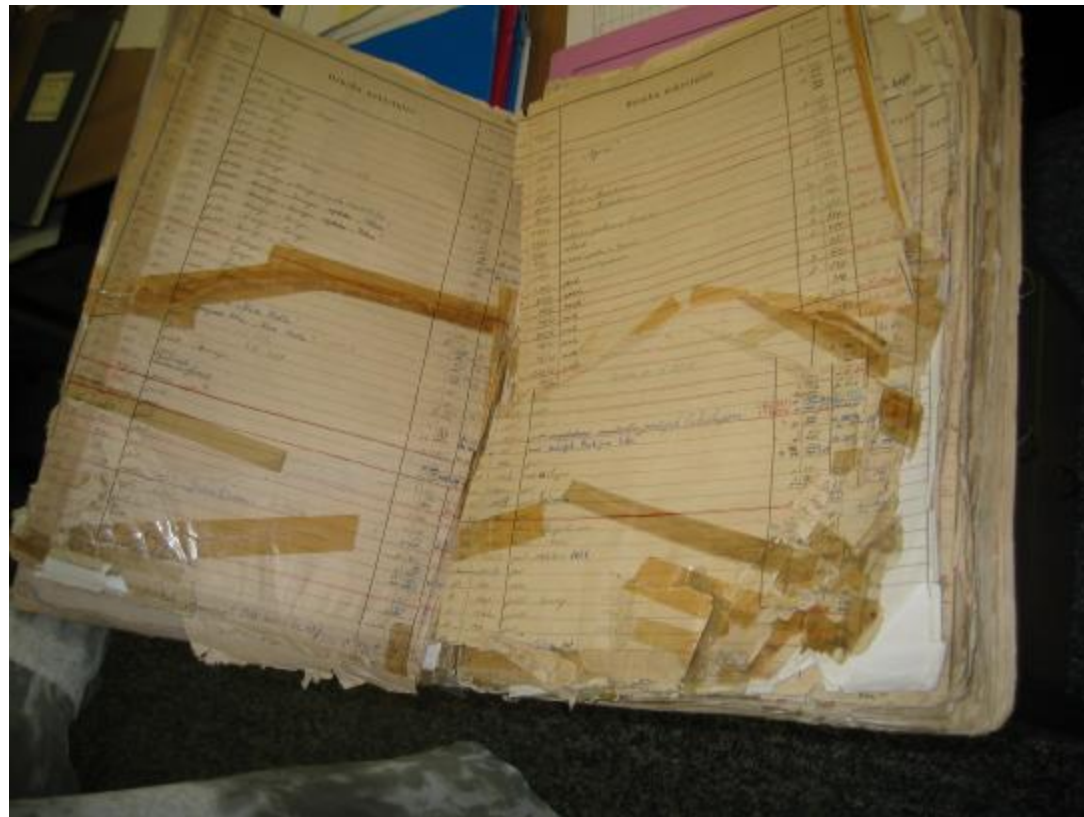
Intermediary printed system

Storage

gtz

... into 21st century

Sida   gtz

Tools

- Basic office equipment

- Local area network with PC/server architecture

- Database Management System (Oracle ®)

- Specific Land Registry Software

- Land Registry + typing self-learning softwares

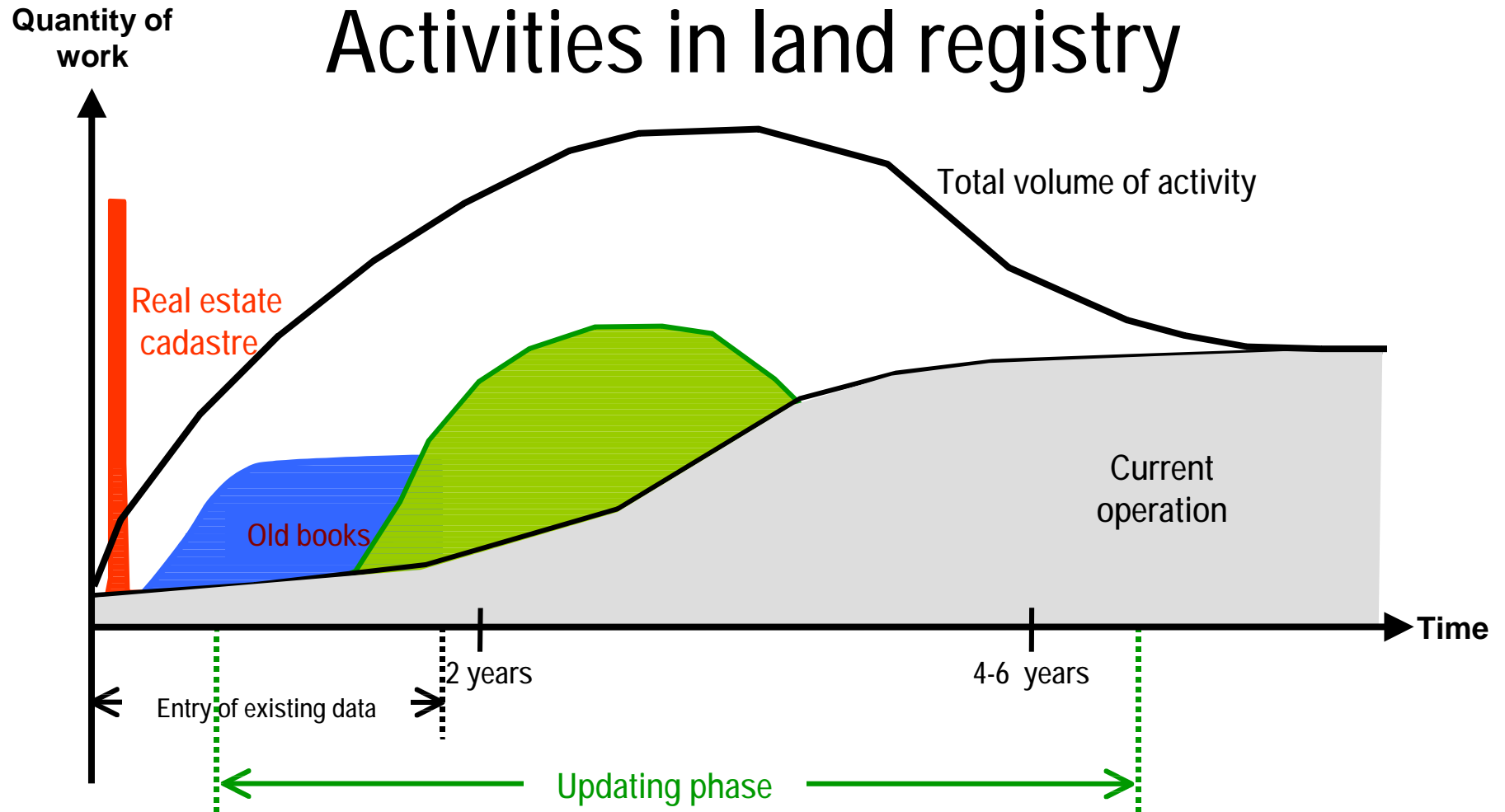- Specific storage system for printed sheets

Sida

Training and support

- Regional seminars for education in law

- Training in computer use

- On-site training by project team and « mobile team »

- Self-training with specific software (typing, self-learning land registry software)

- Helpdesk for software users, database management, hardware and software maintenance

Land registry staff

- New ordinance on clerks:
  - New clerk must meet following requirements: graduated in law + 1 year practice + State exam
  - Existing clerk or qualified staff from the previous real estate cadastre having at least 1 year of practice + special exam

- Every land registry office should have one clerk as Head, + clerk(s) and assistant(s)
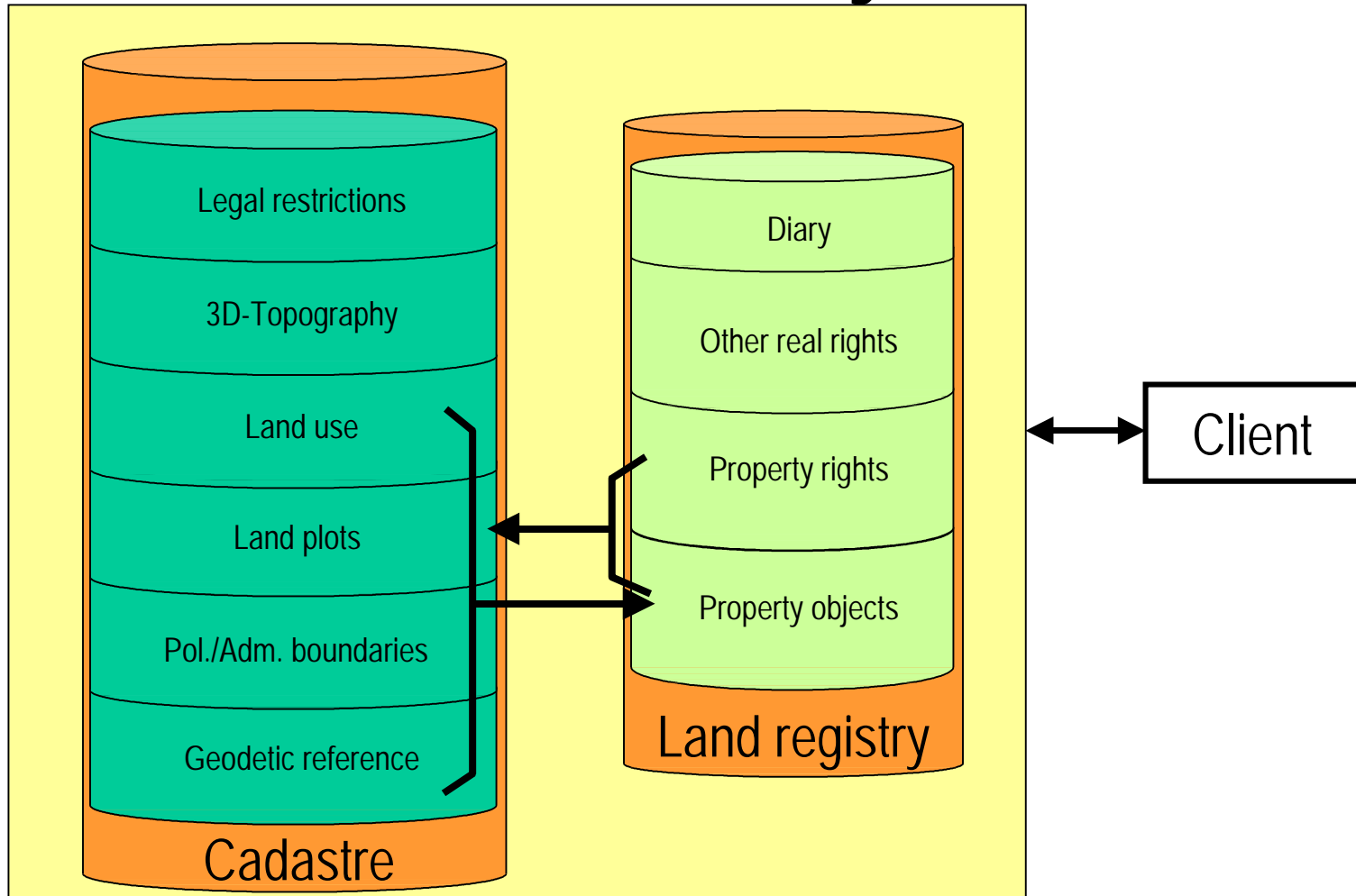
Activities in land registry

Quantity of work

Real estate cadastre

Total volume of activity

Old books

Current operation

Time

2 years

4-6 years

Entry of existing data

Updating phase

Sida

gtz

Before …

… and after

Land information system

Sida

Conclusion

- A reliable Land Management System contributes in a very sgnificant way to social peace and economical development at individual level as well as at community level

- Land management is covering its costs and consequently does not require permanent public funding, but only in starting phase