



## CASE STUDY 6.2

### DIGITAL RECONSTRUCTION OF THE LAND RECORDS SYSTEM IN TIMOR-LESTE

Environmental Peacebuilding Association

Land records are often destroyed during conflict. This is sometimes a deliberate act; for example, to remove evidence that land was owned by members of a particular group (e.g., Timor-Leste and Afghanistan), or to eliminate the concept of private property (e.g., Cambodia).<sup>170</sup> Digital technology, including SDIs and GIS, can be useful not only in rebuilding those records, but also for preventing their future destruction by keeping back-up files in other countries, far removed from potential targeting.

Timor-Leste gained its independence from Indonesia in 1999. During the Indonesian occupation (1975–1999), much of the rural population was forcibly displaced; and during Timor-Leste’s war for independence from Indonesia, land records were destroyed. After the conflict, the new Timorese government rejected Indonesian laws, with the result that there was no legal system governing land for more than a decade.

Despite the absence of a national land law, the Ita Nia Rai (“Our Land”) project, implemented with support from the U.S. Agency for International Development and in partnership with the Timorese Ministry of Justice sought to strengthen property rights. From 2007 to 2012, the project undertook a suite of complementary policy, institutional, and practical measures, including the digital reconstruction of land records in all urban and peri-urban areas. The project was undertaken

community by community, and was based on developing social agreement regarding the boundaries of each plot and its owners.

The Ita Nia Rai project first used local media and community meetings to raise awareness within communities about the project and its goals. Data collection teams would then visit a given neighborhood and record the names of those who claimed each parcel of land, taking photographs of the claimants; this including ensuring that women were formally recorded as co-owners where land was jointly claimed. The team documented global positioning system coordinates and photographed the markers that defined the corners of each land parcel. They also sought to compile information about the history of the land parcel.

Where there was disagreement regarding boundaries or ownership (e.g., between neighbors or competing claimants), the team recorded the disputed boundaries and identified the competing claimants. Aerial photography was used to create a master map of the community (FIGURE 6.3), in which the team delineated all parcels, including those in dispute. The maps also included photos of the recorded claimants. The maps were publicly displayed for thirty days, during which time people could verify claims and correct errors.

The project gave priority to parcels that were not in dispute, encouraging community members to discuss and resolve disputes. There was a deliberate effort to avoid creating incentives to contest ownership (for example, by providing compensation). Rather, the project provided local staff who were trained to mediate disputes.

The Ita Nia Rai project collected information on more than 50,000 parcels, with an overall dispute rate of less than 10 percent.<sup>171</sup> In 2011, an executive decree formalized all undisputed private claims to land; by December of that year, landowners received their first certificates of land registration.<sup>172</sup> By transparently recreating the national cadaster covering both urban and peri-urban areas, the project improved tenure security in post-conflict Timor-Leste.

**FIGURE 6.3:** RECONSTRUCTING LAND RECORDS THROUGH THE ITA NIA RIA PROJECT.



Source: Ita Nia Rai 2009.